

Cornell University Student Assembly

Originally Presented on:	(9/12/2019)
Type of Action:	Recommendation
Status/Result:	New Business

S.A. Resolution #6

Resolution Urging Cornell University to Call Upon the Association of Universities for Research in Astronomy (AURA) to Divest from the Thirty Meter Telescope (TMT) Construction on Mauna Kea

ABSTRACT: This resolution urges Cornell University to publicly call on the Association of Universities for Research in Astronomy (AURA) to denounce the construction of the Thirty Meter Telescope (TMT) on Mauna Kea, Hawai'i, and divest all support for the TMT until such a time that the construction of the TMT is moved to another location.

Sponsored by: Colin Benedict '21

Whereas, The Kanaka Maoli (Indigenous people of Hawai'i) have lived on the Hawaiian Islands since time immemorial,

Whereas, United States troops invaded the Hawaiian Kingdom and forcefully deposed Queen Lili'uokalani in violation of U.S. constitutional law and international law in 1893,

Whereas, In 1898, the United States allegedly annexed Hawai'i through an act of Congress known as the Newlands Resolution and acted upon the pretension the measure had the legal force of a treaty, which it did not,

Whereas, US Congress,

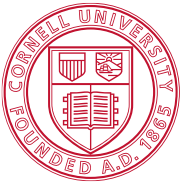
1) on the occasion of the 100th anniversary of the illegal overthrow of the Kingdom of Hawai'i on January 17, 1893, acknowledges the historical significance of this event which resulted in the suppression of the inherent sovereignty of the Native Hawaiian people;

(2) recognizes and commends efforts of reconciliation initiated by the State of Hawaii and the United Church of Christ with Native Hawaiians;

(3) apologizes to Native Hawaiians on behalf of the people of the United States for the overthrow of the Kingdom of Hawaii' on January 17, 1893 with the participation of agents and citizens of the United States, and the deprivation of the rights of Native Hawaiians to self-determination;

(4) expresses its commitment to acknowledge the ramifications of the overthrow of the Kingdom of Hawai'i in order to provide a proper foundation for reconciliation between the United States and the Native Hawaiian people; and

(5) urges the President of the United States to also acknowledge the ramifications of the overthrow of the Kingdom of Hawai'i and to support reconciliation efforts between the United States and the Native Hawaiian people,



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44 **Whereas**, the Association of Universities for Research in Astronomy (AURA) was founded in 1957
45 by a group of U.S. universities to create astronomical observation facilities that would be
46 available for research purposes by qualified institutions,
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48 **Whereas**, AURA is now made up of 47 U.S. member institutions, including Cornell University,
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50 **Whereas**, the TMT Observatory Corporation was founded in 2003, for the purpose of carrying out
51 the TMT construction project,
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53 **Whereas**, on July 1, 2009 the TMT Board of Directors selected Mauna Kea on the Island of
54 Hawai'i as the site for the TMT,
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56 **Whereas**, the mountain of Mauna Kea is a landscape of cultural and spiritual importance to the
57 Native Hawaiian peoples and is designated as a conservation district under the Department
58 of Land and Natural Resources,
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60 **Whereas**, the University of Hawai'i signed a 65-year General Lease from the Board of Land and
61 Natural Resources (BLNR) in 1968,
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63 **Whereas**, BLNR can terminate the Lease if the lease terms—including caring for Mauna Kea—are
64 not met,
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66 **Whereas**, thirteen observatories currently exist on Mauna Kea,
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68 **Whereas**, the University of Hawai'i has mismanaged Mauna Kea for over fifty years, during which:
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70 (1) In 1995, a helicopter had to airlift trash from the summit at a cost of \$20,000,
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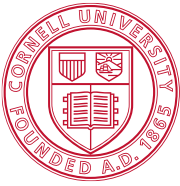
72 (2) In 1998, The Hawai'i State Auditor released a report documenting 40 years of
73 mismanagement of Mauna Kea by both the BLNR and the University of Hawai'i,
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75 (3) In 2004, subpoenaed documents reveal that spills of sewage, ethylene glycol, diesel fuel,
76 and toxic mercury had taken place on Mauna Kea,
77

78 (4) In 2005, an environmental study by NASA concluded that astronomy activity on Mauna
79 Kea had caused "significant, substantial, and adverse harm,"
80

81 (5) University of Hawai'i's 2010 Comprehensive Management Plan includes a
82 Decommissioning Plan for removing observatories and restoring the sites, yet no
83 decommissioning plans have been finalized,
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85 (6) In 2011, The Subaru Observatory spilled 100 liters of orange coolant and is shut down
86 for two weeks,



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87 **Whereas**, in 2014 AURA, and Cornell University, joined the TMT International Observatory's
88 governing board,

89
90 **Whereas**, in 2015 Hawai'i State Governor David Ige temporarily halted construction due to public
91 pressure and admits, "We have in many ways failed the mountain. Whether you see it from a
92 cultural perspective or from a natural resource perspective, we have not done right by a very
93 special place,"

94
95 **Whereas**, on October 30, 2018 the Hawaii Supreme Court by majority decision issued its opinion
96 affirming the Hawaii Board of Land and Natural Resources' decision to issue a Conservation
97 District Use Permit (CDUP) for construction of the TMT on Mauna Kea.

98
99 **Whereas**, on June 20, 2019 The Hawai'i Department of Land & Natural Resources issued a notice
100 to proceed to the University of Hawai'i to proceed with construction of the TMT on Mauna
101 Kea,

102
103 **Whereas**, on July 15, 2019 thousands of Native Hawaiian protectors peacefully blocked the Mauna
104 Kea Access Road with kūpuna (elders) of the community making up the front line,

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106 **Whereas**, on July 17, 2019 33 kūpuna and five kia'i (protectors) were arrested by police. Some were
107 in wheelchairs,

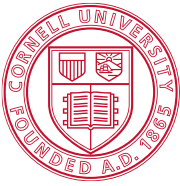
108
109 **Whereas**, thousands of Native Hawaiian protectors have since gathered to peacefully block the
110 Mauna Kea Access Road since July 15, 2019 in order to stop construction of the TMT and
111 continue to do so today,

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113 **Be it further resolved**, that the degradation of Mauna Kea in any way, shape, or form, without the
114 consent of Native Hawaiians, including those actively obstructing the Mauna Kea Access
115 Road in non-violent protest, represents a genocidal act against the Indigenous people of
116 Hawai'i and their culture, sovereignty, and spiritual practices,

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118 **Be it further resolved**, that Cornell University is a member of AURA, and through this
119 membership, a benefactor and supporter of the construction of the TMT on Mauna Kea,

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121 **Be it further resolved**, Cornell University is therefore a supporter and benefactor of the
122 degradation of the culture, sovereignty, and spiritual practices of the Native Hawaiian
123 people,

124
125 **Be it further resolved**, that any refusal on behalf of Cornell University to call on AURA to rescind
126 its support and contributions to construction of the TMT on Mauna Kea would be another
127 failure on behalf of Cornell University to prioritize the rights of Indigenous peoples over
128 research practices dependent on the unethical exercise of physical violence through
129 militarized police force,



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130 **Be it finally resolved,** that Cornell University will respect the rights of the Native Hawaiian people,
131 their rights to non-violent protest, and demand that AURA divest from, and cease all
132 support for, the construction of the TMT on Mauna Kea, until such a time that the TMT
133 project is moved to another location.

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135 **Respectfully Submitted,**

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137 Colin Benedict '21
138 *Vice President of Diversity and Inclusion & Minority Student Liaison At-Large, Student Assembly*

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140 *(Reviewed by: Executive Committee, 5-0-0, 09/10/2019)*