
HOUSE CONCURRENT RESOLUTION

URGING BANK OF AMERICA TO FULFILL ITS COMMITMENT TO LEND \$150
MILLION UNDER FHA 247 FOR RESIDENTIAL MORTGAGE LOANS FOR
HOUSING ON HAWAIIAN HOME LANDS.

1 WHEREAS, the Hawaiian Homes Commission Act, 1920, as
2 amended, was enacted to allow native Hawaiians to return to
3 their lands to promote self-sufficiency and preserve the values,
4 traditions, and culture of native Hawaiians; and
5

6 WHEREAS, the Department of Hawaiian Home Lands is charged
7 with implementing this objective by managing the Hawaiian Home
8 Lands trust and delivering trust lands to native Hawaiians to
9 enjoy, develop, and build healthy communities; and
10

11 WHEREAS, one of the largest impediments to the advancement
12 of native Hawaiians and the goal of the Hawaiian Homes
13 Commission Act, 1920, as amended, is the inability of many
14 native Hawaiians to obtain adequate financing for home ownership
15 or long-term leases; and
16

17 WHEREAS, in 1994, Bank of America pledged \$150 million
18 toward a residential mortgage loan program for native Hawaiians
19 seeking housing on Hawaiian Home lands. This commitment was
20 made as part of Bank of America's acquisition of Liberty Bank,
21 and the initial timeline was a four-year payout to take place
22 between July 1994 and June 1998, which was incorporated in the
23 Federal Reserve Board of Governor's order approving the
24 acquisition; and
25

26 WHEREAS, although Bank of America sold its Hawaii branches
27 to American Savings Bank in 1997, it reaffirmed its commitment
28 to make the \$150 million available for loans by August 12, 1997;
29 and



1 WHEREAS, Bank of America failed to meet this self imposed
2 deadline, but on August 11, 1998, representatives of the bank,
3 including Catherine Bessant, visited the State to meet with
4 Hawaiian elders, the Department of Hawaiian Home Lands
5 Chairperson, Kali Watson, and Governor Ben Cayetano, when they
6 again pledged to set aside \$150 million for residential mortgage
7 loans to native Hawaiians; and

8
9 WHEREAS, a letter dated January 10, 2003, from Bank of
10 America Community Development Banking Group President, Doug
11 Woodruff, to Pu'uhonua Kanahale, leader of the Nation of Hawaii,
12 promised that Bank of America would secure the \$150 million as
13 promised; and

14
15 WHEREAS, the Federal Reserve Board of Governor's order
16 approving acquisition concluded by stating:

17
18 "The Board's approval is specifically conditioned upon
19 compliance with all of the commitments made by
20 BankAmerica in connection with this application and
21 with the conditions referred to in this order... For
22 purposes of this action, the commitments and
23 conditions relied on in reaching this decision shall
24 be deemed to be conditions imposed in writing by the
25 Board and, as such, may be enforced in proceedings
26 under applicable law";

27
28 and


29
30 WHEREAS, it is now 2011, and Bank of America has yet to
31 fulfill its commitment to lend \$150 million in FHA 247 loans to
32 assist native Hawaiians with residential mortgages; now,
33 therefore,

34
35 BE IT RESOLVED by the House of Representatives of the
36 Twenty-sixth Legislature of the State of Hawaii, Regular Session
37 of 2011, the Senate concurring, that the Legislature calls on
38 Bank of America to fulfill the commitment it made to dedicate
39 \$150 million for residential mortgage loans to native Hawaiians
40 seeking housing on Hawaiian Home Lands; and



1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the Governor,
3 Chairperson of the Office of Hawaiian Affairs, Chairperson of
4 the Department of Hawaiian Home Lands, and Chief Executive
5 Officer and President of Bank of America.

6
7
8

OFFERED BY: 

MAR 16 2011