



**SCR11 & SCR12**  
**APPROVING THE SALE OF THE LEASED FEE INTEREST IN CERTAIN LANDS**  
House Committee on Housing

April 18, 2013

10:00 a.m.

Room 329

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The Office of Hawaiian Affairs (OHA) offers the following comments on SCR11 and SCR12, which approve the sale of the leased fee interest in certain lands. **These parcels do not appear to be “ceded” lands and accordingly OHA does not oppose the sale of these parcels.**

These resolutions were offered for consideration by the Legislature in accordance with Act 176, Session Laws of Hawai‘i 2009, as amended. Among other things, Act 176 requires a two-thirds majority vote of both houses of the Legislature before any specific lands controlled by the State can be sold (including, but not limited to, ceded lands).

In the 1993 “Apology Resolution,” the United States Congress, referring to Native Hawaiians’ loss of control of their lands, stated:

[t]The Republic of Hawaii . . . ceded 1,800,000 acres of crown, government and public lands of the Kingdom of Hawaii, without the consent of or compensation to the Native Hawaiian people of Hawaii or their sovereign government.

Sales of ceded lands raise significant concerns for OHA and its beneficiaries, because the Native Hawaiian people’s claim to ceded lands has yet to be resolved. OHA urges your committees to consider these unresolved claims carefully as they deliberate regarding each specific sale. However, SCR11 & SCR12 do not appear to involve the sale of ceded lands. Accordingly, OHA does not oppose these sales.

Mahalo for the opportunity to testify on these important measures.