

Senator Brian T. Taniguchi, Chair  
Senator Karl Rhoads, Vice Chair  
Senate Committee on Judiciary



Testimony of Jame K. Schaedel

Thursday, March 29, 2018

**Support** for House Bill No. 2464, H.D. 2, S.D. 1 – Relating to the Hawaiian Homes Commission Act

### **WRITTEN TESTIMONY ONLY**

Thank you for the opportunity to offer testimony **supporting the intent** of House Bill No. 2464, H.D. 2, S.D. 1. This draft of the bill requires the Department of Hawaiian Home Lands (DHHL) to study the issue of DHHL lessees selling or transferring their lease to another Native Hawaiian for a fee or other personal gain and then applying for a subsequent DHHL lease.

I offer this testimony as a private citizen.

The purpose of the Hawaiian Homes Commission Act, 1920 “...is to enable native Hawaiians to return to their lands in order to fully support self-sufficiency for native Hawaiians and the self-determination of native Hawaiians in the administration of this Act, and the preservation of the values, traditions, and culture of native Hawaiians.”

Furthermore, a principal purpose of the Act includes “placing native Hawaiians on the lands set aside under this Act in a prompt and efficient manner and assuring long-term tenancy to beneficiaries of this Act and their successors.” (emphasis added)

I understand and recognize why some DHHL lessees take advantage of the transfer loophole in the Act especially if they desire to transfer their lease to child who does not meet the 50% blood quantum requirement to become an applicant. However, there are still thousands of Native Hawaiians on the DHHL application wait list.

I find it especially disturbing that there are Native Hawaiians who “game the system” in order to collect a profit for their personal gain. I vehemently believe that Prince Kūhiō never anticipated that Native Hawaiians would take advantage of a gift that he sacrificed so much for to provide for his people nearly a century ago.

Finally, this unfunded mandate will further burden a department which continues to struggle to obtain general funds from the Legislature in order to maintain operations. I strongly recommend that your committee reach out to the department, the Senate Committee on Ways and Means, and the House Committee on Finance to determine an appropriate figure to fund this study.

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Thank you for the opportunity to provide written testimony supporting the intent of this bill. I implore you to amend this bill to include a funding mechanism, with a recommendation for passage on Third Reading.

Respectfully,

Jame K. Schaedel