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JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879
HONOLULU, HAWAII 96805

TESTIMONY OF JOBIE M. K. MASAGATANI, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE SENATE COMMITTEES ON HAWAIIAN AFFAIRS AND HOUSING

**SCR 48 REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO
PROVIDE HOUSING FOR NATIVE HAWAIIANS**

March 20, 2018

Aloha Chairs Shimabukuro & Espero and members of the Committee:

The Department of Hawaiian Home Lands (DHHL) submits comments on this resolution requesting DHHL to provide housing for native Hawaiians. DHHL appreciates that this resolution references the Housing and Urban Development (HUD) report titled "Housing Needs of Native Hawaiians: A Report From the Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs." Nevertheless, DHHL requests that this measure be deferred while it undertakes the rulemaking process. DHHL is working toward developing multi-family, high-density development as evidenced by the Hawaiian Homes Commission's approval in December 2017 to proceed to beneficiary consultation for administrative rules related to Declaration of Covenants, Conditions, and Restrictions (DCCR) communities, multi-family housing, and rentals. While DHHL is just starting this process by engaging its beneficiaries, we humbly request that the Legislature defer this resolution so beneficiaries can weigh in on this issue first.

If the Committees intend to pass this resolution despite this request, DHHL asks that the 4th whereas clause be corrected. While there are over 40,000 applications, this number actually represents approximately 27,000 applicants because an applicant can have more than one application – an application for a residential lease and an application for either an agricultural or pastoral lease. DHHL is always open to working with partners to assist beneficiaries who may be homeless as long as the applicant waiting list is also honored in the process.

Thank you for your consideration of our testimony.

SCR-48

Submitted on: 3/16/2018 8:39:22 PM

Testimony for HWN on 3/20/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Kealii Pang, Ph.D.	Testifying for Hawaiian Civic Club of Honolulu	Support	No

Comments:

SCR-48

Submitted on: 3/16/2018 8:59:58 PM

Testimony for HWN on 3/20/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Testifying for Ho'omanapono Political Action Committee (HPAC)	Oppose	Yes

Comments:

We STRONGLY OPPOSE this resolution for the following reasons: 1.) The State has failed to collect data on how many people who are “homeless”, are “native Hawaiians” as defined by the Hawaiian Homestead Commission Act of 1920(“HHCA”). As it stands right now, the State merely relies on information that is provided solely by individuals who self identify as “Native Hawaiians”, but has NOT PRODUCED EVIDENCE that they are “native Hawaiians” as defined by the HHCA; 2.) The Department of Hawaiian Home Lands specific fiduciary duty is to “native Hawaiians” as defined by the HHCA, and NOT to Native Hawaiians NOT defined by the HHCA; 3.) As it stands, the DHHL “waitlist” is approximately 22,000 MOT 40,000 (a greatly exaggerated number).

Therefore, it is the States’ own Kuleana & NOT that of DHHL, to deal with its own “homeless” population. DHHL has its own FUDICIARY DUTY, FIRST & FOREMOST, to native Hawaiians as defined by the HHCA. It must further be understood, that it took native Hawaiian Beneficiaries to sue both the State of Hawaii & DHHL, because of its historical failure to meet its fiduciary duties to native Hawaiians, of which native Hawaiians have repeatedly prevailed. Please refrain from mixing & matching facts/statistics to force or elicit DHHL to cover the States’ FAILURE TO DEAL WITH ITS OWN KULEANA. We ask you to defer or hold this resolution INDEFINITELY!
Mahalo.

SCR-48

Submitted on: 3/19/2018 1:02:13 PM

Testimony for HWN on 3/20/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:

SCR-48

Submitted on: 3/19/2018 10:02:14 PM

Testimony for HWN on 3/20/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Testifying for Ho`omana Pono, LLC	Support	Yes

Comments:

In STRONG SUPPORT OF THIS BILL TO PROVIDE HOUSING FOR NATIVE HAWAIIANS AS DEFINED BY THE HAWAIIAN HOMELANDS COMMISSIONS ACT...

SCR-48

Submitted on: 3/20/2018 5:21:39 AM

Testimony for HWN on 3/20/2018 1:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kapua Keliikoa-Kamai	Individual	Oppose	Yes

Comments:

Aloha kakou,

While I appreciate the intent of this SCR, I feel the need to remind the Legislature that DHHL has a fiduciary responsibility to facilitate a successful homestead award. Houseless (homeless) beneficiaries are especially challenged to meet daily burdens, to include paying rent and other costs of living; much less the expenses of homeownership.

Conditions leading to their houseless situation must be addressed by the State and it's other Departments (Education, Health, Human Services, etc.) first to help beneficiaries attain the proper education, employment, mental health/substance free services, etc. to sustain their livelihood and future homeownership.

Again, I recognize this well meaning SCR and recommend the State increase funding to help beneficiaries in the aforementioned areas, and more, to ensure their successful DHHL homestead award.

Mahalo for this opportunity to respectfully OPPOSE SCR 48.

Na'u,

Kapua Keliikoa-Kamai

Struggling Waianae Valley Homestead Lessee