

MAR 11 2022

SENATE RESOLUTION

URGING THE UNITED STATES TO SATISFY ITS OBLIGATIONS TO THE
DEPARTMENT OF HAWAIIAN HOME LANDS AND THE HAWAIIAN HOME
LANDS TRUST UNDER THE HAWAIIAN HOME LANDS RECOVERY ACT.

1 WHEREAS, in 1921, Congress enacted the Hawaiian Homes
2 Commission Act at the urging of Prince Jonah Kuhio Kalanianaʻole
3 with the support of the first Hawaiian Civic Clubs; and
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5 WHEREAS, the Hawaiian Homes Commission Act set aside
6 203,000 acres of former crown and government lands for a
7 homestead program intended to revitalize and rehabilitate the
8 native Hawaiian community by returning them to the land; and
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10 WHEREAS, today, the State of Hawaii is vested with the
11 administration of the Hawaiian Home Lands Trust (Trust) and its
12 homesteading program, and the Department of Hawaiian Home Lands
13 is charged with the responsibility of effectively managing the
14 Trust's lands and funds and delivering land to the Trust's
15 native Hawaiian beneficiaries; and
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17 WHEREAS, in 1995, Congress enacted the Hawaiian Home Lands
18 Recovery Act to authorize the transfer of certain federal lands
19 to the Department of Hawaiian Home Lands to provide for a full
20 settlement of claims against the United States for its taking
21 and continued use of approximately 1,500 of the 203,000 acres of
22 land set aside for implementation of the Hawaiian Homes
23 Commission Act; and
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25 WHEREAS, the United States Department of the Interior is
26 responsible for implementing the Hawaiian Home Lands Recovery
27 Act, and since the execution of a memorandum of agreement with
28 the State of Hawaii and the Department of Hawaiian Home Lands in
29 1998, eight hundred ninety acres have been transferred and
30 eighty acres are in the process of being transferred to the
31 Department of Hawaiian Home Lands; and
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33 WHEREAS, since the enactment of the Hawaiian Home Lands
34 Recovery Act, many parcels of federal lands that were suitable



1 for the Department of Hawaiian Home Lands were transferred in a
2 manner inconsistent with the Act; and

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4 WHEREAS, obligations of the federal government under the
5 Hawaiian Home Lands Recovery Act have not been satisfied in a
6 timely manner and the Trust should be compensated for the
7 ongoing loss of use of lands held by the federal government for
8 which the Trust remains uncompensated; and

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10 WHEREAS, remaining obligations of the federal government
11 under the Hawaiian Home Lands Recovery Act should be satisfied
12 in a timely manner to ensure the Trust is made whole and can
13 develop additional homestead lots for native Hawaiian
14 beneficiaries; now, therefore,

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16 BE IT RESOLVED by the Senate of the Thirty-first
17 Legislature of the State of Hawaii, Regular Session of 2022,
18 that the United States is urged to satisfy its obligations to
19 the Department of Hawaiian Home Lands and the Trust under the
20 Hawaiian Home Lands Recovery Act; and

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22 BE IT FURTHER RESOLVED that members of Hawaii's
23 congressional delegation are requested to seek amendments to the
24 Hawaiian Home Lands Recovery Act or enact other legislation to
25 authorize compensation of the Trust for continued lost use of
26 lands set aside under the Hawaiian Homes Commission Act and held
27 by the federal government; and

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29 BE IT FURTHER RESOLVED that certified copies of this
30 Resolution be transmitted to the United States Secretary of the
31 Interior; members of the Hawaii congressional delegation;
32 Governor; Chairperson of the Department of the Hawaiian Homes
33 Commission; Chairperson of the Board of Trustees of the Office
34 of Hawaiian Affairs; and Mayors of Kauai, Maui, Hawaii Island,
35 and City and County of Honolulu.

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38 OFFERED BY: 

