



United States Department of the Interior
OFFICE OF THE SOLICITOR
Washington, D.C. 20240

DEC 02 2022

The Honorable Ed Case
House of Representatives
Washington, D.C. 20515

The Honorable Kaiali'i Kahele
House of Representatives
Washington, D.C. 20515

Re: Act 80, 2017 Hawai'i Session Laws / H.J. Res 55, the Prince Jonah Kūhiō
Kalaniana'ole Protecting Family Legacies Act

Dear Representative Case and Representative Kahele:

I am writing to inform you of the Department of the Interior's (Department) preliminary assessment of Hawai'i Act 80 (2017 Hawai'i Session Laws) (Act 80) pursuant to the Department's obligations under 43 C.F.R Part 48, titled "Amendments to the Hawaiian Homes Commission Act." While the Department does not recommend that Congress adopt H.J. Res. 55 to enact Act 80 for the reasons outlined below, it is committed to ongoing communication with the State, congressional delegation, and the Native Hawaiian Community, including beneficiaries, as it considers these issues going forward.

On December 27, 2017, the Department received materials from the Chairman of the Hawaiian Homes Commission on behalf of the State of Hawai'i (State) concerning Act 80, a proposed amendment to the Hawaiian Homes Commission Act, 1920, 42 Stat. 108 (HHCA). On February 22, 2018, the Department sent a set of questions and data requests to the State to clarify and quantify the challenges that Act 80 seeks to address. The Department also sought to confirm that qualified HHCA beneficiaries, particularly those adversely impacted by the proposed amendment, were informed about Act 80's effects on the administration of the Hawaiian Home Lands Trust (Trust) and the material facts necessary to understand and protect their interests.

While the Department received the State's response on February 28, 2022, the State did not provide answers to most of the Department's questions, citing a lack of data. The State also made clear that no further information regarding Act 80 would be forthcoming. The State's decision not to conduct further reviews, supply necessary baseline data, or clarify their initial analysis as requested has impeded the Department's timely analysis of Act 80.

Although the information supplied by the State regarding Act 80 was not sufficiently comprehensive, the Department used the best information available to complete this preliminary assessment. The Department's responsibilities with respect to the Trust require that it examine

more than just the text of the proposed amendment. The Department must analyze how the proposed amendment affects the Trust and its beneficiaries per 43 C.F.R. §§ 48.10(a) and 48.25. At this preliminary stage, the Department concludes that the State is proposing a significant policy shift that lowers the blood quantum requirement for non-beneficiaries who wish to succeed to leases reserved for eligible HHCA beneficiaries and their successors. This shift in policy would adversely affect tens of thousands of eligible beneficiaries awaiting lease awards. The Department is concerned that the State's attempt to accommodate the successorship interests of non-beneficiaries did not duly consider Act 80's inequitable effects on the approximately 29,000 known beneficiaries, among other qualified individuals, eligible to receive or succeed to homestead awards under the HHCA's existing terms.

Importantly, the HHCA and the Hawaiian Home Lands Recovery Act (HHLRA) define a beneficiary of the Trust as "any descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands previous to 1778." With respect to the Trust, the Department uses the Congressionally defined terms "native Hawaiian" and "beneficiary" interchangeably. The Department maintains the distinction among beneficiaries (native Hawaiians who may or may not hold a lease), beneficiary lessees (native Hawaiians who hold leases), and lessees (persons who hold leases who may or may not be native Hawaiian). Currently, section 209 of the HHCA permits a surviving sibling of a deceased lessee to succeed to decedent's lease if they have at least one-half (1/2) Hawaiian blood. A similar but reduced blood quantum requirement applies to surviving spouses, children, or grandchildren, each of whom needs only one-quarter (1/4) Hawaiian blood to succeed. If approved by Congress, Act 80 would reduce existing blood quantum requirements for all such successors to one-thirty-second (1/32). As a result, previously ineligible descendants in some families will be allowed to keep lease awards within their family for up to three to four additional generations.

Trust law requires the State to administer the Trust *solely* in the interest of the beneficiaries. The existing class of HHCA beneficiaries includes, at minimum, approximately 29,000 "wait list" individuals, most of who have yet to receive first-time lease awards under the HHCA's existing terms. Trust beneficiaries also include native Hawaiians under the age of 18, as well as those who desire but may not currently be able to afford to build or purchase a home on the Trust lands. Other native Hawaiians may be entitled to apply for a lease but are dissuaded from doing so because of the current wait list. None of these beneficiaries benefit from Act 80, which applies only to lessees (less than 10,000) and would extend its benefits to an expanded class of non-beneficiary successors.

The Department's analysis finds that reducing successorship requirements as proposed harms the majority of existing Trust beneficiaries, whose opportunity to receive a homestead lease in their lifetime diminishes when available homesteading lands remain static compared to demand or in the hands of an expanding class of non-beneficiary successors. Indeed, the degree to which Act 80 reduces existing blood quantum requirements—from 1/2 or 1/4 to 1/32—allows non-beneficiaries to retain an already limited number of Hawaiian homeland leases for conceivably three to four additional generations, while many Trust beneficiaries are awaiting first-time leasehold awards. A review of the history of this type of change underscores the risk of harm to Trust beneficiaries.

In 1986, Congress first amended section 209 of the HHCA to lower the blood quantum (from ½ to ¼) for certain successors. Amendment supporters then-cited many of the same justifications invoked for Act 80: housing stability, incentivizing home and property improvements, and avoiding inhumane results. At that time, the State had awarded less than 6,000 leases while 8,000 beneficiaries were on the wait list, some having been on it for many years. Notably, the then Hawaiian Homes Commission Chair testified that no adverse impacts would befall wait list beneficiaries because “all interested native Hawaiians [could] be accommodated by lands available for homesteading.”¹ In the intervening decades, however, the State awarded leases to less than half of those wait list beneficiaries and largely failed to keep pace with the 21,000 new beneficiaries added to the wait list.

Simply stated, the demand for homesteads has historically outpaced the State’s awarding of leases by orders of magnitude. That demand is unlikely to be resolved in the near term.² And it appears that circumstances for wait list beneficiaries are worse now than in 1986. Not only has the wait list nearly quadrupled in size, but none of the measures reducing blood quantum requirements, including Act 80, applies to those beneficiaries. For a wait list beneficiary who dies before receiving their lease award, there is no right to succession unless one of their descendants is at least one-half (½) Hawaiian blood.³ Act 80 provides no exceptions, assurances, or protections for these HHCA beneficiaries. That existing inequity is manifestly unfair to wait list beneficiaries and their successors. The Department cannot countenance compounding and exacerbating those inequities by endorsing the amendments proposed by Act 80.

The Department recognizes the housing stability challenges the State endeavored to address through enactment of Act 80. Nevertheless, well-settled trust law principles and duties require the State to explore and identify solutions just and equitable for all beneficiaries, irrespective of their leasehold standing. The State is legally obligated to protect all Trust assets for the benefit of all qualified beneficiaries, not merely for those first awarded leases and certainly not to the detriment of those awaiting their lease awards. And it bears repeating that the more than 200,000 acres of land set aside under the HHCA are Trust assets, akin to a Hawaiian *communal* land base, used to support a homesteading program that places eligible native Hawaiians on land in Hawai‘i. These homesteading tracts are not private, fee simple, family-owned parcels for indefinite tenure. Rather, these are limited-term leasehold acres encumbered by numerous restrictions (eligibility, use, etc.) and administered to serve the Trust purpose. As enacted, the HHCA provided that the homelands would be held in trust for native Hawaiian beneficiaries and, except as provided by the statute, could not be sold, encumbered, or otherwise alienated.

The Department is mandated by law to administer the federal laws governing the Trust in a manner that advances the interests of all beneficiaries as provided by Congress. For the above stated reasons, the Department does not recommend that Congress adopt H.J. Res. 55, which would approve and enact Act 80. However, it remains willing to work with the State, congressional delegation, and HHCA beneficiaries to identify solutions to the housing stability

¹ H.J. Res. 17, S. Hrg. 99-1025, at 70.

² The State’s landmark investment in the Trust via Act 279 (2022 Hawai‘i Session Laws), also known as the “Waitlist Reduction Act,” is important, but the appropriation is not expected to significantly reduce the waitlist.

³ The State annually undertakes to identify descendants of at least one-half (½) Hawaiian blood for wait list beneficiaries who die without designating a successor. The [notice published on November 23, 2022](#) lists 119 deceased applicants.

challenges Act 80 sought to mitigate as well as the interests of all Trust beneficiaries. The Department is committed to ensuring that proposed solutions reflect direct input from the Native Hawaiian Community and from the beneficiaries themselves. Use of the Department's first-ever consultation policy with the Native Hawaiian Community, for which formal consultation is now underway, may offer a productive means to achieve this goal.

The Department and the State have long worked cooperatively and collaboratively to ensure that our respective responsibilities under the HHCA are faithfully executed. Making sure our federal involvement helps to improve Trust administration, holds us accountable to beneficiaries, and safeguards this Hawaiian communal land base in perpetuity remains our steadfast commitment.

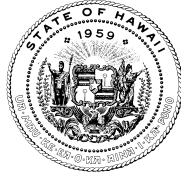
Sincerely,

A handwritten signature in blue ink that reads "Robert T. Anderson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Robert T. Anderson
Solicitor

JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia'āina o ka Moku'āina 'o
Hawaii*

SYLVIA J. LUKE
LT. GOVERNOR
STATE OF HAWAII
*Ka Hope Kia'āina o ka Moku'āina
'o Hawaii*



KALI WATSON
CHAIRMAN, HHC
Ka Luna Ho'okele

KATIE L. DUCATT
DEPUTY TO THE CHAIRMAN
Ka Hope Luna Ho'okele

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

Ka 'Oihana 'Āina Ho'opulapula Hawaii

P. O. BOX 1879
HONOLULU, HAWAII 96805

TESTIMONY OF KALI WATSON, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
HEARING ON APRIL 13, 2023 AT 2:00PM IN CR 325

SCR 104, SD 1

April 13, 2023

Aloha Chair Tarnas, Vice Chair Takayama, and members of the Committee:

The Department of Hawaiian Home Lands supports SCR 104 / SD 1 urging the United States Congress to pass the Hawaiian Home Lands Preservation Act, H.R. Res. 9614, 117th Cong. (2nd Sess. 2022), to lower the required minimum blood quantum for certain DHHL successor lessee beneficiaries from one-quarter Native Hawaiian blood to one thirty-second.

The mission of DHHL is to manage the Hawaiian Home Lands Trust effectively and to develop and deliver land to native Hawaiians. Today, DHHL is responsible for the management of approximately 200,000 acres of these trust lands, 9,976 homestead leases statewide, and 46,307 lease applications held by 28,971 native Hawaiians.

The amendments to the Hawaiian Homes Commission Act, 1920 (HHCA) made by the Hawaiian Home Lands Preservation Act, H.R. Res. 9614, 117th Cong. (2nd Sess. 2022) are critical to fulfilling the vision of Prince Kūhiō over the next century. Essentially the amendments would allow a homesteader to continue to designate certain family members to succeed to the homestead lease.

DHHL surveys both lessees and applicants approximately every five years. Some data from these studies underscore the importance of Congress consenting to the HHCA amendments in the Hawaiian Home Lands Preservation Act, H.R. Res. 9614, 117th Cong. (2nd Sess. 2022). Most notably is that nine out of ten lessees plan to pass their Homestead lot and house on to their children or other relatives (89%). Over 85% of the lessee respondents indicated that the intended heir meets the current requirements in the HHCA. Although a small number, 8.9% of the lessee respondents, indicated that their intended relative does not meet the current requirements in the HHCA, the number has increased to 10.5% in 2020. Although the trend may be small at this stage, it is a concern. This number is expected to increase steadily and is the primary reason

consent to the Hawaiian Home Lands Preservation Act, H.R. Res. 9614, 117th Cong. (2nd Sess. 2022) is being requested sooner rather than later.

DHHL requests that the second WHEREAS clause be amended to read as follows:

WHEREAS, ~~the Department of Hawaiian Home Lands was established pursuant to the Hawaiian Homes Commission Act of 1920, as amended, and provides benefits to native Hawaiians such as the offering of ninety-nine-year homestead leases at an annual rent of one dollar; and~~

DHHL requests that the fifth WHEREAS clause be amended to read as follows:

WHEREAS, ~~in realizing the dilutive effect of interracial marriages on the blood quantum,~~ Congress and the State lowered the minimum blood quantum requirement for certain qualified lessee successors to one-quarter native Hawaiian blood; the State further reduced the minimum blood quantum requirement of certain lessee successors from one-quarter to one thirty-second by enacting Act 80, Session Laws of Hawaii 2017; and

Thank you for your consideration of our testimony.



SCR104 SD1

URGING HAWAII'S CONGRESSIONAL DELEGATION TO RE-INTRODUCE AND SUPPORT THE PASSAGE OF THE HAWAIIAN HOME LANDS PRESERVATION ACT, H.R. RES. 9614, 117TH CONG. (2ND SESS. 2022), TO LOWER THE REQUIRED MINIMUM BLOOD QUANTUM FOR CERTAIN DEPARTMENT OF HAWAIIAN HOME LANDS SUCCESSOR LESSEE BENEFICIARIES FROM ONE-QUARTER NATIVE HAWAIIAN BLOOD TO ONE THIRTY-SECOND
House Committee on Judiciary & Hawaiian Affairs

April 13, 2023

1:00 PM

Room 325

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SCR104 SD1, which urges Hawai'i's Congressional Delegation to re-introduce and support the Hawaiian Home Lands Preservation Act to lower the required minimum blood quantum for certain Department of Hawaiian Home Lands (DHHL) successor lessee beneficiaries from one-quarter Native Hawaiian blood quantum to one-thirty-second.

OHA takes care to note that blood quantum requirements were employed the United States government as a divisive settler-colonial tool to undermine and erase indigenous existence. There is no basis for blood quantum distinction in traditional Native Hawaiian culture nor does that distinction exist in traditional Native Hawaiian systems of governance.

Be that as it may, OHA supports the thrust of this measure and echoes sentiments expressed by its preamble. Accordingly, OHA supports navigating the tumultuous currents of a colonial system that continues to limit and often stifles the growth of Native Hawaiians (and other Indigenous Peoples) and their exercise of self-determination. Strict blood quantum limitations on a single group of people who have endured extensive historical injustice and who continuously suffer trans-generational trauma as a result of ongoing systemic oppression and institutional racism is itself, the perpetuation of these systems of oppression and racism.

OHA appreciates the opportunity to provide testimony on this measure and respectfully urges the Legislature to **PASS SCR104 SD1**. Mahalo nui loa.



Democratic Party of Hawai'i Supports S.C.R. No. 104 SD1

Aloha. The Democratic Party of Hawai'i supports S.C.R. No. 104 SD1, to urge the United States Congress to lower the required minimum blood quantum for certain State of Hawaii Department of Hawaiian Home Lands Successor Lessee Beneficiaries from One-Quarter Native Hawaiian Blood to One Thirty-Second.

We see this to be a matter of social justice given the enormity of this issue for native Hawaiians.

We note that the Hawaiian Homes Commission Act of 1920, as amended, was signed into law on July 9, 1921, for rehabilitation of the native Hawaiian people through homesteading. When this act became public law, in 1921, it was reasonable to assert that homesteading benefits be limited to native Hawaiians having a minimum blood quantum of one-half native Hawaiian blood. That was more than one hundred years ago. That was a long time ago. A lot has transpired here in Hawai'i during the past one hundred years. A lot of things have changed. Our population has changed.

We agree with you that it is now reasonable to reduce the minimum blood quantum from a current minimum of one-quarter native Hawaiian blood to a minimum of one thirty-second native Hawaiian blood. This is not change for the sake of change. We need to effectuate change here in order essentially for things remain the same. We need to keep alive the promise of Hawaiian homes for native Hawaiians.

We respectfully ask that our Senate pass S.C.R. No. 104 SD1, to recommend to the United States Congress to pass an appropriate bill to promote the spirit, intention, and continuing purpose of the Hawaiian Homes Commission Act of 1920, by reducing the minimum blood quantum to a minimum of one thirty-second native Hawaiian blood.

Mahalo.

Dennis W. Jung
State Chair
Democratic Party of Hawai'i

SCR-104-SD-1

Submitted on: 4/12/2023 6:32:31 AM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kupuna for the Mo'opuna	Kupuna for the Moopuna	Support	Written Testimony Only

Comments:

SUPPORT URGING HAWAI'I'S CONGRESSIONAL DELEGATION TO RE-INTRODUCE AND SUPPORT THE PASSAGE OF THE HAWAIIAN HOME LANDS PRESERVATION ACT, H.R. RES. 9614, 117TH CONG. (2ND SESS. 2022).

Mahalo,

Kūpuna for the Mo'opuna

Pana'ewa, Hawai'i



March 22, 2023

Senator Maile S. L. Shimabukuro, Chair
Senator Kurt Fevella, Vice Chair
Members of the Committee on Hawaiian Affairs
Stat Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: SCR104: URGING THE UNITED STATES CONGRESS TO PASS THE HAWAIIAN HOME LANDS PRESERVATION ACT, H.R. RES. 9614, 117TH CONG. (2ND SESS. 2022), TO LOWER THE REQUIRED MINIMUM BLOOD QUANTUM FOR CERTAIN DEPARTMENT OF HAWAIIAN HOME LANDS SUCCESSOR LESSEE BENEFICIARIES FROM ONE-QUARTER NATIVE HAWAIIAN BLOOD TO ONE THIRTY-SECOND

Senator Shimabukuro and Members of the Committee:

The Waimea Hawaiian Civic Club strongly supports SCR 104 entitled above as it brings forth the very concerns and sentiments raised at the Annual Conventions of the Association of Hawaiian Civic Clubs of 2016 and 2017.^{1, 2} AHCC Resolutions 2016-3 and 2017-37 which addressed the same concerns as SCR104: 1) That Congress and the State of Hawai'i has a continuing fiduciary duty to "support the rehabilitation of the Hawaiian people, in part by ensuring that long-term tenancies are available to beneficiaries and successors of beneficiaries under the Hawaiian Homes Commission Act of 1920, as amended" even as "the dilutive effect of interracial marriages on the blood quantum" results in fewer qualified successor lessee beneficiaries. *See* SCR 104.

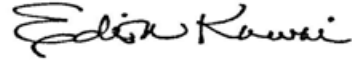
¹ Resolution 16-3 Support the Reduction of the Minimum Hawaiian Blood quantum Requirement of Certain Transferees of and successors to Lessees of Hawaiian Home Lands from One-Quarter to One-Thirty-Second. Introduced by Waimea Hawaiian Civic Club.

² Resolution 17-37 Encouraging the Department of Hawaiian Home Lands to Expedite the Procedure to Amend the Hawaiian Homes Commission Act as Required Under 43 CFR 48.15 to Enable Act 80, Session Laws of Hawaii 2017 and Urging Members of Hawai'i's Congressional Delegation to Introduce Legislation to Approve Act 80, Session Laws of Hawai'i 2017 Immediately. Introduced by Waimea Hawaiian Civic Club.

We ask that you and your committee stalwartly support this measure to send a message to Congress that it is crucial to provide its consent to Act 80 thereby ensuring that “future successor lessees can continue to qualify as beneficiaries” as Prince Kūhiō intended for his people.

We are grateful for your work and kako`o.

Me ka ha`aha`a,

A handwritten signature in black ink that reads "Edith Kawai". The signature is written in a cursive style with a large, stylized initial 'E'.

EDITH KAWAI, President
WAIMEA HAWAIIAN CIVIC CLUB

SCR-104-SD-1

Submitted on: 4/12/2023 9:57:49 AM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dylan Gaspar	ILWU Local 142	Support	Written Testimony Only

Comments:

Aloha,

My name is Dylan Gaspar, a resident on the Big Island and an employee of the International Longshore Warehouse Union. I am in strong support of SCR104 as it reduces the blood quantum for certain DHHL successor lessee beneficiaries.

SCR-104-SD-1

Submitted on: 4/12/2023 12:03:15 PM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brandie Oye	Kailapa Community Association	Support	Written Testimony Only

Comments:

As a Native Hawaiian Community in Kawaihae, we support SCR104. The blood quantum requirements for DHHL need to be adjusted to insure that our future keiki will have homes to live in on their native land. Other places such as the Cook Islands, only allow native people to own land. This in turn has preserved their land and culture. Hawaiians need the same protection for their homelands. It is very unique and special to our people, future generations, and our culture and heritage.

Mahalo,

Brandie Oye

SCR-104-SD-1

Submitted on: 4/11/2023 12:44:38 PM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marion K A Kapuniai	Individual	Support	Written Testimony Only

Comments:

WITH APPRECIATION FOR THE AMENDED VERSION - THANK YOU!!!!!!

**UNCONDITIONAL SUPPORT FOR THIS SENATE CONCURRENT
RESOLUTION,SCR 104SD1**

Thank you,

M Kapuniai

SCR-104-SD-1

Submitted on: 4/11/2023 12:54:53 PM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

Support.

Blood quantum is racist. All Kanaka Maoli no matter what percentage of Native Hawaiian/Kanaka Maoli should qualify for Hawaiian Homestead lands. My grandfather was 100% Kanaka Maoli but i do not qualify for Hawaiian Homestead lands because my father was only 75% Kanaka Maoli.

SCR-104-SD-1

Submitted on: 4/12/2023 8:30:49 AM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Hustace	Individual	Support	Written Testimony Only

Comments:

Thank you for your consideration. Mahalo nui.

MA`ULILI W. G. DICKSON
65-1234 Puu Opelu Road
Kamuela, HI 96743

March 22, 2023

Senator Maile S. L. Shimabukuro, Chair
Senator Kurt Fevella, Vice Chair
Members of the Committee on Hawaiian Affairs
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: SCR104: URGING THE UNITED STATES CONGRESS TO PASS THE HAWAIIAN HOME LANDS PRESERVATION ACT, H.R. RES. 9614, 117TH CONG. (2ND SESS. 2022), TO LOWER THE REQUIRED MINIMUM BLOOD QUANTUM FOR CERTAIN DEPARTMENT OF HAWAIIAN HOME LANDS SUCCESSOR LESSEE BENEFICIARIES FROM ONE-QUARTER NATIVE HAWAIIAN BLOOD TO ONE THIRTY-SECOND

Senator Shimabukuro and Members of the Committee:

I write as a member of two longstanding Hawaiian organizations, the Waimea Hawaiian Civic Club and the Royal Order of Kamehameha I, Chapter 9 (Kohala Moku) in strong support of SCR 104. The Association of Hawaiian Civic Clubs unanimously supported the Waimea Hawaiian Civic Club's Resolutions in 2016 and 2017 to lower the required minimum blood quantum for lessees from 25% to .031%.^{1, 2} These resolutions were brought forward to the Hawai'i State Legislature in 2016 and 2017 inspiring passage of Act 80 in 2017. I am grateful for your committee's continued perseverance promoting passage in Congress.

As a member of these two august organizations, I have seen strong support at all levels for the decrease of the required minimum blood quantum for successor lessee

¹ Resolution 16-3 Support the Reduction of the Minimum Hawaiian Blood quantum Requirement of Certain Transferees of and successors to Lessees of Hawaiian Home Lands from One-Quarter to One-Thirty-Second. Introduced by Waimea Hawaiian Civic Club.

² Resolution 17-37 Encouraging the Department of Hawaiian Home Lands to Expedite the Procedure to Amend the Hawaiian Homes Commission Act as Required Under 43 CFR 48.15 to Enable Act 80, Session Laws of Hawaii 2017 and Urging Members of Hawai'i's Congressional Delegation to Introduce Legislation to Approve Act 80, Session Laws of Hawai'i 2017 Immediately. Introduced by Waimea Hawaiian Civic Club.

beneficiaries. It has been increasingly difficult to keep succeeding generations on the land due to the dilutive effect of interracial marriage since the plantation days. Those Native Hawaiians who no longer qualify to succeed their kupuna are forced into the current housing market which is beyond the ability of two parents working jobs that pay minimum wage to attain leading to intergenerational living in overcrowded homes or unsheltered living. In addition, the traditional Hawaiian `ohana system of values and culture, which is supported through living on Hawaiian Homes lands, deteriorates, the consequence of which relocations to the Mainland and culture loss for those who leave as well as those who remain.

I ask your consideration and that of your committee members to support this measure and remind Congress of its continuing fiduciary duty under the Hawaiian Home Lands Act of 1920, as amended.

Mahalo a nui loa,

A handwritten signature in black ink, appearing to read "Ma'ulili W.G. Dickson". The signature is fluid and cursive, with the first name being the most prominent.

MA`ULILI W.G. DICKSON

SCR-104-SD-1

Submitted on: 4/12/2023 10:29:32 AM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Willette K. Akima	Individual	Support	Written Testimony Only

Comments:

Aloha to whom this may concern,

My name is Willette Akima-Akau and I live on Hawai'i island in Kawaihae on Department of Hawaiian Lands. My grandparents were one of the first Kūhio Village lessee in 1952 on Hawai'i island as well as my parents are current lessee in the village too. I strongly encourage that you the Hawaii Congressional delegation re-introduce and support the passage of the Hawaiian Home Lands Preservation Act. H.R. . res 9614, 117TH Cong (2ND SESS. 2022), to lower the required minimum blood quantam for certain department of Hawaiian Home lands successor lessee beneficiaries from one-quarter Native Hawaiian blood to one thirty -second. The passage of this bill will give our children and their 'ohana the opportunity to live on land that their kūpuna and 'ohana were raised on. This would lessen their worry of paying rent in which over the months and years continues to drastically climb which is pricing our keiki out of their homeland. In closing, please I strongly encourage you again to suport this bill SCR104 SD!.

Mahalo for your time,

Willette K Akima-Akau

SCR-104-SD-1

Submitted on: 4/12/2023 10:37:30 AM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shawnette Akima	Individual	Oppose	Written Testimony Only

Comments:

This is what I wrote

Aloha to whom this may concern,

My name is Shawnette Akima and I live on Hawai'i island in Kawaihae on Department of Hawaiian Lands. My grandparents were one of the first Kūhio Village lessee in 1952 on Hawai'i island as well as my parents are current lessee in the village too. I strongly encourage that you the Hawaii Congressional delegation re-introduce and support the passage of the Hawaiian Home Lands Perservation Act. H.R. . res 9614, 117TH Cong (2ND SESS. 2022), to lower the required minimum blood quantam for certain department of Hawaiian Home lands successor lessee beneficiaries from one-quarter Native Hawaiian blood to one thirty -second. The passage of this bill will give our children and their 'ohana the opportunity to live on land that their kūpuna and 'ohana were raised on. This would lessen their worry of paying rent in which over the months and years continues to drastically climb which is pricing our keiki out of their homeland. In closing, please I strongly encourage you again to suport this bill SCR104 SD!.

Mahalo for your time,

Shawnette Akima

SCR-104-SD-1

Submitted on: 4/12/2023 11:01:01 AM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Dalton	Individual	Support	Written Testimony Only

Comments:

I wholeheartedly support reducing blood quantum so that the descendants of beneficiaries are not faced with the prospect of homelessness.

SCR-104-SD-1

Submitted on: 4/12/2023 11:10:16 AM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Linda Morgan	Individual	Support	Written Testimony Only

Comments:

As a voter in Ka'u, I strongly support SCR104 SD1 to make it available for descendents of Hawaiian Homelands owners to pass down their property to family members who have a smaller portion of Hawaiian blood and genes. Currently few young Hawaiians qualify to inherit Hawaiian Homelands homes because of their more diluted Hawaiian heritage.

Please correct this injustice by voting for SCR 104 SD1.

SCR-104-SD-1

Submitted on: 4/12/2023 11:24:38 AM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patti Cook	Individual	Support	Written Testimony Only

Comments:

Please support this as amended - it has been adopted by prior Legislative sessions - it's long overdue action requiring Congressional action to fulfill Prince Jonah Kuhio's original vision and intention.

MAHALO. Patti Cook - Waimea, Island of Hawai'i

SCR-104-SD-1

Submitted on: 4/12/2023 11:30:41 AM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
laurie boyle	Individual	Support	Written Testimony Only

Comments:

Aloha,

I write today in support of Scr104 because it makes sense to offer opportunities to those of hawaiian blood of at least 1/32 so that they can own some of their land and remain productive in society.

Mahalo for your time.

To: Chair David A Tarnas, House Judiciary and Hawaiian Affairs Committee and Vice Chair Gregg Takayama and Committee

From: Malama Solomon, Ph. D, Hawaii County Democrat Party District 8 Chair and State Hawaii Democrat Party, Co-Chair Legislative Committee

Subject: Senate Concurrent Resolution 104

I testifying in strong support of SCR No 104 in my capacity as an individual, a former Hawaii State Senator and now serving in leadership positions in the Hawaii Democrat Party.

I have been involved with the advocacy of lowering the blood quantum for DHHL successors for 45 years supporting the efforts of individuals, legislators, and organizations who have diligently pursued the reduction of the blood quantum from one-quarter to one-thirty-second for DHHL successors.

This advocacy is in compliance with the original author of the Hawaiian Homes Commission Act of 1920, Prince Jonah Kuhio who strongly supported the one-thirty-second blood quantum as the requirement for the original applicant.

Over one hundred years have passed and now we can accomplish this goal and appeal to the United State Congress to pass the Hawaiian Home Lands Preservation to lower the required minimum blood quantum for certain Department of Hawaiian Home Lands successor lessee beneficiaries from one-quarter native Hawaiian blood to one thirty-second and have this resolution transmitted to the political leadership in the United States Congress and Executive Offices to correct a wrong committed against the native Hawaiian people as the beneficiaries of the Act.

SCR-104-SD-1

Submitted on: 4/12/2023 12:36:22 PM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Naomi ODell	Individual	Support	Written Testimony Only

Comments:

I am in support of the Senate Concurrent Resolution SCR104 SD1 and encourage Hawaii's Congressional delegation to re-introduce and support the passage of the Hawaiian Home Lands Preservation Act, H.R. Res. 9614, 117th Cong. (2nd Sess. 2022), to lower the required minimum blood quantum for certain Department of Hawaiian Home Lands successor lessee beneficiaries from one-quarter native Hawaiian blood to one thirty-second. I am currently on Hawaiian Home Lands and am very concerned that my grandchildren will not be able to continue to live on our property due to their blood quantum. No matter how much blood quantum they have, in our eyes they are still Hawaiian. Knowing my Hawaiian Home Land property can be inherited by my grandchildren does much to ease my mind.

Thank you for your consideration.

Naomi O'Dell

SCR-104-SD-1

Submitted on: 4/12/2023 12:37:00 PM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tehani Hinkley	Individual	Support	Written Testimony Only

Comments:

I am in support of this act.

SCR-104-SD-1

Submitted on: 4/12/2023 12:39:19 PM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Antiga Kailimai	Individual	Support	Written Testimony Only

Comments:

Please pass this into legislation, Hawaiian homelands needs to be accessible to more native Hawaiians!! It will greatly help offset the high cost of housing and living in the islands and keep Hawaiians in Hawaii

SCR-104-SD-1

Submitted on: 4/12/2023 12:40:28 PM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
josephine tanimoto	Individual	Oppose	Written Testimony Only

Comments:

Aloha. I am a homesteader and I feel that I must oppose this measure.

I strongly believe the Department of Hawaiian Homelands must address the needs of the Wait List before changing the Blood Quantum; including the infrastructure.

I strongly believe that changing the Blood Quantum at this time, will impact the recognition of the Hawaiian people in negative ways. This measure is like putting the cart before the horse.

Mahalo

SCR-104-SD-1

Submitted on: 4/12/2023 1:05:53 PM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
shawna Kaulukukui	Individual	Oppose	Written Testimony Only

Comments:

I DO NOT support this movement. I believe that there is so much Hawaiian's who are currently on the list that have been waiting for years to be awarded. If in the event that this is approved. The wait list will be even longer? I believe that DHHL should tend to who is currently waiting.

Mahalo for your time.

SCR-104-SD-1

Submitted on: 4/12/2023 1:23:55 PM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shauncette Akima	Individual	Support	Written Testimony Only

Comments:

Aloha to whom this may concern,

My name is Shauncette Akima and I live on Hawai'i island in Waimea. My great grandparents were one of the first Kūhio Village lessee in 1952 on Hawai'i island as well as my grandparents who are current lessee in the village too. I strongly encourage that you the Hawaii Congressional delegation re-introduce and support the passage of the Hawaiian Home Lands Perservation Act. H.R. . res 9614, 117TH Cong (2ND SESS. 2022), to lower the required minimum blood quantam for certain department of Hawaiian Home lands successor lessee beneficiaries from one-quarter Native Hawaiian blood to one thirty -second. The passage of this bill will give all familes children and their 'ohana the opportunity to live on land that their kūpuna and 'ohana were raised on. This would lessen their worry of paying rent in which over the months and years continues to drastically climb which is pricing our keiki out of their homeland. In closing, please I strongly encourage you again to suport this bill SCR104 SD!.

Mahalo for your time,

Shauncette Akima

SCR-104-SD-1

Submitted on: 4/12/2023 1:28:44 PM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Akima	Individual	Support	Written Testimony Only

Comments:

Aloha to whom this may concern,

My name is William Akima and I live on Hawai'i island in Waimea. My grandparents were one of the first Kūhio Village lessee in 1952 on Hawai'i island as well as my parents are current lessee in the village too. I strongly encourage that you the Hawaii Congressional delegation re-introduce and support the passage of the Hawaiian Home Lands Perservation Act. H.R. . res 9614, 117TH Cong (2ND SESS. 2022), to lower the required minimum blood quantam for certain department of Hawaiian Home lands successor lessee beneficiaries from one-quarter Native Hawaiian blood to one thirty -second. The passage of this bill will give our children and their 'ohana the opportunity to live on land that their kūpuna and 'ohana were raised on. This would lessen their worry of paying rent in which over the months and years continues to drastically climb which is pricing our keiki out of their homeland. In closing, please I strongly encourage you again to suport this bill SCR104 SD!.

Mahalo for your time,

William Akima

SCR-104-SD-1

Submitted on: 4/12/2023 1:45:25 PM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Randee Golden	Individual	Support	Written Testimony Only

Comments:

Native Hawaiians have waited too long for Hawaiian Homes lands. And blood quantum needs to be adjusted as the Hawaiian population shifts. Please do all you can to make more Hawaiians able to be on the 'aina. This is critical to preserve this culture and the people who are from here. With costs so high, we need to support those who truly belong here.

SCR-104-SD-1

Submitted on: 4/12/2023 2:28:21 PM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Raynette P Fukui	Individual	Support	Written Testimony Only

Comments:

Written Testimony for SCR104 – Meeting date 4/13/2023.

My name is Raynette Reyes Fukui, I currently live in Hilo Hawai‘i but was born and raised in North Kohala. **I am resubmitting my testimony in support of SCR104, and to request an amendment to the resolution to include successors of beneficiaries who have passed away on the wait list to have the same blood quantum requirements.**

Currently resolution SCR104 lowers the required blood quantum for only successors of beneficiaries who have already been awarded leases. It does not address beneficiaries who have died while on the wait list, and whose successors are currently required to have 50% Native Hawaiian blood quantum. Why is there one set of successor laws for beneficiaries who have been awarded a lease and a second set of successor laws for beneficiaries that have passed away while on the waitlist? There should be no difference between successors for those beneficiaries with a lease and those on the wait list. When they lowered the blood quantum in 1986, 1997, and 2005, they should have addressed and changed the blood quantum requirements for both categories of successorship. I do not believe that the current process is a fair process. The law needs to be changed to address these successorship discrepancies for those beneficiaries on the DHHL wait list.

My mother, Marian Reyes passed away while on the Hawaiian Homeland wait list (for almost 20 years). I could not be her successor while she was on the wait list because I am not 50% Hawaiian. My grandmother Agnes Keola Kapaona Tampos was 100% Hawaiian, and my mother, Marian R Reyes was 50% Hawaiian but that did not help me because I am only 25%. My mother's position on the Hawaiian Homes listing is now posted on a public notice dated November 20, 2022, for 180 days, which is open to eligible relatives at least 18 years of age and 50% Hawaiian. If no one comes forward to claim my mother's position on the Hawaiian Homes listing, her name will be removed from the list. All those years my mother waited for Hawaiian Homeland and now to have her name just removed is demoralizing and grossly unfair that her children cannot benefit from this program.

In our current multi-cultural state, it is difficult to find Native Hawaiians with 50 percent Hawaiian ancestry having children with 50 percent Hawaiian ancestry. We must change these laws to accommodate these changing times, and allow others like me to qualify and benefit from the Hawaiian Homeland program. If we don't, DHHL will once again have a new set of Plaintiffs, as in Kalima, et al. v State, et al.

Mahalo for allowing me to provide my sincere concerns, comments and recommendations in this testimony.

SCR-104-SD-1

Submitted on: 4/12/2023 6:50:58 PM

Testimony for JHA on 4/13/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christopher J Roehrig	Individual	Support	Written Testimony Only

Comments:

A must!!!!!!