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## HOUSE RESOLUTION

URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR TO WORK WITH THE OFFICE OF THE GOVERNOR, DEPARTMENT OF HAWAIIAN HOME LANDS, UNITED STATES CONGRESSIONAL DELEGATIONS FROM HAWAII, AND SOVEREIGN COUNCIL OF HAWAIIAN HOMESTEAD ASSOCIATIONS TO MAKE A DETERMINATION IN SUPPORT OF ACT 80, SESSION LAWS OF HAWAII 2017.

1           WHEREAS, the Hawaiian Homes Commission Act of 1920, as  
2 amended (HHCA), enables native Hawaiians to return to their  
3 lands in order to fully support self-sufficiency, self-  
4 determination, and the preservation of the values, traditions,  
5 and culture of native Hawaiians; and

6  
7           WHEREAS, the HHCA created a land trust to enable displaced  
8 native Hawaiian people to lease residential, agriculture, or  
9 pastoral homestead land from the trust for one dollar per year;  
10 and

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12           WHEREAS, in the years following the Territory of Hawaii  
13 joining the United States in 1959, the State promised to take  
14 responsibility for managing these lands and supporting native  
15 Hawaiian people through ensuring the perpetuation of the HHCA;  
16 and

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18           WHEREAS, native Hawaiians who meet the fifty per cent blood  
19 quantum are eligible for the Hawaiian Home Lands program; and

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21           WHEREAS, further, the reduction prevents generationally  
22 held homestead leases from being lost when elderly lessees or  
23 wait list beneficiaries, many of whom are older than seventy  
24 years of age, die without a qualified successor; and

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26           WHEREAS, in 2017 the State of Hawaii Legislature enacted  
27 Act 80, which amends the HHCA to lower the minimum required



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1 Hawaiian blood quantum from one quarter to one thirty-second;  
2 and

3  
4 WHEREAS, because the amendment to the HHCA made by Act 80  
5 changes the qualification of leases, the Department of the  
6 Attorney General determined that it requires consent of the  
7 United States Congress and is not effective until the United  
8 States gives its consent; and

9  
10 WHEREAS, before a State-proposed amendment to the HHCA is  
11 transmitted for congressional consent, the Secretary of the  
12 United States Department of the Interior must review the  
13 amendment, make a determination as to whether the amendment  
14 requires congressional approval, and submit the amendment to the  
15 United States Congress for approval if consent is required; and

16  
17 WHEREAS, in 2018, in accordance with the procedure outlined  
18 above, the United States Department of the Interior sent a set  
19 of questions and data requests to the State in order to conduct  
20 a preliminary assessment of Act 80; and

21  
22 WHEREAS, the United States Department of the Interior noted  
23 that the State's failure to conduct further reviews or supply  
24 data has impeded its timely analysis of Act 80; and

25  
26 WHEREAS, in 2022, based on the information provided by the  
27 State, the Solicitor of the United States Department of the  
28 Interior completed the preliminary assessment and issued a  
29 determination that the Department cannot endorse the amendments  
30 proposed by Act 80 due to the inequitable effects on  
31 beneficiaries and their successors; now, therefore,

32  
33 BE IT RESOLVED by the House of Representatives of the  
34 Thirty-second Legislature of the State of Hawaii, Regular  
35 Session of 2024, that the United States Department of the  
36 Interior is urged to work with the Office of the Governor,  
37 Department of Hawaiian Home Lands, United States congressional  
38 delegations from Hawaii, and Sovereign Council of Hawaiian  
39 Homestead Associations to make a determination in support of Act  
40 80; and

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1 BE IT FURTHER RESOLVED that the United States Department of  
2 the Interior is urged to directly engage with the State of  
3 Hawaii and Sovereign Council of Hawaiian Homestead Associations  
4 to request additional information and data to move Act 80  
5 forward; and  
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7 BE IT FURTHER RESOLVED that the United States Congress is  
8 urged to give its consent to Act 80 to lower the minimum  
9 required Hawaiian blood quantum from one quarter to one thirty-  
10 second; and  
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12 BE IT FURTHER RESOLVED that certified copies of this  
13 Resolution be transmitted to the United States Secretary of the  
14 Interior, members of the Hawaii congressional delegation,  
15 Governor, Chairperson of the Department of the Hawaiian Homes  
16 Commission, Chairperson of the Board of Trustees of the Office  
17 of Hawaiian Affairs, and Chair of the Sovereign Council of  
18 Hawaiian Homestead Associations.  
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OFFERED BY:



MAR - 8 2024

