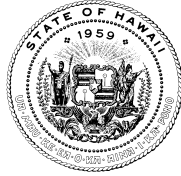


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DEPARTMENT OF HAWAIIAN HOME LANDS
Ka 'Oihana 'Āina Ho'opulapula Hawai'i

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**TESTIMONY OF KALI WATSON, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS
HEARING ON APRIL 2, 2024 AT 2:00PM IN CR 325**

HCR 196 / HR 176, RELATING TO HAWAIIAN HOME LANDS

April 2, 2024

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

The Department of Hawaiian Home Lands (DHHL) submits comments on this resolution urging the Hawaiian Homes Commission to consult beneficiaries of the Hawaiian Homes Commission Act regarding alternative waitlist and award prioritization based on lineal and generational descendancy for Hawaiian Home Lands located in Hana, Maui.

DHHL appreciates the intent of this resolution and is currently considering alternative waitlist and award prioritization based on lineal and generational descendancy for certain rural areas on Hawaiian Home Lands (HHL) statewide. One reason being that beneficiaries who are currently rooted and reside in rural areas and on HHL statewide tend to thrive on these lands due to their knowledge and familiarity with the land and community. The second reason being that it would help DHHL to mitigate risks as DHHL develops new projects and awards new lots in these rural areas.

DHHL intends to present and propose this matter before the Hawaiian Homes Commission to identify the best approach for alternative waitlist and award prioritization based on lineal and generational descendancy and to determine which rural HHL areas statewide would qualify. In this process, DHHL would be required to conduct beneficiary consultation before proceeding with the Chapter 91 rule-making process.

Pursuant to the Hawaiian Homes Commission Act, 1920, as amended (HHCA), the Native Hawaiian blood quantum requirement would still need to be fulfilled to be awarded, transferred, or succeed to a lease. As defined in section 201 of the HHCA, "native Hawaiian" means any descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands previous to 1778. Section 209 of the HHCA specifies only certain relatives may be designated as successors from the following relatives: (1) Spouse, children, grandchildren, brother or sister provided the person or persons designated have at least 25 percent Hawaiian blood; (2) Father and mother,

the widows or widowers of children, widows or widowers of brothers and sisters, or nieces and nephews, provided that person or persons designated have at least 50 percent Hawaiian blood. The law was changed effective October 27, 1986 by lowering the Hawaiian blood requirement to 25 percent in the case of spouse and children, effective June 27, 1997 in the case of grandchildren, and effective April 20, 2005 in the case of brothers or sisters.

In line with the 2020 DHHL Beneficiary Survey Reports which can be accessed here: [Department of Hawaiian Home Lands | 2020 DHHL Beneficiary Survey](#), most lessees (88.1%) hope that future generations of their families will continue to live in their community. Majority of applicants (93%) state they intend to pass their DHHL lease to their children or relatives. Just 1.5 percent of applicants claimed they planned to “just hold on to it” and less than 2 percent in total stated that they would either return it to DHHL, sell it to someone else, or transfer it to someone else. Over 85 percent of the children/relatives to whom an award might be given are more than 25 percent Native Hawaiian.

Thank you for your consideration of our testimony.

HR-176

Submitted on: 3/28/2024 3:29:44 PM

Testimony for JHA on 4/2/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lu Ann Mahiki Lankford-Faborito	Individual	Support	Written Testimony Only

Comments:

absolute support