
HOUSE CONCURRENT 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

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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;
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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;
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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



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

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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 Act 80 requires consent of the
7 United States Congress and is not effective until the United
8 States gives its consent; and

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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

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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

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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

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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,

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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, the Senate concurring, that the United States
36 Department of the Interior is urged to work with the Office of
37 the Governor, Department of Hawaiian Home Lands, United States
38 congressional delegations from Hawaii, and Sovereign Council of
39 Hawaiian Homestead Associations to make a determination in
40 support of Act 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 Concurrent Resolution be transmitted to the United States
14 Secretary of the Interior, members of the Hawaii congressional
15 delegation, Governor, Chairperson of the Department of the
16 Hawaiian Homes Commission, Chairperson of the Board of Trustees
17 of the Office of Hawaiian Affairs, and Chair of the Sovereign
18 Council of Hawaiian Homestead Associations.

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OFFERED BY:



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