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## HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO ESTABLISH A  
WORKING GROUP TO RETURN CROWN LANDS TO NATIVE HAWAIIANS.

1           WHEREAS, more than one hundred twenty-nine years ago, on  
2 January 17, 1893, the Kingdom of Hawaii was overthrown with the  
3 participation of agents and citizens of the United States,  
4 effectively shattering the relationship that had existed between  
5 the Kingdom of Hawaii and the United States; and

6  
7           WHEREAS, the Hawaiian Kingdom was overthrown in violation  
8 of international law, and the Provisional Government was  
9 established in 1893, followed by the Republic of Hawaii, which  
10 lasted from 1894 to 1898; and

11  
12           WHEREAS, in 1898, when Hawaii was annexed to the United  
13 States as a Territory, the Republic of Hawaii ceded the  
14 remaining Crown and Government Lands to the United States, which  
15 then became a public land trust; and

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17           WHEREAS, the Crown Lands were originally part of the unique  
18 personal domain of King Kamehameha III and became a collective  
19 resource to support the Hawaiian monarchs and Hawaiian people;  
20 and

21  
22           WHEREAS, the Republic of Hawaii confiscated the Crown Lands  
23 and merged them with the Government Lands and enacted the 1895  
24 Land Act, establishing a homesteading program through which some  
25 acreage was transferred into private ownership; and

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27           WHEREAS, the Crown Lands were not truly "public" but were  
28 an entitlement of the Hawaiian people as the beneficiaries of a  
29 trust maintained by their monarch; and

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1           WHEREAS, the lands taken by the Provisional Government in  
2 1893, Republic of Hawaii in 1894, and United States in 1898 were  
3 taken without the consent of or compensation to the Hawaiian  
4 people, as acknowledged in the 1993 federal Apology Resolution  
5 and comparable enactments of the Hawaii State Legislature; and  
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7           WHEREAS, in 1978, the State of Hawaii acknowledged the  
8 consequences of these actions by significantly amending the  
9 Hawaii State Constitution and enacting unprecedented legislation  
10 relating to the Native Hawaiian community; and  
11

12           WHEREAS, in 1993, the 103rd Congress enacted Public Law  
13 103-150, as, in part, an official apology to Native Hawaiians on  
14 behalf of the people of the United States for the overthrow of  
15 the Kingdom of Hawaii by agents and citizens of the United  
16 States and the deprivation of the rights of Native Hawaiians to  
17 self-determination; and  
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19           WHEREAS, the Apology Resolution confirms that the actions  
20 of United States agents in the overthrow and occupation of the  
21 monarchy violated treaties between the United States and the  
22 sovereign Kingdom of Hawaii as well as the norms of  
23 international law; and  
24

25           WHEREAS, the 1993 federal Apology Resolution confirms that  
26 one million eight hundred thousand acres of Crown and Government  
27 Lands were thereafter ceded to the United States without the  
28 consent of or compensation to the Native Hawaiian people or  
29 their sovereign government, as a result of the United States'  
30 annexation of Hawaii; and  
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32           WHEREAS, the Apology Resolution recognizes that the health  
33 and well-being of the Native Hawaiian people are intrinsically  
34 tied to their deep feelings for and attachment to the land; now,  
35 therefore,  
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37           BE IT RESOLVED by the House of Representatives of the  
38 Thirty-first Legislature of the State of Hawaii, Regular Session  
39 of 2022, the Senate concurring, that the Department of Hawaiian  
40 Home Lands is requested to establish a working group to return  
41 Crown Lands to Native Hawaiians (Crown Lands Working Group); and  
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1 BE IT FURTHER RESOLVED that the Crown Lands Working Group  
2 is requested to identify and report on:

- 3
- 4 (1) Which Crown Land tax map keys should be prioritized  
5 for return to Native Hawaiians; and  
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  - 7 (2) Which entity or entities should receive the land from  
8 the State and assume responsibility for management of  
9 those lands in perpetuity; and  
10

11 BE IT FURTHER RESOLVED that the Crown Lands Working Group  
12 consist of the following individuals, or their respective  
13 designees:

- 14 (1) The Chairperson of the Hawaiian Homes Commission;  
15
- 16 (2) The Chairperson of the Board of Trustees of the Office  
17 of Hawaiian Affairs;  
18
- 19 (3) The Director of the Ka Huli Ao Center for Excellence  
20 in Native Hawaiian Law;  
21
- 22 (4) A Native Hawaiian legal practitioner selected by the  
23 Chairperson of the Hawaiian Homes Commission;  
24
- 25 (5) The President and Chief Executive Officer of ALU LIKE,  
26 Inc.;  
27
- 28 (6) The President of the Executive Committee of the  
29 Association of Hawaiian Civic Clubs;  
30
- 31 (7) The President and Chief Executive Officer of the  
32 Council for Native Hawaiian Advancement;  
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- 34 (8) The President of the Executive Board of the Native  
35 Hawaiian Education Association; and  
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- 37 (9) The Executive Director of Papa Ola Lokahi, Inc.; and  
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40 BE IT FURTHER RESOLVED that the Crown Lands Working Group  
41 is requested to select a chairperson from among its members; and  
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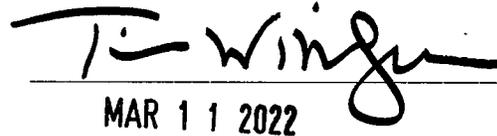


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1 BE IT FURTHER RESOLVED that the Crown Lands Working Group  
2 is requested to submit a report of its findings and  
3 recommendations, including any proposed legislation, to the  
4 Legislature no later than twenty days before the convening of  
5 the Regular Session of 2023; and

6  
7 BE IT FURTHER RESOLVED that certified copies of this  
8 Concurrent Resolution be transmitted to the Governor;  
9 Chairperson of the Hawaiian Homes Commission; Chairperson of the  
10 Board of Trustees of the Office of Hawaiian Affairs; Director of  
11 Ka Huli Ao Center for Excellence in Native Hawaiian Law;  
12 President and Chief Executive Officer of ALU LIKE, Inc.;  
13 President of the Executive Committee of the Association of  
14 Hawaiian Civic Clubs; President and Chief Executive Officer of  
15 the Council for Native Hawaiian Advancement; President of the  
16 Executive Board of the Native Hawaiian Education Association;  
17 and Executive Director of Papa Ola Lokahi, Inc.

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20  
OFFERED BY:

  
MAR 11 2022

