
SENATE CONCURRENT RESOLUTION

REQUESTING THE KA HULI AO CENTER FOR EXCELLENCE IN NATIVE
HAWAIIAN LAW 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

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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

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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

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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

26
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
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12 WHEREAS, in 1993, the 103rd Congress enacted Public Law
13 103-150 (Apology Resolution), as, in part, an official apology
14 to Native Hawaiians on behalf of the people of the United States
15 for the overthrow of the Kingdom of Hawaii by agents and
16 citizens of the United States and the deprivation of the rights
17 of Native Hawaiians to 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
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25 WHEREAS, the Apology Resolution further confirms that one
26 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 Senate of the Thirty-first
38 Legislature of the State of Hawaii, Regular Session of 2022, the
39 House of Representatives concurring, that the Ka Huli Ao Center
40 for Excellence in Native Hawaiian Law is requested to establish
41 a working group to return Crown Lands to Native Hawaiians (Crown
42 Lands Working Group); and



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2 BE IT FURTHER RESOLVED that the Crown Lands Working Group
3 is requested to identify and report on:
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5 (1) Which Crown Land tax map keys should be prioritized
6 for return to Native Hawaiians; and
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8 (2) Which entity or entities should receive the land from
9 the State and assume responsibility for management of
10 those lands in perpetuity; and
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12 BE IT FURTHER RESOLVED that the Crown Lands Working Group
13 consist of the following individuals, or their respective
14 designees:
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16 (1) The Chairperson of the Hawaiian Homes Commission;
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18 (2) The Chairperson of the Board of Trustees of the Office
19 of Hawaiian Affairs;
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21 (3) The Director of the Ka Huli Ao Center for Excellence
22 in Native Hawaiian Law;
23

24 (4) A Native Hawaiian legal practitioner selected by the
25 Chairperson of the Hawaiian Homes Commission;
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27 (5) The President and Chief Executive Officer of ALU LIKE,
28 Inc.;
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30 (6) The President of the Executive Committee of the
31 Association of Hawaiian Civic Clubs;
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33 (7) The President and Chief Executive Officer of the
34 Council for Native Hawaiian Advancement;
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36 (8) The President of the Executive Board of the Native
37 Hawaiian Education Association; and
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39 (9) The Executive Director of Papa Ola Lokahi, Inc.; and
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41 BE IT FURTHER RESOLVED that the Crown Lands Working Group
42 is requested to select a chairperson from among its members; and



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2 BE IT FURTHER RESOLVED that the Crown Lands Working Group
3 is requested to submit a report of its findings and
4 recommendations, including any proposed legislation, to the
5 Legislature no later than twenty days prior to the convening of
6 the Regular Session of 2023; and
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8 BE IT FURTHER RESOLVED that certified copies of this
9 Concurrent Resolution be transmitted to the Governor;
10 Chairperson of the Hawaiian Homes Commission; Chairperson of the
11 Board of Trustees of the Office of Hawaiian Affairs; Director of
12 Ka Huli Ao Center for Excellence in Native Hawaiian Law;
13 President and Chief Executive Officer of ALU LIKE, Inc.;
14 President of the Executive Committee of the Association of
15 Hawaiian Civic Clubs; President and Chief Executive Officer of
16 the Council for Native Hawaiian Advancement; President of the
17 Executive Board of the Native Hawaiian Education Association;
18 and Executive Director of Papa Ola Lokahi, Inc.

