

MAR 11 2022

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## SENATE CONCURRENT RESOLUTION

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URGING THE UNITED STATES TO SATISFY ITS OBLIGATIONS TO THE  
DEPARTMENT OF HAWAIIAN HOME LANDS AND THE HAWAIIAN HOME  
LANDS TRUST UNDER THE HAWAIIAN HOME LANDS RECOVERY ACT.

1 WHEREAS, in 1921, Congress enacted the Hawaiian Homes  
2 Commission Act at the urging of Prince Jonah Kuhio Kalanianaʻole  
3 with the support of the first Hawaiian Civic Clubs; and  
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5 WHEREAS, the Hawaiian Homes Commission Act set aside  
6 203,000 acres of former crown and government lands for a  
7 homestead program intended to revitalize and rehabilitate the  
8 native Hawaiian community by returning them to the land; and  
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10 WHEREAS, today, the State of Hawaii is vested with the  
11 administration of the Hawaiian Home Lands Trust (Trust) and its  
12 homesteading program, and the Department of Hawaiian Home Lands  
13 is charged with the responsibility of effectively managing the  
14 Trust's lands and funds and delivering land to the Trust's  
15 native Hawaiian beneficiaries; and  
16

17 WHEREAS, in 1995, Congress enacted the Hawaiian Home Lands  
18 Recovery Act to authorize the transfer of certain federal lands  
19 to the Department of Hawaiian Home Lands to provide for a full  
20 settlement of claims against the United States for its taking  
21 and continued use of approximately 1,500 of the 203,000 acres of  
22 land set aside for implementation of the Hawaiian Homes  
23 Commission Act; and  
24

25 WHEREAS, the United States Department of the Interior is  
26 responsible for implementing the Hawaiian Home Lands Recovery  
27 Act, and since the execution of a memorandum of agreement with  
28 the State of Hawaii and the Department of Hawaiian Home Lands in  
29 1998, eight hundred ninety acres have been transferred and  
30 eighty acres are in the process of being transferred to the  
31 Department of Hawaiian Home Lands; and  
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1 WHEREAS, since the enactment of the Hawaiian Home Lands  
2 Recovery Act, many parcels of federal lands that were suitable  
3 for the Department of Hawaiian Home Lands were transferred in a  
4 manner inconsistent with the Act; and

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6 WHEREAS, obligations of the federal government under the  
7 Hawaiian Home Lands Recovery Act have not been satisfied in a  
8 timely manner and the Trust should be compensated for the  
9 ongoing loss of use of lands held by the federal government for  
10 which the Trust remains uncompensated; and

11  
12 WHEREAS, remaining obligations of the federal government  
13 under the Hawaiian Home Lands Recovery Act should be satisfied  
14 in a timely manner to ensure the Trust is made whole and can  
15 develop additional homestead lots for native Hawaiian  
16 beneficiaries; now, therefore,

17  
18 BE IT RESOLVED by the Senate of the Thirty-first  
19 Legislature of the State of Hawaii, Regular Session of 2022, the  
20 House of Representatives concurring, that the United States is  
21 urged to satisfy its obligations to the Department of Hawaiian  
22 Home Lands and the Trust under the Hawaiian Home Lands Recovery  
23 Act; and

24  
25 BE IT FURTHER RESOLVED that members of Hawaii's  
26 congressional delegation are requested to seek amendments to the  
27 Hawaiian Home Lands Recovery Act or enact other legislation to  
28 authorize compensation of the Trust for continued lost use of  
29 lands set aside under the Hawaiian Homes Commission Act and held  
30 by the federal government; and

31  
32 BE IT FURTHER RESOLVED that certified copies of this  
33 Concurrent Resolution be transmitted to the United States  
34 Secretary of the Interior; members of the Hawaii congressional  
35 delegation; Governor; Chairperson of the Department of the  
36 Hawaiian Homes Commission; Chairperson of the Board of Trustees  
37 of the Office of Hawaiian Affairs; and Mayors of Kauai, Maui,  
38 Hawaii Island, and City and County of Honolulu.

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41 OFFERED BY: 

