

MAR 12 2021

SENATE CONCURRENT RESOLUTION

REQUESTING THE UNITED STATES CONGRESS TO AMEND CERTAIN ACTS FOR
THE PURPOSE OF BROADENING THE SCOPE OF HAWAIIANS SERVED BY
THOSE ACTS.

1 WHEREAS, pursuant to section 208 of the Hawaiian Homes
2 Commission Act, 1920, an original lessee of a tract of Hawaiian
3 homestead lands shall be a native Hawaiian; and
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5 WHEREAS, pursuant to section 5(f) of the Act to Provide for
6 the Admission of the State of Hawaii into the Union, P.L. 86-3,
7 more commonly known as "The Admission Act", certain lands shall
8 be held by the State for public purposes including the
9 betterment of the conditions of native Hawaiians, as defined by
10 the Hawaiian Homes Commission Act, 1920; and
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12 WHEREAS, section 201 of the Hawaiian Homes Commission Act,
13 1920, defines a "native Hawaiian" as "any descendant of not less
14 than one-half part of the blood of the races inhabiting the
15 Hawaiian Islands previous to 1778"; and
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17 WHEREAS, pursuant to the existing provisions of section
18 209(a) of Hawaiian Homes Commission Act, 1920, upon the death of
19 a homestead lessee, the lessee's interest may only vest in the
20 lessee's husband, wife, child, grandchild, brother, or sister if
21 the potential successor is at least one-quarter Hawaiian; and
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23 WHEREAS, a significant number of marriages occur between
24 people of Hawaiian ancestry and people without Hawaiian
25 ancestry, directly affecting generations of Hawaiians by
26 reducing the blood quantum; and
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28 WHEREAS, the requirement that certain successors to a lease
29 must have at least one-quarter blood quantum imposes a
30 significant hardship on those lessees who are unable to assure
31 transfer of lessee rights under the Hawaiian Homes Commission



1 Act, 1920, to a relative of less than one-quarter Hawaiian
2 blood; and

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4 WHEREAS, this congressionally established blood quantum
5 requirement artificially bifurcates the indigenous people of
6 Hawaii; and

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8 WHEREAS, a reduction in the required blood quantum for
9 certain successors under the Hawaiian Homes Commission Act,
10 1920, is long overdue; and

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12 WHEREAS, certain lands used for the purposes of the
13 Admission Act should be used for the betterment of the
14 conditions of all persons of Hawaiian ancestry, regardless of
15 blood quantum, so that the State may have more flexibility in
16 providing services and benefits to the Hawaiian people; now,
17 therefore,

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19 BE IT RESOLVED by the Senate of the Thirty-first
20 Legislature of the State of Hawaii, Regular Session of 2021, the
21 House of Representatives concurring, that the United States
22 Congress is requested to amend the Hawaiian Homes Commission
23 Act, 1920, to provide that upon the death of a lessee, the
24 lessee's interest may vest in the lessee's husband, wife, child,
25 grandchild, brother, or sister if the potential successor is at
26 least one-eighth Hawaiian; and

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28 BE IT FURTHER RESOLVED that the United States Congress is
29 requested to amend the Act to Provide for the Admission of the
30 State of Hawaii into the Union to provide that certain lands, as
31 specified in the Act, shall be held by the State for public
32 purposes including the betterment of the conditions of all
33 persons of Hawaiian ancestry, regardless of blood quantum; and

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35 BE IT FURTHER RESOLVED that certified copies of this
36 Concurrent Resolution be transmitted to the Majority Leader of
37 the United States Senate, Speaker of the United States House of
38 Representatives, members of Hawaii's congressional delegation,

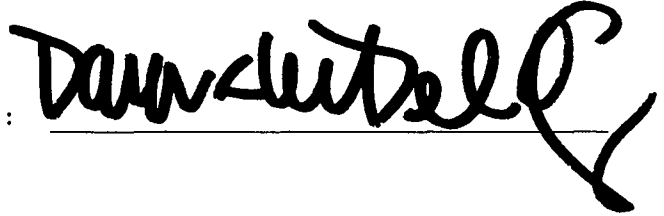


S.C.R. NO. 163

1 Chairperson of the Hawaiian Homes Commission, and Chairperson of
2 the Board of Trustees of the Office of Hawaiian Affairs.

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OFFERED BY:

A handwritten signature in black ink, appearing to read "Dawn K. L. [unclear]", written over a horizontal line.