

**Directory of
Homestead Beneficiary Associations
&
A Practitioner Guide to the
Hawaiian Homes Commission Act**



Updated May 2025

Aloha!

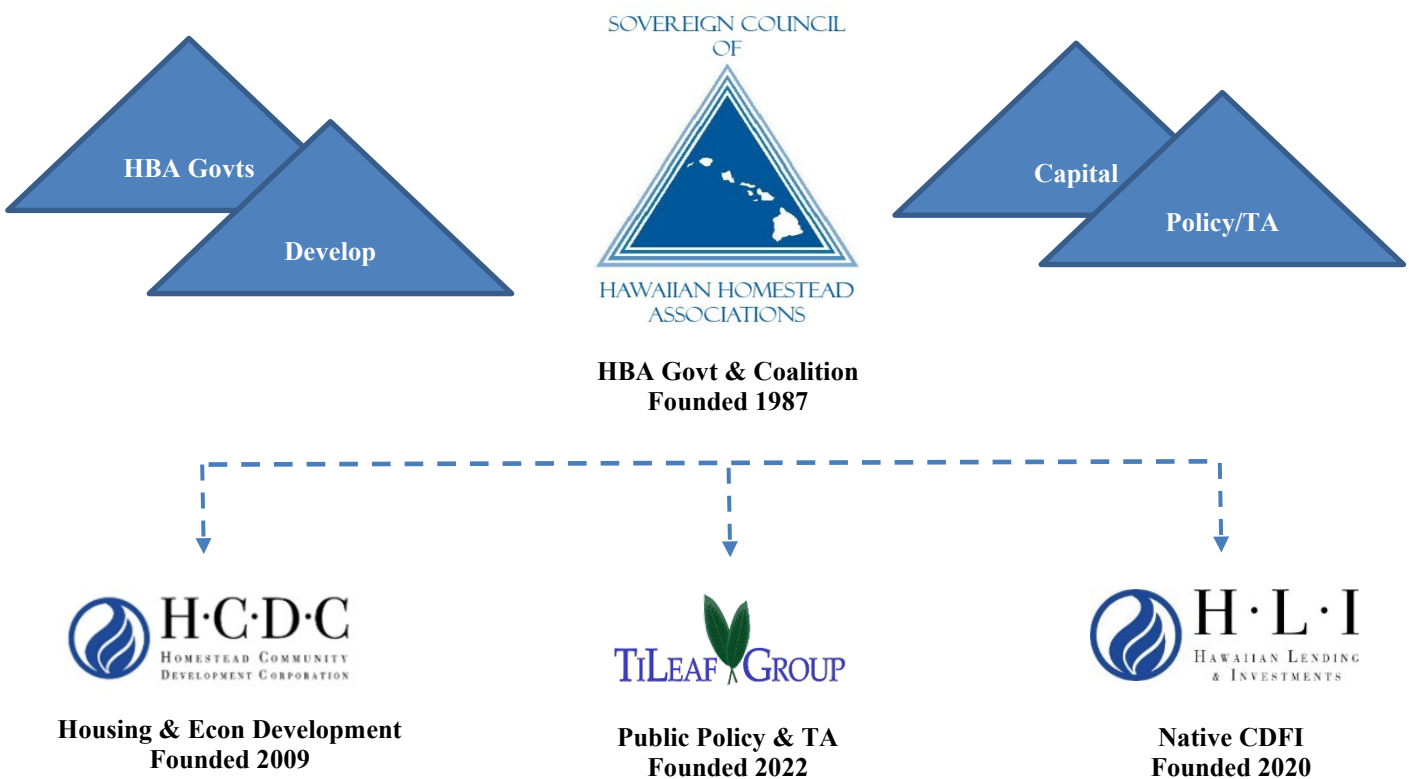
Founded in 1987, with support from the State Department of Hawaiian Home Lands (DHHL), SCHHA organized as a coalition of Homestead Beneficiary Associations (HBAs) to advocate solutions to shared challenges. SCHHA has continued its dedication to the 203,000 acres of tribal trust lands of enrolled Hawaiians, located on six islands within four county jurisdictions.

Today, SCHHA is registered with the U.S. Department of Interior (DoI) as the largest HBA government and longest standing coalition advancing its mission to defend and perpetuate the **Hawaiian Homes Commission Act of 1920 (HHCA)**. The SCHHA serves the interests of all HHCA enrolled Hawaiians by convening, engaging and partnering with State and Federal Governments to fulfill the promise of the HHCA.

This *HBA Directory & Practitioner Guide to the HHCA* is intended as a resource for HBAs, Governors, Legislators, Commissioners appointed to the Hawaiian Homes Commission, employees of the State DHHL, partners, allies and all Hawaiians interested in the success of the HHCA.

For more information or to receive a briefing on the purposes of the HHCA, its people, its lands, its trust funds, contact the SCHHA at policy@hawaiianhomesteads.org!

SCHHA & Its Nonprofit HBA/Tribal Corporations



- 1987** SCHHA Founded by Homestead Associations from all Mokuuni Regions
- 2009** SCHHA Incorporates 501c3 HCDC to Implement Housing, Economic & Capacity Building Programs
- 2020** SCHHA Incorporates 501c3 HLI to Deliver Financial Resources & Access to Capital
- 2022** SCHHA Incorporates 501c3 TLG to Staff HBA Public Policy & Advocacy Programs

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This HBA Directory & Practitioner Guide to the HHCA is Dedicated to every Native Hawaiian of every generation with an interest in the origins of the HHCA, as a Congressionally enacted law, administered by a state and federal government under a compact in the 1959 Hawaii Admission Act.

About Common Acronyms and Organizations

About HHCA. The *Hawaiian Homes Commission Act of 1920* is the federal law enacted by the U.S. Congress to establish a 203,000-acre land trust for enrolled Hawaiians of at least half blood quantum to receive allotments of land for residential, farming, ranching and mercantile use. Just under 10,000 homestead awards have been issued to eligible Hawaiians over the last century, with over 28,000 still waiting on a State of Hawaii Waitlist.

About the HHLRA. The *Hawaiian Home Land Recovery Act of 1995* is the federal law enacted by the U.S. Congress to settle land claims whereby the federal government removed for its own use, certain lands from the Hawaiian Home Land trust established under the HHCA without compensation.

About 43 CFR Part 47 & 48. Regulations promulgated and finalized between 2013 and 2016 by the U.S. Department of the Interior and the U.S. Department of Justice, for the HHCA and HHLRA, to establish clear processes on Amendments to the HHCA and Land Exchanges or Sales under the HHLRA. The regulations also codify the definition and engagement with Homestead Beneficiary Associations (HBAs).

About HBAs. A *Homestead Beneficiary Association* is defined by the federal government in 43 CFR Part 48.6, as a self-government representing the interests of and provision of services to eligible Hawaiians defined in the HHCA with a designated territory of kuleana or responsibility. More than 50 HBAs exist across Hawaiian Home Lands in the State of Hawaii, where its governing body is elected by eligible and enrolled Hawaiians.

About SCHHA . The *Sovereign Council of Hawaiian Homestead Associations* founded in 1987 is a hui or coalition serving HBAs located in every homestead moku (region). Registered with the U.S. Department of Interior, SCHHA is also the only national HBA dedicated to both enrolled Hawaiians issued a homestead allotment or on the State homestead waitlist.



About HCDC. The *Homestead Community Development Corporation (HCDC)* founded in 2009, is the Designated Homestead Entity of the SCHHA and other HBAs. It is a CDC 501c3 tribal corporation dedicated to affordable housing, economic development and capacity on or near Hawaiian Home Lands, most comparable to a Tribal Housing Authority, accountable to HBA tribal governments.



About HLI. The *Hawaiian Lending & Investments (HLI)* founded in 2020, is the Designated Community Development Financial Institution (CDFI) of the SCHHA as an HBA. It is a Native CDFI 501c3 tribal corporation dedicated to capitalizing Hawaiians through loans, grants and financial capacity building, on or near Hawaiian Home Lands, and unlike a private nonprofit NCDFI, HLI is accountable to HBA tribal governments.



About State DHHL. The *Department of Hawaiian Home Lands (DHHL)* is an agency of the State of Hawaii government mandated into existence by the enactment of the 1959 Hawaii Admissions Act to administer the obligations to enrolled Hawaiians under the HHCA. The Governor of Hawaii, as the chief executive of the State government, appoints the State leadership and State commission of DHHL.



About Federal DoI. The *U.S. Department of Interior (DoI)* is an agency of the federal government mandated to protect the interests of enrolled Hawaiians defined in the HHCA and is the principal agency representing the United States in the oversight and fulfillment of the HHCA.



HHCA – The Basics

This *HBA Directory & Helpful Guide to the HHCA* is developed to provide the basics of the HHCA for all parties that may have an interest in or have kuleana to the HHCA.

Quick View

- **203,000+ Acres on 6 Islands in 4 Counties**
 - ❖ A Federal land trust with day-to-day administration by State government
 - ❖ <10,000 Lessees all Islands After 100+ Years of Administration (average 100 Lots per yr)
 - ❖ 29,000 on a State Waitlist (average age is nearly 60 years old)
- **Congress Established HHCA Enrollment Eligibility**
 - ❖ HHCA eligibility of half or more Blood Quantum to enroll and be served by the HHCA
 - ❖ Successor or Heir eligibility of a quarter or more Blood Quantum to succeed a land allotment
- **Enacted in 1920 – Same Policy Era as Other Native Allotment Acts**
 - ❖ To issue land allotments for Homes, for Farms, for Ranches to HHCA enrolled Hawaiians
 - ❖ To issue land allotments for Mercantile – business and commerce for HHCA enrolled Hawaiians
 - ❖ To issue land allotments for Nonprofit purposes
 - ❖ To provide technical and financial support, and access to water

The U.S. Congress has plenary power under the U.S. Constitution to address matters affecting the Indigenous populations of the United States, namely, American Indians, Alaska Natives and Native Hawaiians. The HHCA was enacted through this plenary power to provide a homesteading program of approximately 203,000 acres of land through a Hawaiian Home Lands Trust. The provision of homesteading is defined in HHCA Section 207 through the issuance of lots for residential, farming and ranching purposes, of which 9,959 leases have been issued over the last 100+ years, and 28,700 remain on the State DHHL Waitlist.

Also defined in HHCA Section 207 is the priority to issue HHCA enrolled Hawaiians lots for business mercantile purposes as well as nonprofit purposes to ensure healthy homesteading communities with access to schools, churches and other social and economic purposes.

In 1920, through the enactment of the HHCA of 1920, as amended, championed by Congressman Jonah Kuhio Kalanianaʻole, the Congress established the Hawaiian Home Land Trust. As a compromise to those seeking a blood quantum as low as 1/32nd and those seeking 100%, the HHCA established a Beneficiary Class of native Hawaiians, defined as half or more blood quantum. In subsequent decades, enactments of the Native Hawaiian Education Act and the Native Hawaiian Healthcare Improvement Act, among others, Congress established a second Beneficiary Class of Native Hawaiians, defined with a descendency blood quantum.



The first Beneficiary Class or HHCA enrolled Hawaiians, referred to as “native Hawaiian” (denotes a lower-case n) and the second Beneficiary Class commonly referred to as “Native Hawaiian” (denotes a capitalized N). The first Beneficiary Class of HHCA enrolled Hawaiians, are also within the second Beneficiary Class of all Native Hawaiians, but not vice versa. These two Beneficiary Classes are distinct in federal law.

In addition to land awards, HHCA Section 213 created a series of Trust Funds for HHCA enrolled Hawaiians to access capital. One of the Trust Funds is to “rehabilitate native Hawaiians, native Hawaiian families, homestead communities to include the educational, economic, political, social and cultural processes by which the general welfare and conditions of native Hawaiians are thereby improved and perpetuated.” Another Trust Fund is designated to enhance construction of homes, repairs or additions, and enhance the development of farms and ranches. In total, there are 9 Trust Fund and Special Fund Accounts managed by State DHHL, as a

fiduciary to HHCA enrolled Hawaiians. In HHCA Section 214, revolving loan programs are addressed, and in HHCA Section 221 access to water for homestead purposes is addressed.

The intent of the HHCA is to issue land awards for housing, for farms, for ranches and for business mercantile to HHCA enrolled Hawaiians, to advance social and economic purposes that support the well-being of homestead communities and HHCA enrolled Hawaiians. The HHCA furthers its primary purpose with provisions for access to capital, to water, and technical support.

In 1959, the Congress enacted the Hawaii Admissions Act, to admit the Territory of Hawaii into the United States as the 50th State of the Union. Governor Quinn, the last territorial Governor and first State of Hawaii Governor, presided over the transition. A condition of statehood required the day-to-day administration of the HHCA by the new State, and as such, the State of Hawaii adopted the HHCA as State law through Article XII of its Constitution and established a State Agency (DHHL) in 1961.



In 1995, Senator Akaka championed, and the Congress enacted the Hawaiian Home Land Recovery Act (HHLRA) of 1995, to address the federal removal of HHCA lands for federal use without compensation or concurrence of HHCA enrolled Hawaiians. HHLRA Section 203 is dedicated to a settlement of federal claims, wherein acreages of Hawaiian Home Lands came into the control of the federal government, providing a process by which the land trust would receive replacement lands and/or compensation.



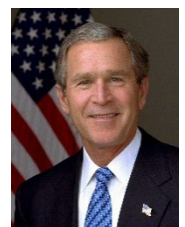
Senator Akaka also recognized the lack of federal oversight and protection of the interests of HHCA enrolled Hawaiians within the State and Federal compact framework. As a result, he included HHLRA Section 206 to directly address the “*administration of acts by the United States*”. This Section assigns responsibility to the Secretary of Interior to “*advance the interests of the beneficiaries*” and “*assist the beneficiaries and DHHL in obtaining assistance from programs of the DoI and other federal agencies that promote homesteading opportunities, economic self-sufficiency, and social well-being of the beneficiaries.*”

The HHLRA provides clear guidance to both the State of Hawaii and to HHCA enrolled Hawaiians, that the U.S. Department of Interior is the federal agency representing the United States HHCA trust obligations.

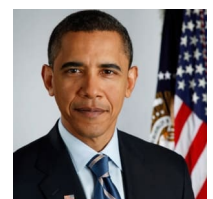
In 2001, Senator Inouye at the request of SCHHA and State DHHL leaders, in concurrence with American Indian Tribes, amended the Native American Housing Assistance and Self Determination Act (NAHASDA) of 1996, to include HHCA enrolled Hawaiians and Hawaiian Home Lands. Title VIII, of NAHASDA provides for the first time, federal housing grant dollars to serve low income HHCA enrolled Hawaiians and extended the HUD 184a mortgage guarantee program to Hawaiian Home Lands and enrolled Hawaiians and successors.



In 2004, President Bush implemented federal funding to formally establish the Office of Native Hawaiian Relations (ONHR) at the Department of Interior, providing the first formal DoI office dedicated to the HHCA, HHLRA, and HHCA enrolled Hawaiians. This action provided the first opportunity for the federal government to staff positions focused on the implementation of HHLRA Section 206, to implement the directive to “*advance the interests of the beneficiaries*”. The DoI has long operated the Office of Insular Affairs addressing the issues of the insular and territorial areas such as American Samoa and Guam, as well as the Office of Indian Affairs, addressing the issues of American Indians and Alaska Natives.



In 2013, President Obama, at the request of SCHHA and HHCA enrolled Hawaiians, reviewed the federal and state trust relationship and obligations under the HHCA, as well as the overall federal trust relationship to all Native Hawaiians under the long-standing federal policy of self-determination.



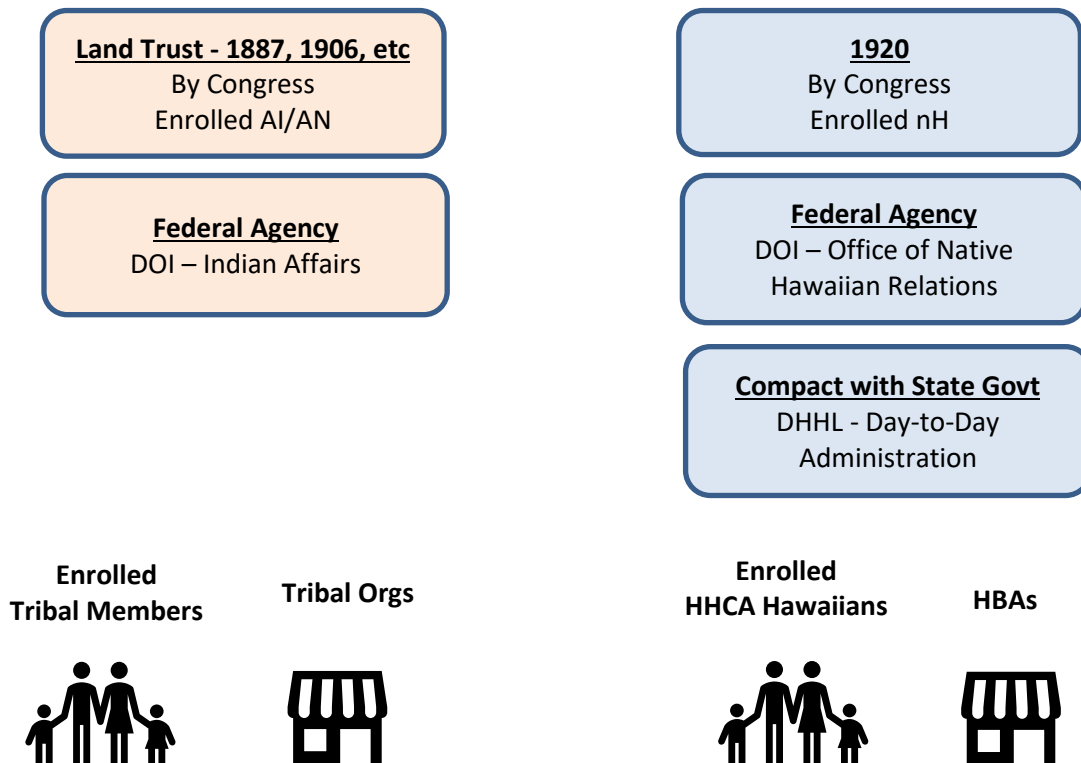
In 2016, upon conclusion of the 3-year federal rulemaking process, the Obama administration adopted 43CFR Part 47, Part 48 and Part 50. The regulations in Part 47 and Part 48 are specifically based on the HHCA, the Admissions Act, and the HHLRA to regulate the processes required by the State and Federal governments on land exchanges and amendments to the HHCA, including a formal definition of a self-governing HBA. Part 50 addresses the right to self-determination of Native Hawaiians.

The DoI ONHR maintains an excellent DoI Reference Guide on the HHCA that provides **full versions** of the following relevant and connected federal laws, resolutions and regulations:

- | | |
|-----------------------|--|
| A. 1920 | The HHCA of 1920 |
| B. 1923 – 2014 | Catalogued HHCA Amendments |
| C. 1961 – 2011 | Catalogued Acts of State of Hawaii that Reference the HHCA |
| D. 1959 | The Hawaii Admissions Act of 1959 |
| E. 1995 | The Hawaiian Home Lands Recovery Act of 1995 |
| F. 1993 | The Apology Resolution |
| G. 2016 | 43 Code of Federal Regulations Parts 47 & 48 |

The DoI Reference Guide on the HHCA can be found on the DoI website at <https://www.doi.gov/hawaiian>

Federal Land Trust Policy: Indian Country vs Hawaiian Home Lands



Directory of Homestead Beneficiary Associations (HBAs)

A Directory of HBAs, in one form or another, has been maintained by the SCHHA over the decades of its existence. HBAs are organized by enrolled Hawaiians in tribal trust land regions within the overall acreage or the Waitlist of enrolled Hawaiians still waiting for State government to issue a homestead allotment of land.

HBAs are not mere community-based organizations, or nonprofits governed by self-selected nonprofit boards. Like tribal organizations, enrolled Hawaiians elect HBA leaders to councils or boards, and HBAs define their own membership, which may include HHCA enrolled Hawaiians and those not eligible to enroll under the HHCA. Many HBAs have existed and functioned for more than 50 years.



May 2013 – Washington DC
Robin Puanani Danner, former SCHHA Vice Chair,
Requesting Federal Rulemaking

In 2016, President Obama implemented federal regulations for the first time in the 100-year history of the HHCA, that included a specific definition for the unique HBA self-governments that serve the interests of the HHCA, its lands and people.

The federal government commented on its agreement with the SCHHA request of a dedicated definition stating the DoI “*agrees that the rule should provide a definition to provide clarity to the definition in the HHCA. The Secretary added a definition in 48.6 based on the language provided in sections 204(a)(2), 213, and 214(a) of the HHCA*”.

HBAs are defined in 43 CFR Part 47 & 48 as follows:

Homestead Association: *Homestead Association means a beneficiary-controlled organization that represents and serves the interests of its homestead community; has as a stated primary purpose the representation of, and provision of services to, its homestead community; and filed with the Secretary a statement, signed by the governing body, of governing procedures and a description of the territory it represents.*

HHCA Beneficiary Association (for the Waitlist): *HHCA Beneficiary Association means an organization controlled by beneficiaries who submitted applications to the DHHL for homesteads and are awaiting the assignment of a homestead; represents and serves the interests of those beneficiaries; has as a stated primary purpose the representation of, and the provision of services to, those beneficiaries; and filed with the Secretary a statement, signed by the governing body, of governing procedures and a description of the beneficiaries it represents.*

The U.S. DoI processes applications from duly organized HBAs. As per the DoI federal website, “*the purpose of the HBA List is to assist the Department of the Interior (DoI) to communicate and work with HBAs in its efforts to administer the Federal laws governing the Hawaiian Home Lands Trust and Hawaiian Home Lands Trust Funds (collectively, the “Trust”)*”.

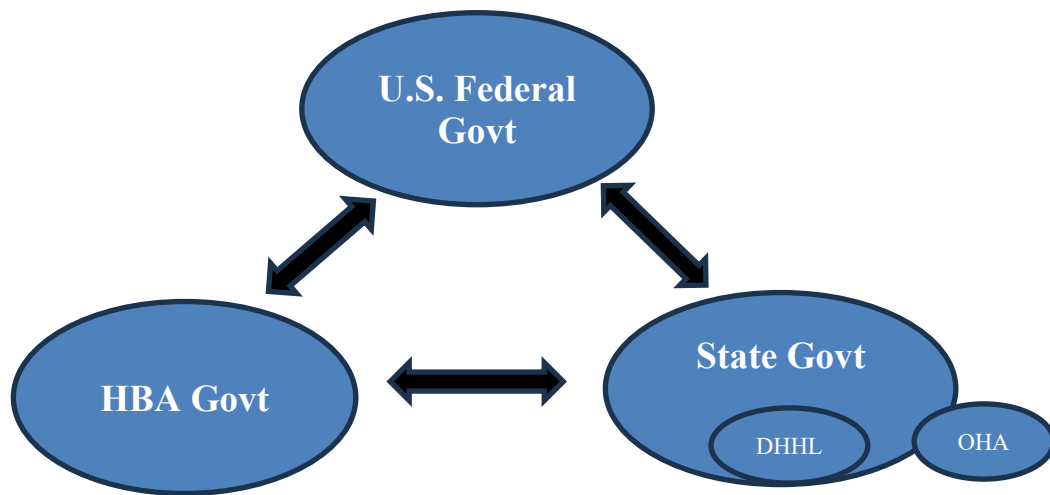
These definitions and registrations have been codified since 2016, along with further clarity that Congress assigned three parties to the HHCA:

1. the federal government represented by the DoI;
2. the state government represented by the State DHHL; and
3. enrolled HHCA Hawaiians - HBAs represent and serve the interests of HHCA Hawaiians.

Both the State of Hawaii, State DHHL and the U.S. DoI are to utilize this definition to engage, partner and consult more directly with HBAs on issues concerning the HHCA and the HHLRA. SCHHA will continue to advocate for greater visibility just as tribal leaders on the continent and Alaska did so over the last 50 years.

In summary, federal regulations for the HHCA were finalized in 2016 by the Obama Administration, with a specific definition for homestead associations referenced in the HHCA as self-governments that have existed for many decades with the right to self-determination on HHCA tribal trust lands. While not federally recognized, HBAs are federally registered under the requirements of the CFR.

Best Practice: Federal to State to HBA Relationship



The first 13 native Hawaiian families to pilot the Hawaiian Home Lands program were awarded homestead lots in Kalama'ula, Moloka'i in 1923. If successful in building their own homes and planting their own crops, Congress would allow the expansion of the program to other communities and native Hawaiians.

Statewide and National HBAs

Following are governing HBAs serving all regions and the entirety of the Hawaiian Home Land Trust and/or Waitlist that spans statewide, national and global citizens:

	Homestead Beneficiary Association Name	43 CFR Status
1	Association of Hawaiians for Homestead Lands – Founded in 2008	DoI Registered
	To Contact AHHL: email support@ahhlwaitlist.org	
2	Sovereign Council of Hawaiian Homestead Associations – Founded in 1987	DoI Registered
	To Contact SCHHA: email policy@hawaiianhomesteads.org	

Trust Lands By Island	Acres	%	# Issued to nHs	# nHs Waiting	%
Hawaii Island	117,660	58%	2,522	15,330	33%
Maui	31,798	16%	1,403	9,299	20%
Molokai	25,769	13%	839	2,138	5%
Kauai	20,565	10%	742	4,346	9%
Oahu	7,495	4%	4,431	15,142	33%
Lanai	50	0%	44	74	0%
Totals	203,337	100%	9,981	46,329*	100%
nHs for Homes	9,508	*Unduplicated Names “Waiting” totals 28,700. For example, an eligible nH may be on the waitlist for a residential lot and a farm lot.			
nHs for Agriculture	60,528				
nHs for Mercantile	0				
General Public	64,391				
Held by State DHHL	68,910				
Totals	203,337				

SCHHA Quick Fact:

Since 1987, Homestead Beneficiary Associations elect a SCHHA Governing Council serving 4-Year Terms, with Council Members elected from each of the five SCHHA Mokupuni Regions.

Kauai Mokupuni ~ Oahu Mokupuni ~ Molokai Mokupuni ~ Maui/Lanai Mokupuni ~ Hawaii Island Mokupuni.
As a result, SCHHA is Governed by a 5-Member Statewide Council.

SCHHA Quick Fact:

In 2008, the SCHHA Governing Council administration assisted Waitlist Beneficiaries to form the Association of Hawaiians for Homestead Lands (AHHL) as the only national HBA dedicated solely to the Waitlist.



SCHHA Quick Fact:

In the nearly 40 years since the SCHHA was founded, only four (4) Chairs have led the SCHHA Governing Council.

Kamaki Kanahale ~ Tony Sang
Robin Puanani Danner ~ KipuKai Kualii

HBAs have an enormous kuleana to the HHCA, to next generation leaders, to every HHCA enrolled Hawaiian on the land and waitlist. The State of Hawaii and the U.S. Department of Interior have a duty to fulfill the promise of the HHCA including the tenets of self-determination. HBAs consistently call on every administration of the State and Federal Government to evolve away from past policies of paternalism to policies of empowerment where HBA are valued partners to achieve success and prosperity for all.

Kauai Island HBAs

Following are governing HBAs serving regions of Hawaiian Home Lands and the Waitlist on Kauai:

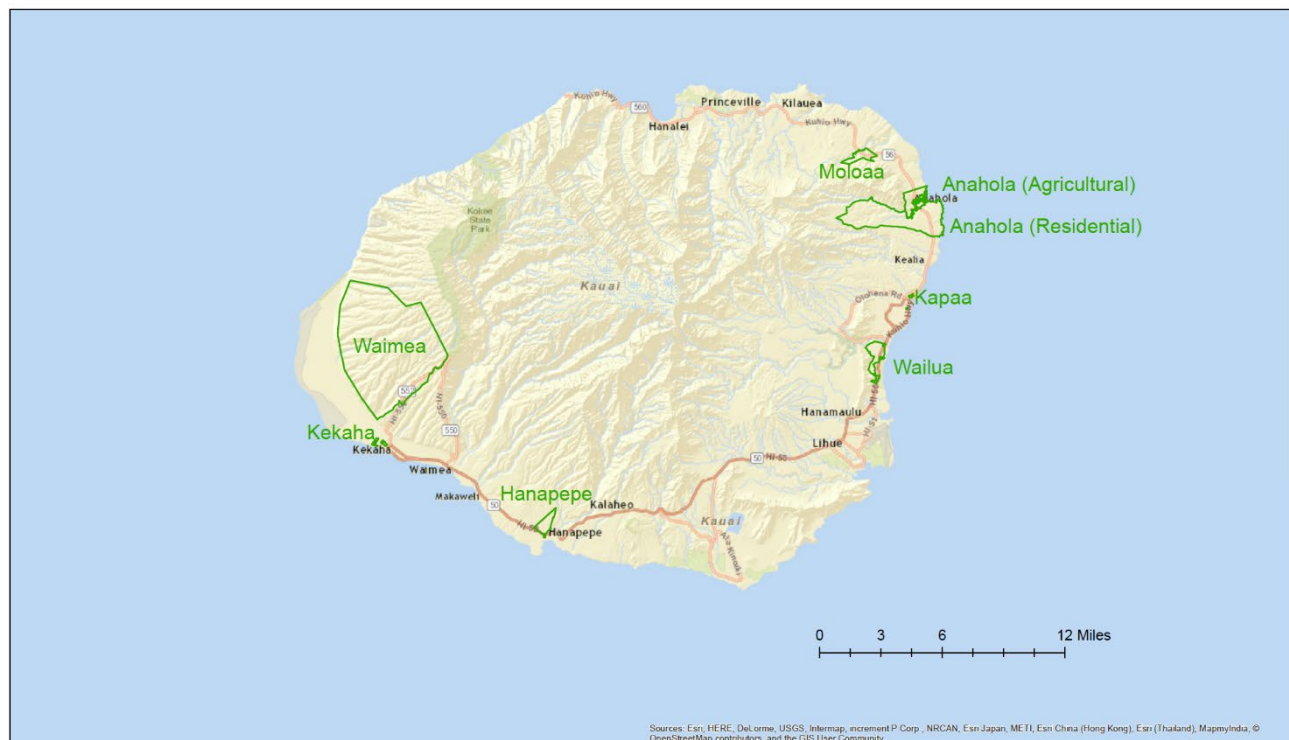
	HBA Name	43 CFR Status
1	Anahola Hawaiian Homestead Association	
2	Anahola Farmers Association	
3	Piilani Mai Ke Kai Community Association	
4	Kekaha Hawaiian Homestead Association	
5	West Kauai Hawaiian Homestead Association (Kekaha/Waimea/Hanapepe)	
6	Association of Hawaiians for Homestead Lands	DoI Registered
7	Sovereign Council of Hawaiian Homestead Associations	DoI Registered

Note: The above HBA Listing does not depict the Homestead Areas that exist but have yet to organize an HBA or the trust lands are unused for the purposes of the HHCA.

Total HBAs:	5 Regional plus 2 Chapters of Statewide HBAs
Total Tribal Lands on Island:	20,565 Acres
Total Beneficiaries Issued Lands:	742 native Hawaiians
Total Beneficiaries Waiting:	4,346 Land Applications for Housing, Farming or Ranching



Hawaiian Homelands: Kaua'i



Oahu Island HBAs

Following are governing HBAs serving regions of Hawaiian Home Lands and the Waitlist on Oahu:

	HBA Name	43 CFR Status
1	Kalawahine Streamside Association	
2	Kewalo Hawaiian Homestead Community Association	
3	Na Leo o Papakolea Homestead Association	
4	Kaupea Homestead Association	
5	Kanehili Hawaiian Homestead Association	
6	Kauluokahai Hawaiian Homestead Association	
7	Maluohai Homestead Association	
8	Ahupuaa o Nanakuli Homestead Association	
9	Nanakuli Hawaiian Homestead Community Association	
10	Princess Kahanu Homestead Association	
11	Waianae Kai Homestead Association	
12	Waianae Valley Homestead Association	
13	Waimanalo Hawaiian Homes Association	DoI Registered
14	Association of Hawaiians for Homestead Lands	DoI Registered
15	Sovereign Council of Hawaiian Homestead Associations	DoI Registered

Note: The above HBA Listing does not depict the Homestead Areas that exist but have yet to organize an HBA or the trust lands are unused for the purposes of the HHCA.

Total HBAs:	13 Regional plus 2 Chapters of Statewide HBAs
Total Tribal Lands on Island:	7,495 Acres
Total Beneficiaries with Lands:	4,346 native Hawaiians
Total Beneficiaries Waiting:	15,142 Land Applications for Housing, Farming or Ranching



Hawaiian Homelands: O'ahu



Molokai Island HBAs

Following are the governing HBAs serving regions of Hawaiian Home Lands and the Waitlist on Molokai:

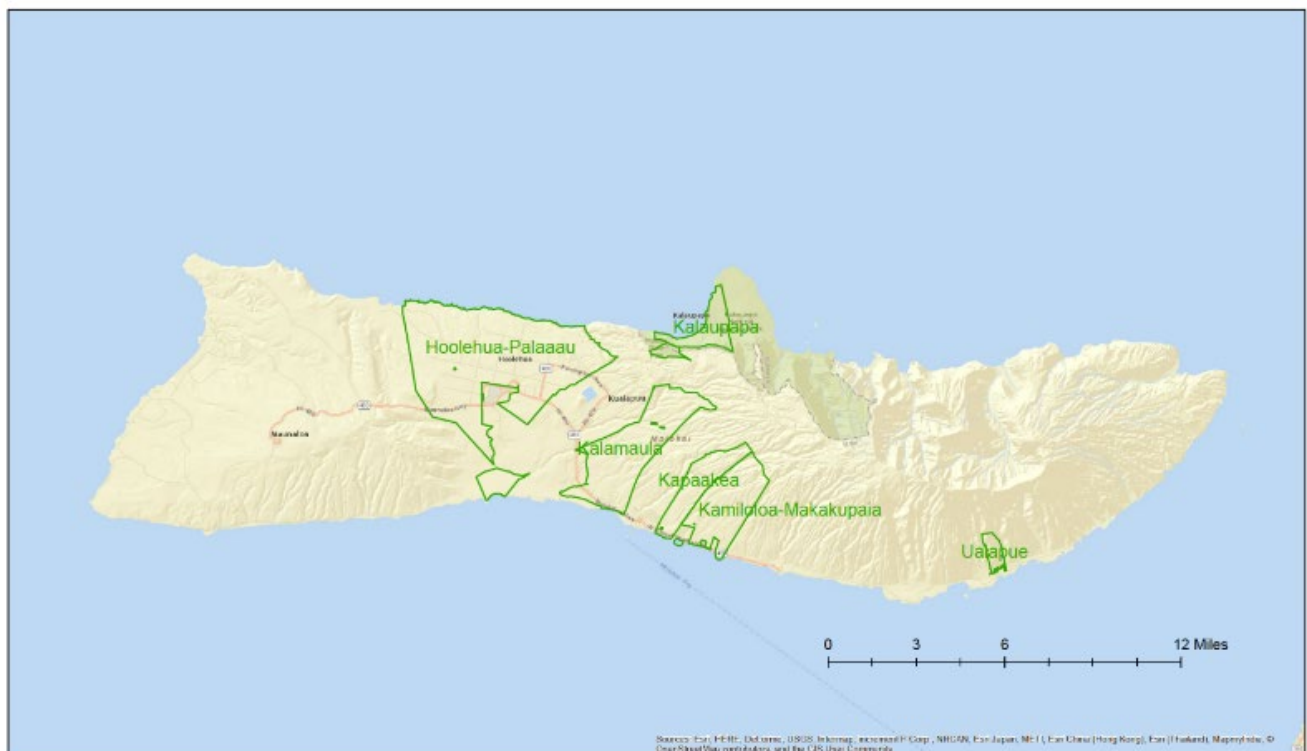
	HBA Name	43 CFR Status
1	Ahonui Homestead Association	
2	Hoolehua Homesteaders Association	
3	Hoopili Homestead Association	
4	Kalamaula Mauka Homestead Association	
5	Kalamaula Homestead Association	
6	Kapaakea Homestead Association	
7	Molokai Homestead Farmers Alliance	
8	Naiwa Homestead Association	
9	Na Lei o Hina Homestead Association	
10	One Alii/Kamiloloa Homestead Association	
11	Association of Hawaiians for Homestead Lands	DoI Registered
12	Sovereign Council of Hawaiian Homestead Associations	DoI Registered

Note: The above HBA Listing does not depict the Homestead Areas that exist but have yet to organize an HBA or the trust lands are unused for the purposes of the HHCA.

Total HBAs:	10 Regional plus 2 Chapters of Statewide HBAs
Total Tribal Lands on Island:	25,769 Acres
Total Beneficiaries Issued Lands:	839 native Hawaiians
Total Beneficiaries Waiting:	2,138 Land Applications for Housing, Farming or Ranching



Hawaiian Homelands: Moloka'i



Maui/Lanai Island HBAs

Following are governing HBAs serving regions of Hawaiian Home Lands and the Waitlist on Maui/Lanai:

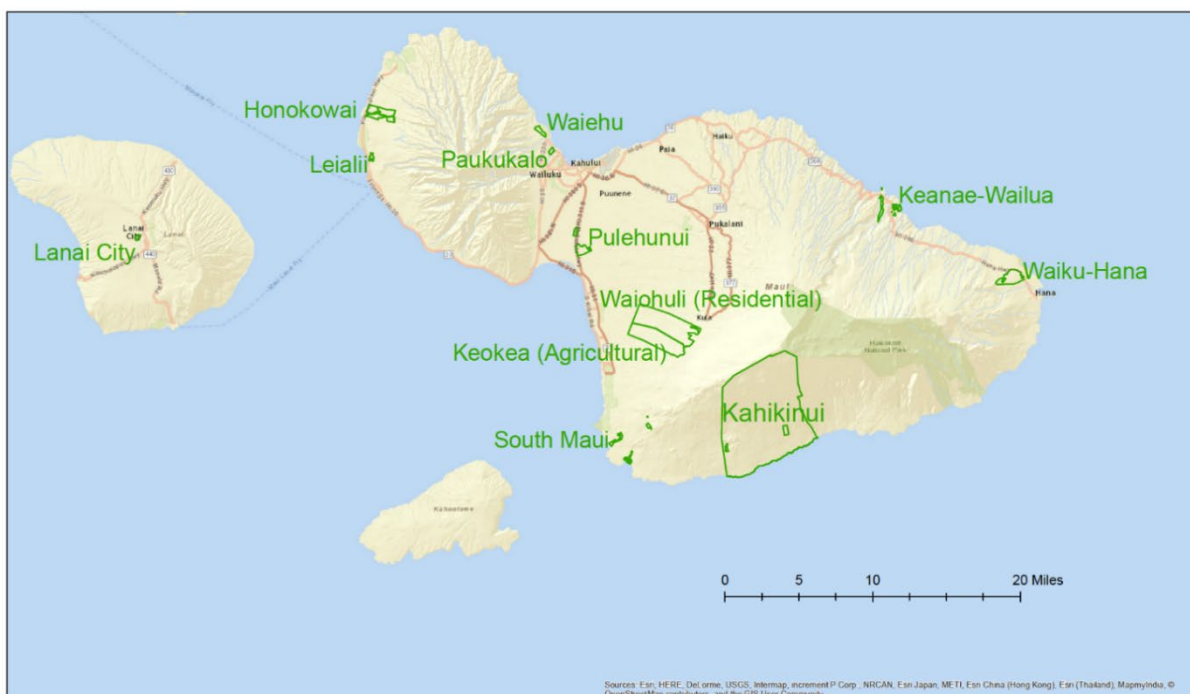
	HBA Name	43 CFR Status
1	Paukukalo Hawaiian Homestead Community Association	
2	Pu'uhona Hawaiian Homestead Association	
3	Pulehunui Hawaiian Homestead Association	
4	Villages of Lealii Phase 1 Homestead Association	
5	Waiehu Kou 1	
6	Waiehu Kou 2	
7	Waiehu Kou 3	
8	Waiehu Kou 4	
9	Waiohuli Homestead Association	
10	Waiohuli Undivided Interest Lessees Association	
11	Ka `Ohana o Kahikinui	
12	Kahikinui Hawaiian Homestead Association	DoI Registered
13	Keokea Homestead Farm Lots Association	
14	Hauoli o Lanai Hawaiian Homestead Community Association	
15	Maui Homestead Farmers & Ranchers Association	
16	Association of Hawaiians for Homestead Lands	DoI Registered
17	Sovereign Council of Hawaiian Homestead Associations	DoI Registered

Note: The above HBA Listing does not depict the Homestead Areas that exist but have yet to organize an HBA or the trust lands are unused for the purposes of the HHCA.

Total HBAs:	15 Regional plus 2 Chapters of Statewide HBAs
Total Tribal Lands on Island:	31,848 Acres
Total Beneficiaries Issued Lands:	1,447 native Hawaiians
Total Beneficiaries Waiting:	9,373 Land Applications for Housing, Farming or Ranching



Hawaiian Homelands: Maui/Lanai



Hawaii Island HBAs

Following are governing HBAs serving regions of Hawaiian Home Lands and the Waitlist on Hawaii Island:

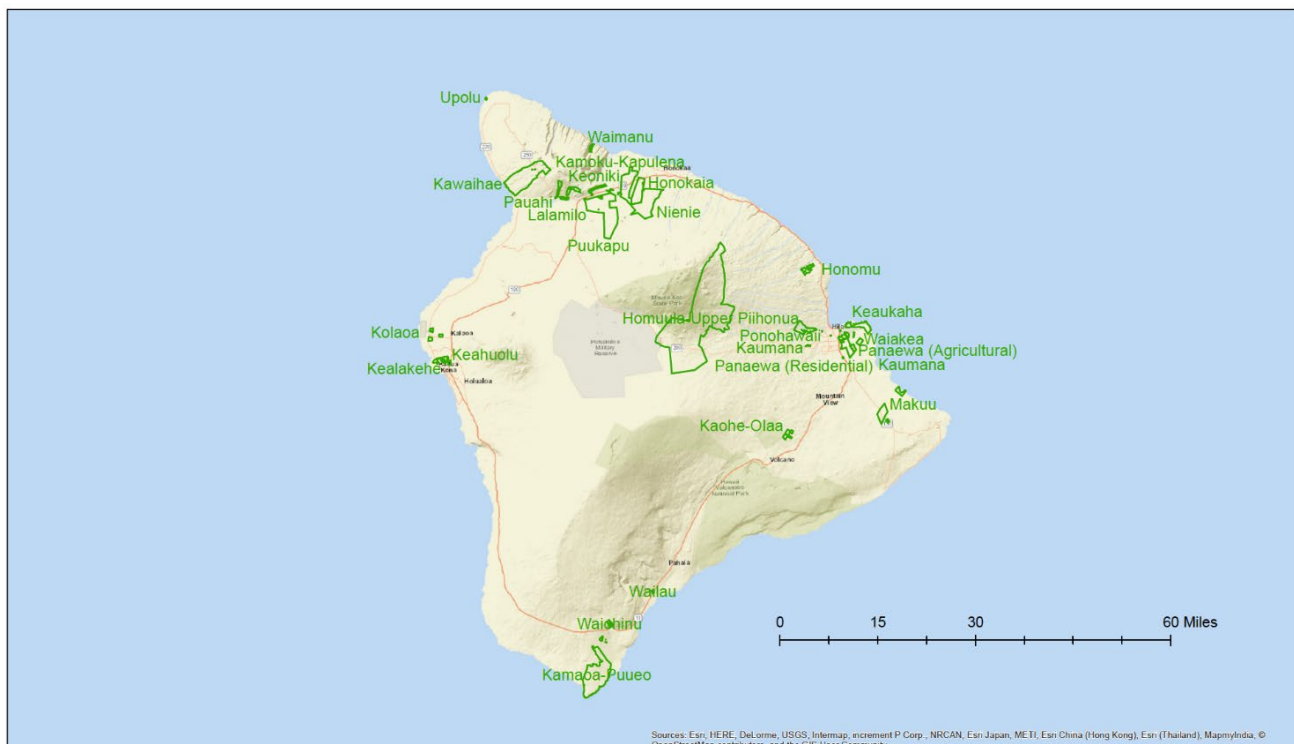
	HBA Name	43 CFR Status
1	Kailapa Homestead Association	DoI Registered
2	Kaumana Hawaiian Homes Community Association	DoI Registered
3	Ka`u Hawaiian Home Lands Association	DoI Registered
4	Laiopua Hawaiian Homestead Association	
5	Waimea Nui	DoI Registered
6	Keaukaha Community Association	
7	Keaukaha Panaewa Farmers Association	DoI Registered
8	Makuu Farmers Association	
9	Panaewa Hawaiian Home Land Community Association	
10	Piihonua Hawaiian Homestead Community Association	DoI Registered
11	Association of Hawaiians for Homestead Lands	DoI Registered
12	Sovereign Council of Hawaiian Homestead Associations	DoI Registered

Note: The above HBA Listing does not depict the Homestead Areas that exist but have yet to organize an HBA or the trust lands are unused for the purposes of the HHCA.

Total HBAs:	10 Regional plus 2 Chapters of Statewide HBAs
Total Tribal Lands on Island:	117,660 Acres
Total Beneficiaries Issued Lands:	2,522 native Hawaiians
Total Beneficiaries Waiting:	15,330 Land Applications for Housing, Farming or Ranching



Hawaiian Homelands: Hawaii



HHCA Summarized ~ 27 Sections

The HHCA was enacted by the U.S. Congress in 1920. It consists of only 27 Sections, which are summarized as follows:

Section 201. Definition & Purpose. Defines words. Lays out purpose of HHCA, to give land and resources to beneficiaries for living, farming, ranching, mercantile and self-sustainability.

Section 202. DHHL & Commission. Establishes the State DHHL agency, a governing board known as the Hawaiian Homes Commission, how commissioners are appointed and eligibility. States civil service positions shall be filled in compliance with HRS provided that first to qualify are Hawaiians.

Section 203. Establishes Original Inventory of Trust Lands

Big Island/114,050 Acres-Maui/31,000 Acres-Molokai/33,300 Acres-Oahu/9,012-Kauai/22,500

**HHLRA of 1995 conveyed federal lands to the trust to compensate for trust lands taken since 1959 (i.e., Wailua on Kauai, Barbers Point on Oahu were conveyed) plus in 1995 State of Hawaii settled to pay trust \$600 million for lands taken by the State (Act 14).*

Section 204. Lands NOT REQUIRED by Hawaiians May be Leased to the General Public. Established that lands still under the control of State BLNR until leases expired, could continue to be managed by State BLNR under leases to the general public with revenues paid to the Land Trust, or it gave the option for the lands to be transferred to State DHHL to be managed, with a condition.....that State DHHL can only issue lands to the general public if they are not required for homesteading by enrolled Hawaiians, and further, that enrolled Hawaiians or HBAs may have an opportunity to lease the lands before the general public.

This section also authorizes land exchanges with the approval of the Secretary of DoI. It also empowers DHHL to be a developer by assembling lands for residential and other development.

Section 205. Lands Sold or Leased. Describe lands sold or leased must be made within the parameters of the Act or as may be necessary to complete any valid agreements on land at the time of enactment.

Section 206. State BLNR Not to Control Trust Lands. States that the Governor and the State BLNR do not have the same authority over Hawaiian Home Lands, except where expressly authorized under the Act.

Section 207. Leases and Licenses to Hawaiians. (a) & (b) describes leases to enrolled native Hawaiians for homesteading (homes, up to 40-acre farms and 100-to-1000-acre ranches).

(c) describes licenses for land to nonprofits (schools, churches, clinics, HBAs etc.) OR

(c) describes licenses for land for mercantile to native Hawaiians and organizations controlled by native Hawaiians for theatres, markets, stores, service stations, etc.

Essentially, Section 207 is the heart of the purpose of the HHCA – to give land only to enrolled HHCA native Hawaiians for homes, farms, ranches and mercantile use, or to give land to nonprofits. There are no conditions on these land dispositions, whereas issuing land to the General Public under Section 204 has a clear condition that land cannot be given out if it is required for homesteading by HHCA enrolled Hawaiians.

Section 208. Terms of Homestead Leases to Hawaiians. Defines who is eligible for homestead and mercantile, the lease term, transfer eligibility, successor eligibility, ability to rent to other Hawaiians, and the ability to mortgage with approved lenders. Also describes responsibilities with taxes on improvements.

Section 209. Homestead Lease Disposition in the Event of Death of Hawaiian Lessee. Describes options for successorship upon the death of a lessee, options for disposition of improvement value, options if a successor is not named, and the process of valuation and payment.

Section 210. Cancellation of Homestead Lease due to Violation of Section 8 or 9. Describes when homestead leases can be cancelled, and possession taken by State DHHL.

Section 211. Community Pastures. States where a community pasture can be established in districts where homesteading agricultural lands are issued.

Section 212. Allows Lands to be Managed by BLNR and Managed as Public Lands. States that any lands not issued to native Hawaiians under section 207 (homesteading and mercantile) or to nonprofits, can be returned to the control of BLNR and leased by BLNR to the public with a withdrawal clause, upon State DHHL notification of needing the lands.

Section 213. Trust Fund Accounts of Hawaiians. This section governs several trust fund accounts, how funds can be spent and for what purposes to advance native Hawaiians. For example, this section states the criteria for farm loans, how interest payments are invested, requires 30% of revenue from former sugar lands (DLNR, ADC, etc.) to be deposited to the Native Hawaiian Rehabilitation Fund for native Hawaiians, families and homestead communities, including educational, economic, political, social and cultural wellbeing.

Section 214. Availability of Loans to Hawaiians. Loans may be made available from Hawaiian trust funds or other sources to HHCA enrolled Hawaiians for homes, for ranches, for farms, refinancing existing debt, conservation practices, relief to farms and ranches experiencing natural disasters or livestock disease, etc., and in the operation or erection of mercantile establishments that shall be owned by native Hawaiians or by associations controlled by native Hawaiians (such as HBAs).

Section 215. Conditions or Terms of Loans. Establishes loan limits, eligibility of borrowers, repayment terms, and delinquencies.

Section 216. Insurance Requirements and Loan Acceleration. Describes insurance requirements, action on loan violations, lien position required.

Section 217. Ejectment for Non-Payment. Describes authority of State DHHL to evict or bring legal action.

Section 218. Repealed

Section 219. General Assistance & Experts. Describes State DHHL is to aid HHCA enrolled Hawaiians to maximize land utilization for homesteading, mercantile and nonprofit purposes, including the provision of experts in agriculture, aquaculture, livestock and other operations. Also authorizes State DHHL can form an insurance company, association, or pool if necessary to serve HHCA enrolled Hawaiians.

Section 220. Developer Agreements, Projects & Bonds. Section describes water development requirements, authority of State DHHL to develop trust lands that advance economic and social welfare of HHCA enrolled Hawaiians, to derive revenue from non-homesteaders for products and services. Describes State legislature authority to appropriate funds and/or bonds.

Section 221. Water. Describes all water licenses in the State are subject to the condition of water deemed necessary by Hawaiian Home Lands to supply livestock, farm operations or domestic needs of homesteading shall be granted free of charge. Establishes a superior water right over any water licensee upon demand of State DHHL. Also authorizes State DHHL to use free of charge water tributary to the Waimea River on Kauai for irrigation purposes.

Section 222. State DHHL Administration. Allows State to make expenditures and adopt rules. Requires State to issue an annual report of finances to the legislature. Also, State DHHL must report annually to the legislature regarding the disposition of land and to whom.

Section 223. Federal Oversight. Congress reserves the right to alter, amend, or repeal provisions of this title.

Section 224. Sanitation and Reclamation Expert. Federal designee to live in the State with expertise in sanitation, rehabilitation and reclamation.

Section 225. Investment Eligibility and Accounting Requirements. Describes investments allowed, how receipts are to be managed, donations and other fiscal actions.

Section 226. Qualification for Other Federal Programs. Establishes that State DHHL is eligible to participate in any federal program that renders assistance in HHCA areas mandated to be implemented.

Section 227. Enterprise Zones. Allows participation in federal or state enterprise zones only if program will result in economic benefits to native Hawaiians.

In summary, the HHCA is to issue land, capital resources, technical support and water to enrolled Hawaiians.

Sections
207 ~ 213 ~ 214 ~ 219 ~ 221

1. Section 207 - Land

*Issue **Homestead** Land for
Homes, Ranches and Farms
Enrolled HHCA Hawaiians

2. Section 207 - Land

*Issue **Public Purpose** Land
for Nonprofit Purposes
(ie, HBA Projects)*

3. Section 207 - Land

*Issue **Mercantile** Land for
Business Purposes
Enrolled HHCA Hawaiians

4. Section 213 – Capital \$\$

*Administer **Beneficiary
Trust Funds** (9 Accounts)
plus State/Federal Funds*

5. Section 214 – Capital \$\$

*Issue **Loans & Deferred
Loans** for Homesteading &
Mercantile*

6. Section 219 – Technical

*Provide No Cost **Technical
Support** in Maximizing
Land Awards to Hawaiians*

7. Section 221 – Water

*Provide access to water
and enforce superior water
rights*

8. Section 204 – Land

*May only issue land to non-
HHCA Hawaiians if NOT
Required for homesteading*

HHLRA of 1995 – Settlement of Federal Land Claims & Designation of DoI

Senator Akaka continually monitored how the 1959 Compact between the State and Federal Governments was serving the interests of enrolled and eligible Hawaiians. He reviewed what the situation was from 1959 to 1988, to assess land dispositions and found that the State and Federal governments had issued HHCA tribal trust lands to the federal government for use without compensation. As a result, he authored the Hawaiian Home Lands Recovery Act of 1995 (HHLRA), enacted by the U.S. Congress with the support of Alaska Natives, to establish the replacement of lands taken away from the core purpose of the HHCA for homesteading and mercantile. In doing so, the HHLRA articulates how the federal government must replace the lands or compensate our land trust for the value of the lands taken from its use. This is how Kalaeloa lands on Oahu from the military came into our land trust, and the Wailua lands on Kauai, among other parcels.

Of significance in the HHLRA, Senator Akaka, concerned that no specific federal agency was paying attention to the federal trust obligation to HHCA enrolled/eligible Hawaiians, added Section 206, which states:

Section 206. (a)(1) *Not later than 120 days after the date of enactment of this Act, the Secretary (of DoI) shall designate an individual from within DoI to administer the responsibilities of the United States.....*

(a)(2) *If the Secretary fails to make an appointment by the date specified, or if the position is vacant at any time thereafter, the Assistant Secretary for Policy, Budget and Administration of the DoI shall exercise the responsibilities for the DoI.....*

(b) *the (DoI) individual designated.....shall in administering the laws referred to....*

(b)(1) *advance the interest of the beneficiaries; and*

(b)(2) *assist the beneficiaries and DHHL in obtaining assistance from programs of the DoI and other Federal agencies that will promote homesteading opportunities, economic self-sufficiency, and social well-being of the beneficiaries.*

Upon enactment of the HHLRA, this was the beginning to open a specific office for Hawaiians within the DoI that had never existed before. That office is the Office of Native Hawaiian Relations under the DoI Assistant Secretary, under the DoI Secretary. In short, the HHLRA directed by the U.S. Congress for the DoI to protect the interests of HHCA eligible/enrolled Hawaiians. Eight years later, in 2004, President Bush would include the initial funding to open the ONHR office next to the Bureau of Indian Affairs at the DoI.

HHCA Lands & People Summarized

The Hawaiian Home Land Trust is **People ~ Land ~ Trust Funds**. This section of the *HBA Directory & Helpful Guide to the HHCA* summarizes type of land dispositions authorized by the HHCA, the location of lands, lessees and waitlist Hawaiians, and the breakdown of how lands have been issue.

Types of Land Dispositions Authorized by the HHCA. There are five (5) primary types of Tribal Trust Land dispositions specified in the HHCA. The inventory of trust lands is an estimated 203,000 Acres, established by the U.S. Congress like other Native Allotment Acts of the same policy era. The primary purpose of the HHCA is to issue allotments under #1 and #3 below:

HHCA Land Use & Disposition	HHCA Section	Eligible For
1. Homesteading (homes, farms, ranches)	207(a)	HHCA Enrolled Hawaiians
<i>Issue 99-year homestead leases for residential and farming or ranching purposes.</i>		
2. Public Purpose (schools, hospitals, churches, etc.)	207(c)(1)(A)	HBAs & Nonprofits
<i>Issue land licenses for public purpose functions by HBAs or nonprofits to support healthy homestead communities. HRS 171 procurement does not apply.</i>		

3. Mercantile Purpose	207(c)(1)(B)	HHCA Enrolled Hawaiians & HBAs
<i>Issue land licenses for mercantile purposes such as “theatres, garages, service stations, markets, stores and other establishments, all of which shall be owned by native Hawaiians or native Hawaiian controlled orgs”. HRS 171 procurement does not apply – however, Administrative Rules have been in place since the 1990’s.</i>		
4. Commercial, Industrial or Business Purpose	204(2)	General Public, HHCA Enrolled Hawaiians & HBAs
<i>Issue general leases on “available lands not required” for #1 purpose above for commercial, industrial or other business purpose, provided express authorization to negotiate with HHCA Enrolled Hawaiians and HBAs prior to negotiation with the General Public. HRS 171 procurement does apply, with exemptions for nonprofits, energy firms, etc.).</i>		
5. Community Pastures	211	HHCA Enrolled Hawaiians & HBAs
<i>Issue lands when practicable, for a community pasture adjacent to each district on which agricultural lands are leased under the provisions of Section 207 (homesteading).</i>		

The specific language in the HHCA Statute (**Section 207**) on #3, Mercantile above - intends HHCA enrolled/eligible Hawaiians and HBAs to receive land for mercantile business purposes:

Section 207: “**(B)** Theaters, garages, service stations, markets, stores, and other mercantile establishments (all of which shall be owned by native Hawaiians or by organizations formed and controlled by native Hawaiians)”

The specific language in the HHCA Statute (**Section 204**) on #4, Commercial/Industrial above describes the intent of land disposition under this section:

Section 204: “**(2)**In the management of any retained available lands not required for leasing under section 207(a), the department may dispose of those lands or any improvements thereon to the public, including native Hawaiians, on the same terms, conditions, restrictions, and uses applicable to the disposition of public lands in chapter 171, Hawaii Revised Statutes”

“provided further that the department is expressly authorized to negotiate, prior to negotiations with the general public, the disposition of Hawaiian home lands or any improvements thereon to a native Hawaiian, or organization or association owned or controlled by native Hawaiians, for commercial, industrial, or other business purposes, in accordance with the procedures set forth in chapter 171, Hawaii Revised Statutes.”

Fundamentally, the priority of the HHCA is articulated under Section 207, which intends lands to be issued to enrolled/eligible Hawaiians for homesteading described in #1 above, and for mercantile business purposes described in #3 above. Section 204 intends the disposition of lands available that are not needed by the Waitlist for homesteading, which indicates that Section 204 should only be used when NO Waitlist Exists.

HHCA Tribal Trust Lands by Island ~ Available ~ Issued ~ Waitlist. Following is a table that identifies where trust lands are located by island, the number of homestead lot awards issued since 1920 by island, and the number of enrolled/eligible Hawaiians on the Waitlist to receive a lot award:

Island Location of Tribal Lands	Total Acreage	% of Total	Allotments Issued	% of Total	Allotments Waitlist	% of Total
Hawaii Island HHCA Tribal Lands	117,660	58%	2,522	25%	15,330	33%
Maui HHCA Tribal Lands	31,798	16%	1,403	14%	9,299	20%
Molokai HHCA Tribal Lands	25,769	13%	839	9%	2,138	5%
Kauai HHCA Tribal Lands	20,565	10%	742	7%	4,346	9%
Oahu HHCA Tribal Lands	7,496	4%	4,431	45%	15,142	33%
Lanai HHCA Tribal Lands	50		44		74	
Total HHCA Tribal Lands	203,337	100%	9,981	100%	*46,329	100%

Notes: Data Compiled from State of Hawaii DHHL 2022 Annual Report

Enrolled/Eligible Hawaiians are HHCA defined as 50% or more blood quantum, and 25% or more blood quantum to be an heir or successor of an allotment of land

*46,329 Applications by Enrolled/Eligible Hawaiians on File– Unduplicated at 28,700

Average age of Enrolled/Eligible on the State Government Waitlist is 60 years old

Only **9,981** allotments of land have been issued to enrolled/eligible Hawaiian families over the last century, resulting in less than 100 lots issued per year, while **28,700** enrolled/eligible Hawaiians remain on a State government Waitlist for an allotment of land for homesteading (homes and farms or ranches).

In 2022, the State of Hawaii paid out **\$328M** to settle the Kalima lawsuit filed by 3,000 plaintiffs that are HHCA enrolled/eligible Hawaiians, for essentially, decades spent on the Waitlist.

Tribal Trust Land Dispositions. The primary purpose of the HHCA is to issue allotments of land under HHCA Section 207 for homesteading (homes and farms or ranches), for mercantile business purposes by enrolled/eligible Hawaiians and for public nonprofit purposes including to HBAs for programs and projects.

Disposition of Acres by Federal & State of Hawaii DHHL	Acreage	% of Total	HHCA Section
To Enrolled Hawaiians for Residential	9,508	5%	Section 207 (a)(b)
To Enrolled Hawaiians for Farming/Ranching	60,528	29%	Section 207 (a)(b)
To Enrolled Hawaiians or HBAs for Mercantile	0	0%	Section 207(c)
To General Public & Other Govt Agencies	64,391	32%	Section 204
Held by State DHHL	68,910	34%	Section 203
Total HHCA Tribal Trust Lands	203,337	100%	

Notes: Data Compiled from State of Hawaii DHHL 2022 Annual Report

There are no tribal trust lands issued to enrolled/eligible Hawaiians or HBAs for **mercantile business purposes**, however, a third of the land trust (64,391 acres) has been issued to the General Public under HHCA Section 204 for commercial business purposes, disregarding the plain reading of the statute stating only “available lands not required” for homesteading may be issued under Section 204. With 29,000 enrolled Hawaiians on the Waitlist, any available lands are indeed required for homesteading.

HHCA Trust Funds Summarized ~ Nine (9) Trust/Special Funds

The Hawaiian Home Land Trust is **People ~ Land ~ Trust Funds**. This section shares what the nine (9) trust fund accounts created under HHCA Section 213 and 214 are intended to fund.

Non-Trust Account Funding Sources for HHCA. While not all inclusive, there are 2 basic sources of non-Trust funds that are available to administer the HHCA by the State DHHL as follows subject to State Governor & State Legislature authorization for State Funds, as well as Federal approval for Federal Funds:

1. **State Funds** – for Operations, Programming & Capital Improvements
 - a. General Funds for Operations & Programming
 - b. General Obligation Bonds for Capital Improvements
2. **Federal Funds** – for Operations, Programming and Capital Improvements
 - a. Grants from NAHASDA for affordable housing
 - b. Grants from USDA Rural Development for water systems
 - c. Grants from other federal agencies and/or special federal appropriations, like COVID

9 Trust & Special Accounts for HHCA. There are 9 special accounts created under the HHCA, administered and managed by the State DHHL. The Hawaiian Homes Commission has governing authority over all 9 accounts, with a handful of exceptions wherein the Legislature and the Governor have approval authority on

certain transactions. Two are revolving, five are trust fund accounts and two are special fund accounts. They are as follows:

<u>Name of Trust Account</u>	<u>Short Descriptor</u>	<u>Type of Account</u>
1. HH Loan Fund	(principal loan repayments)	Type: Revolving
2. HH General Loan Fund	(principal loan repayments)	Type: Revolving
3. HH Receipts Fund	(interest loan repayments)	Type: Trust Fund
4. HH Administration Account	(lease revenues)	Type: Special Fund
5. HH Operating Fund	(water/rental revenue)	Type: Trust Fund
6. NH Rehabilitation Fund	(30% sugar revenue)	Type: Trust Fund
7. HH Trust Fund	(loan guarantees)	Type: Trust Fund
8. HH Lands Trust Fund	(Act 14 payments from Legislature)	Type: Trust Fund
9. Revenue Bond Special Fund	(interest/project revenues)	Type: Special Fund

**Special Note: Some expenses may require authorization by the Governor and Legislature, and others may require authorization only by the Hawaiian Homes Commission*

The following are more detailed descriptors of authority and funds for each account. Financial data is based on the State DHHL financial report on **November 23, 2020**, the last annual report made readily available.

1. **HH Loan Fund** **Average Annual Revenue: \$245,639** **Balance: \$3,324,514**
Types of Revenues to the Account
 - a. Principal portion of the loan repayments on loans from fundTypes of Expenses made from the Account
 - b. Payouts on net proceeds payments to acquire lessee improvements (section 209)
 - c. Loans to lessees of homesteading leases and mercantile licenses (section 214)
 - i. Loans for repair/maintenance, purchase of permanent improvements
 - ii. Loans for livestock, farms, ranches, developing land, commercial purposes, etc.
 - iii. Loans subject to conditions in section 215
2. **HH General Loan Fund** **Average Annual Revenue: \$7,294,878** **Balance: \$47,328,850**
Types of Revenues to the Account
 - a. Principal portion of loan repayments on loans from fund
 - b. Appropriations from the LegislatureTypes of Expenses made from Account
 - c. Payouts on net proceeds payments to acquire lessee improvements (section 209)
 - d. Loans for to lessees of homesteading leases and mercantile licenses (section 214)
 - i. Loans for repair/maintenance, purchase of permanent improvements
 - ii. Loans for livestock, farms, ranches, developing land, commercial purposes, etc.
 - iii. Loans subject to conditions in section 215 plus stated farm loan conditions
 - e. Commitment of loan guarantees
 - f. Repayment of funds borrowed from govt agencies or financial institutions for section 214
3. **HH Receipts Fund** **Average Annual Revenue: \$5,994,705** **Balance: \$818,397**
Purpose:
 - a. Receive all interest revenue for transfer to respective funds where revenue earned. Funds may be transferred to the Administrative or Operating Accounts with HHC Approval, if not, Admin Rules require funds to transfer to Loan Fund account for loans to Beneficiaries
4. **HH Administration Acct** **Average Annual Revenue: \$22,111,172** **Balance: \$6,837,483**

Types of Revenue to the Account:

- a. General lease revenue, RP and License revenue, and other land dispositions
- b. Interest or earnings from investments made

Types of Expenses made from the Account:

- c. Salaries and other administrative expenses in conformity of other state agencies
- d. May NOT be used for structures or permanent improvements

Special Notations:

- e. Funds of this account must be incorporated into the State Executive Budget and appropriated by the legislature before they can be expended
- f. HHCA provides those excess receipts to this account over the amount made available by the legislature, which may be transferred to the HH Operating Fund.

5. HH Operating Fund Average Annual Revenue: \$4,888,74 Balance: \$66,553,494

Types of Revenue to the Account:

- a. Funds appropriated by legislature to supplement costs of same purpose
- b. Interest from loans made from the fund.
- c. Interest transferred from Home Loan Fund or Funds transferred from Receipts Fund
- d. Excess funds transferred from Administration Account
- e. All other revenue not dedicated to other funds
 - i. Molokai/Anahola water system, hall rentals, homestead lease payments, etc.

Types of Expenses made from the Account:

- f. Costs of revenue producing activities benefiting homesteaders (construction, purchases)
- g. Costs associated fees for state bonds issued for revenue producing projects
- h. Costs of operating or maintaining projects constructed from funds or other funds
- i. Costs of purchasing water, goods, supplies or equipment for goods/services charged to homesteaders
- j. Appraisals, studies, consultants, temporary hires needed to operate these projects

Types of Expenses Requiring Governor Approval:

- k. Offsite improvements/development necessary to serve current or future beneficiaries
- l. Improvements/additions/repairs to assets owned or leased (essentially CIP)
- m. Consultant services, purchase/lease of equipment, acquisition/lease of property
- n. Improvements constructed not otherwise permitted in other funds/accounts
- o. A&E and planning services to develop properties.
- p. Use funds for matching grants

6. NH Rehabilitation Fund Average Annual Revenue: \$462,694 Balance: \$6,557,992

Purpose:

- a. Established by the 1978 Constitutional Convention to benefit small n, including educational, economic, political, social and cultural processes by which the general welfare and conditions of native Hawaiians are improved/perpetuated. Director of Finance must serve as custodian, with payments from the fund made by him upon approval of the HHC

Types of Revenues to the Account

- b. 30% of state revenues from sugar lands and water licenses (certain ceded lands)
- c. Payments & loan payments from the fund
- d. Interest revenue from the fund

Types of Expenses made from the Account

- e. Costs associated with educational, economic, political, social or cultural activities where the general welfare of beneficiary families and communities is improved. (past use, interim construction, community grants).
- f. Funds are not subject to section 214, 215, 216 or 217 – all related to loan purpose uses.

7. HH Trust Fund **Average Annual Revenue: \$0** **Balance: \$11,798,833**

Purpose:

- a. A reserve fund for FHA/VA loan guarantees

8. HH Lands Trust Fund **Average Annual Revenue: \$0** **Balance: \$150,719,468**

Types of Revenues to the Account

- a. Approps from Legislature under Act 14 for lands taken from 1959-1988 (\$600M)
- b. Other Appropriations from the Legislature
- c. Interest earnings from the fund

Types of Expenses made from the Account

- d. Capital Improvements
- e. Other purposes undertaken in furtherance of the HHCA
- f. Must annually report to Legislature and Beneficiaries
- g. HHC may invest outside state treasury

9. Revenue Bond Fund **Average Annual Revenue: \$3,106,919** **Balance: \$22,924,372**

Types of Revenues to the Account

- a. Interest on fund balances
- b. Other (e.g., OHA)

Types of Expenses made from Account

- c. Debt service payments
- d. Excess funds may be transferred to Administration Account with HHC Approval

An important SCHHA Policy Priority is for the State DHHL to distribute an annual financial report on the revenues, transfers and balances of each of the 9 accounts to HBAs.

In the HHCA Statute, Section 213.6, states the State DHHL “shall have a fiduciary responsibility toward the trust fund and shall provide annual reports therefore to the legislature and to the beneficiaries of the trust”.

Nine (9) Trust/Special Funds Accessed by State DHHL

#1 HH Loan Fund Net Payouts, Loans to nHs	#2 HH General Loan Fund Loans to nHs	#3 HH Receipts Fund Interest receipts to other funds
#4 HH Administration Acct Lease Revenues	#5 HH Operating Fund CIP & Expenses for Revenues	#6 NH Rehabilitation Fund Sugar/Water - Capacity
#7 HH Trust Fund Mortgage Reserves	#8 HH Lands Trust Fund Act 14 from 1995	#9 Revenue Bond Fund Debt Svc

Other Funds Accessed by State DHHL

State of Hawaii General/GO Bonds for Operating & CIP	Federal Government Various Grants for NAHASDA, USDA, etc.
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Hawaii Admission Act Summarized ~ HHCA Condition of Statehood

The Hawaii Admission Act of 1959 enabled the Territory of Hawaii to become the 50th State through a compact between the United States and the new State of Hawaii. Following are Sections of the federal Hawaii Admission Act relevant to HHCA enrolled and/or eligible Hawaiians:

Section 4 – As a compact with the United States relating to the management and disposition of Hawaiian Home Lands, the HHCA shall be adopted as a provision of the constitution of the new state.....and may only be amended or repealed with the Consent of the Federal Government.

HHCA Amendments without Federal Consent. The sections of the HHCA that may be amended without consent of the Federal Government are Sections 202, 206, 212, 213, 219, 220, 222, 224, 225 and paragraph 2 of Section 204....basically, administrative tasks in the HHCA. **Still requires Federal Review to determine if consent is required or not – as per 43 CFR Part 48*

HHCA Amendments that require Federal Consent. Amendments to trust fund accounts shall not be reduced or impaired by any amendment without consent of the Federal Government. Amendments that increase the benefits to lessees of Hawaiian Home Lands may be made, but the qualifications of lessees shall not be changed except with the consent of the Federal Government. **Requires Federal Review plus Federal Approval.*

Proceeds and Income from Trust Lands. All proceeds and income from trust lands shall be used ONLY in conducting the provisions of the HHCA.

Section 5 (b) – The U.S. grants to the State of Hawaii effective upon its admission into the Union, title to all public lands.....and to all lands defined by section 203 of the HHCA.....

Section 5 (f) – lands granted to the State of Hawaii.....together with proceeds from the sale or other disposition and income.....shall be held in a public trust for 1) public schools; 2) betterment of the condition of native Hawaiians as defined in the HHCA; 3) farming; 4) homeownership; and 5) public use.

Such lands, proceeds, and income shall be managed.....in such a manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States.

Nearly 20 years after Statehood in 1978, the State Constitution was amended to establish the State Office of Hawaiian Affairs (OHA) to receive and manage the 5(f) funds dedicated to the “betterment of the condition of native Hawaiians as defined in the HHCA”. The result, is the State DHHL administers the HHCA lands plus 9 HHCA trust fund accounts and the State OHA administers the Trust Funds under 5(f), one of five purposes described.

State of Hawaii Constitution Summarized ~ HHCA Compact

Under the Hawaii Admission Act of 1959, the State of Hawaii was required to accept responsibility for the day-to-day administration of the HHCA, ~ to adopt it as State Law.

There are eighteen articles in the State of Hawaii Constitution, with **Article XII** Titled Hawaiian Affairs with seven sections summarized as follows:

Section 1. Hawaiian Homes Commission Act – adopts the HHCA as a law of the State, subject to amendments the same or may be amended. States the proceeds and income from Hawaiian Home Lands shall be used only in accordance with the terms and spirit of the HHCA. Further states the legislature shall make sufficient sums available for the following purposes:

1. Development of home, agriculture, farm and ranch **lots**
2. Home, agriculture, aquaculture, farm and ranch **loans**

3. Rehabilitation projects to include, but not limited to educational economic, political, social and cultural processed by which the **general welfare and conditions of native Hawaiians** are thereby improved
4. The **administration and operating budget of the DHHL**

States 30% of state receipts from leasing sugarcane lands or from water licenses shall be transferred to the native Hawaiian rehabilitation fund (see 9 Trust Account section of this Helpful Guide).

Section 2. Acceptance of Compact – The state and its people do hereby accept, as a compact with the United States, or as conditions or trust provisions imposed by the United States, relating to the management and disposition of Hawaiian Home Lands, the requirement that section 1 hereof be included in this constitution.....it goes on to say the State and its people do further agree and declare that the spirit of the HHCA....shall be faithfully carried out.

Section 3. Compact Adoption, Procedures After Adoption - reaffirms compact with the United States related to the management and disposition of Hawaiian Home Lands, the HHCA, shall be adopted as a provision of the Hawaii constitution. Restates sections of the HHCA in amending the Act, managing trust funds and that all proceeds and income from the “available lands” as defined in the HHCA shall be used only in conducting the provisions of such Act.

Section 4. Public Trust – describes the ceded lands (excluding HHCA lands) granted by the United States to the State of Hawaii shall be held as a public trust for native Hawaiians and the general public.

Section 5. Office of Hawaiian Affairs; Establishment of Board of Trustees – this section establishes OHA with a nine-member board of trustees.

Section 6. Powers of Board of Trustees – this section articulates that OHA is to manage and administer whatever sources for native Hawaiians and Hawaiians, including income and proceeds from the pro rata portion of the trust referred in section 5(f) of the Admission Act, wherein ceded land resources are for the “betterment of the condition of native Hawaiians as defined in the HHCA”.

Essentially Section 6 of Article XII of the State Constitution, authorizes OHA to manage the public land trust funds (ceded land revenues) described in the Hawaii Admissions Act to serve HHCA native Hawaiians, which is the baseline corpus of OHA. OHA serves all Native Hawaiians, primarily from interest earnings from the 5(f) corpus of native Hawaiians, and naturally other resources.

Section 7. Traditional and Customary Rights – this section reaffirms that the State shall protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes.

State DHHL Hawaii Administrative Rules Summarized

Regulations are promulgated to implement laws enacted by the State of Hawaii, commonly referred to as Administrative Rules. In addition to the HHCA, the Hawaii Admissions Act, the Hawaii Constitution, Hawaii Administrative Rules (HAR) are an important aspect of how the State DHHL administers the HHCA.

The HAR for the State DHHL are found in **Title 10**, with several chapters summarized as follows:

Chapter 1 General Provisions – 7 Sections. This Chapter is organized on Title 10, information on the locations of State DHHL and how it disseminates information, how it maintains government records, and definitions of terminology used in the HAR.

Chapter 2 Organization and Management – 31 Sections. This Chapter has three subchapters. The first describes the operations of the Hawaiian Homes Commission, how it is organized, including the powers, duties and responsibilities of Commissioners, as well as how Commission meetings are to be effectuated. The second

subchapter describes the agency office, working hours and management of personnel. The third subchapter describes the duties and authorities of the Chair of the Hawaiian Homes Commission.

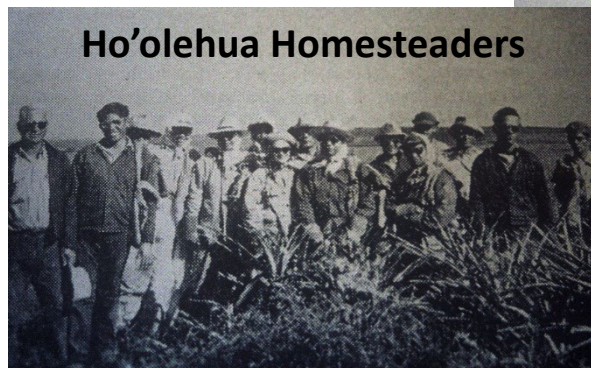
Chapter 3 Native Hawaiian Rehabilitation Program – 54 Sections. This Chapter has focuses on HHCA Beneficiaries, including applications for homestead leases, whether residential agricultural or pastoral, homestead lease awards, conditions in leases, as well as how the State DHHL maintains its Waitlist (priorities and preferences, etc.), and conducts lease cancellations, successorships and transfers, subdividing lots, and a myriad of occupancy rules. This Chapter also describes loan programs operated by the State DHHL in accordance with the HHCA, and Community Pastures.

Chapter 4 Management of Hawaiian Home Lands & Water Systems – 22 Sections. This Chapter addresses the management of lands in the Trust inventory that are not currently used or immediately planned for homesteads. It describes non-homesteading leases of HHCA lands not immediately needed for the purposes of the HHCA, the functions of General Plans, easements, licenses for public purposes and mercantile establishments by HHCA Beneficiaries, using lands for Parks, Water Systems and more.

Chapter 5 Rules of Practice and Procedure – 37 Sections. This Chapter focuses on the scope of rules, appearances before the Commission, contested case hearing processes, filing of documents, the designation of the Attorney General as Commission counsel, among other rules of practice and procedure.

Chapter 6 Native Hawaiian Development Program – 7 Sections. This Chapter describes the Native Hawaiian Development Program which is designed to improve the welfare and condition of native Hawaiians through educational, economic, political, social and cultural programs. It describes the formal plan required to be developed every two years and eligibility, which includes Community Development Grants, the HHC Scholarship and Kulia I Ka Nuu are part of this Chapter.

The HAR Title 10 is available on-line and is recommended that every HHCA enrolled Hawaiian be familiarized with every HAR chapter to be knowledgeable of rights and responsibilities, and on how the State DHHL and Hawaiian Homes Commission function to deliver on the purposes of the HHCA.



State of Hawaii Hawaiian Homes Commission Duties

As per HHCA Section 202, the State of Hawaii Governor appoints the 9-Member Hawaiian Homes Commission to govern the State DHHL agency. The Governor also appoints the Director of the State DHHL that also serves in the Governor's Cabinet and is simultaneously, the Chair of the Commission.

Hawaii Administrative Rules, which carry the weight of law were adopted at Title 10, Chapter 2 to regulate the Responsibilities and Duties of Commissioners to the Hawaiian Homes Commission as follows:

10-2-18 Responsibility of Commissioners

(a) It is the responsibility of each commissioner to:

- (1) Attend all meetings of the commission unless excused
- (2) Under take all duties assigned by the commission
- (3) Keep generally informed of all matters pertinent to the determination of policy by the commission and effectuation thereof
- (4) Be available to lessees in the representative area at reasonable times
- (5) Be present at hearings affecting the rights of a lessee from the representative area
- (6) Have a working knowledge of the act

(b) No commissioner may individually direct administrative orders. Instructions or complaints intended for staff members shall be referred to the chairman.

10-2-19 Duties of commissioners as trustees.

As trustees, it shall be the duty of commissioners to:

- (1) Act exclusively in the interest of beneficiaries under the act
- (2) Hold and protect the trust property for beneficiaries under the act
- (3) Exercise such care and skill as a person of ordinary prudence would exercise in dealing with one's own property in the management of Hawaiian home lands
- (4) Adhere to the terms of the trust as set forth in the act.

HHC Commissioners are volunteers, unpaid positions, requiring at a minimum, attendance to monthly meetings in addition to the HAR requirements of law, including the requirement to be “available to lessees” and to “act exclusively in the interest of beneficiaries under the act”. 2025 HHC are as follows (*HHCA Lessee):

Term	Name	Background	Region
2026	Kali Watson	Attorney, Developer, Former DHHL Director	Statewide
2025	Mike Kaleikini	Geothermal Executive	East Hawaii
2025	Makai Freitas	Labor / Union Executive	West Hawaii
Pending	*Lawrence Lasua	Former Credit Union Executive	Molokai
Pending	*Archie Kalepa	Retired Lifeguard, Ocean & Cultural Preservation Expert	Maui/Lanai
2027	*Sanoe Marfil	Social Service & Education Nonprofit Executive	Oahu
2027	Walt Kaneakua	Naval War College Professor & DoD Advisory Council	Oahu
2026	Pauline Namuo	Part Time Educator & Former State Govt Administration	Oahu
Pending	Shaylynn Ornellas	Realtor, Educator	Kauai



*1921 Hawaiian Homes Commission
Rudolf M. Duncan, Rev Aikaiko Akana, Prince Jonah Kuhio,
George P. Coode and Gov W.R. Farrington*

State of Hawaii Governors and State DHHL Directors ~ 65 Years

HHCA enrolled Hawaiians, whether on the land or on the State Waitlist, have experienced the action or inaction of nine (9) Governors since Statehood, and thirteen (13) different individuals appointed to the State DHHL Director position. Each person responsible under the oath of office, to implement the obligations under the HHCA and the Hawaii Constitution to tens of thousands of HHCA citizens.

Every Governor and every DHHL Director has left a mark on HHCA Hawaiians, on HBAs, on families, on Tribal Trust Lands, and HHCA funding resources, resulting in progress and other times, serious setbacks.

Following are Governors & State DHHL Directors that swore an oath to the Hawaii Constitution & HHCA:

Dates	Governor	Director	Deputy
1959 – 1962	Gov Quinn		
1962 – 1966	Gov Burns	Abraham Piianaia	
1966 – 1970	Gov Burns	Abraham Piianaia	Richard Pagliwan
1970 – 1974	Gov Burns	William Among	Richard Pagliwan
1974 – 1978	Gov Ariyoshi	Billie Beamer	Merwyn Jones
1978 – 1982	Gov Ariyoshi	Georgiana Padeken	
1982 - 1986	Gov Ariyoshi	Georgiana Padeken	
1986 – 1990	Gov Waihee	Ilima Piianaia / Hoaliku Drake	
1990 – 1994	Gov Waihee	Hoaliku Drake	Henry Lau
1994 – 1998	Gov Cayetano	Kali Watson	Jobie Masagatani
1998 – 2002	Gov Cayetano	Ray Soon	Jobie Masagatani
2002 – 2006	Gov Lingle	Micah Kane	Ben Henderson
2006 – 2010	Gov Lingle	Micah Kane / Kaulana Park	Anita Wong / B. Hall
2010 – 2014	Gov Abercrombie	Alapaki Nahalea / Jobie Masagatani	M. Kauhane / D. Young
2014 – 2018	Gov Ige	Jobie Masagatani	William Aila
2018 – 2022	Gov Ige	William Aila	Tyler Gomes
2022 – 2026	Gov Green	Kali Watson	Katie Lambert

* Nine (9) different individuals served as Governor and thirteen (13) different individuals served as State DHHL Directors, a total of 22 people over 65+ years of State of Hawaii trust management.

State Elections Matter. Governors Matter. State DHHL Directors Matter. Early State DHHL Directors inherited a land trust poorly managed under the territorial government. The Directors from 1974 – 1994 blazed a trail of trying to reverse the trends of insufficient funding, reversing the practices of leasing lands to non-Hawaiians to generate revenue leaving HHCA Beneficiaries on the Waitlist, documenting missteps of decades past to increase federal involvement, and embracing HHCA enrolled Hawaiians and HBAs to find lasting solutions.

The constants in the HHCA are HBAs and HHCA enrolled Hawaiians. Governors and Directors come and go – HBAs with incredible expertise remain. The most successful initiatives of any Governor or any State DHHL Director in the last 65 years have almost always directly involved HBAs experienced in the HHCA.



*1915 Congressional Visit
Rep. Carter Glass; House Speaker Holstein; Delegate
Prince Jonah Kuhio Kalanianaʻole; Rep. Campbell of
Kansas; Mayor John C Lane of Honolulu*

SCHHA HBA & Nonprofit Corporations

The SCHHA is an HBA and Coalition of HBAs. Its primary functions are:



1. Organize an Annual Conference on Hawaiian Home Land Issues
2. Convene Five Mokuupuni Regions Monthly and Periodic Consultation Sessions
3. Produce Updated Annual Public Policy Priorities to Share Experienced Based Solutions
4. Policy Advocacy with State and Federal Policy Makers & Officials

In 2007, at the SCHHA Annual Hawaiian Home Lands Conference and 20 years after founding the SCHHA, HBA leaders recognized the success of the SCHHA born in 1987 in advancing unified policy advocacy. Coalition building has a long history as a best practice in problem solving, and engaging in American democracy, whether local, state or federal.

By 2007, Senator Daniel Inouye addressed and encouraged SCHHA leaders many times, to “be sovereign”, that it is “not something one asks anyone for, it is something one does”.
SCHHA Conference Archives

The SCHHA adopted a new and transformative strategic plan – to stay the course of successful and unified Policy Advocacy, and to *incorporate*

communal tribal corporations to empower HBAs serving the interests of HHCA Beneficiaries by delivering programs and projects within the purposes of the HHCA: Housing, Farming, Ranching, Mercantile and Rehabilitation Programming.

Since then and during the terms of multiple SCHHA administrations, the following corporations were founded:

Founded 2009 - Homestead Community Development Corporation (HCDC): A tribal corporation focused on affordable housing, economic development and homestead capacity building, on or near Hawaiian Home Lands, serving all Mokuupuni regions statewide. Its primary functions are:



1. Develop and Operate Affordable Housing
2. Develop Community Facilities & Projects to Advance Economic Development & Job Creation
3. Operate Workforce Development Programs & Social Enterprises
4. Deliver Capacity Building Programs in Homestead Communities

Founded 2020 - Hawaiian Lending & Investments (HLI): A tribal corporation focused on access to capital, on or near Hawaiian Home Lands, serving all Mokuupuni regions statewide. Its primary functions are:



1. Increase Access to Capital through an HBA governed Loan Fund
2. Provide Financial Assessments & Resources to Improve Homeownership & Mercantile Ownership
3. Deliver Capacity Building Programs in Native Hawaiian Communities

Founded 2022 – TiLeaf Group: A tribal corporation focused on public policy, advocacy, civic engagement, technical assistance and training to support HBAs serving all Mokuupuni regions statewide, and partners nationally. Its primary functions are:



1. Support SCHHA Public Policy Advocacy & Civic Engagement
2. Deliver Fund Development & Contract Compliance for SCHHA, HCDC & HLI
3. Provide Capacity Building, Technical Assistance & Training for HBAs

Accountable to HBAs, these tribal nonprofits differ from private nonprofit entities, in that they are grounded in the tenets of the HHCA, in the longevity and knowledge of our trust land communities and HBA leaders.

SCHHA Historical Leadership

SCHHA was founded in 1987 by HBA leaders from every island to form a coalition to bring unified action.

SCHHA Governing Council 1987 to 1991 – During Waihee Administration		
SCHHA Council Chair	Kamaki Kanahele	Oahu Mokupuni Region
SCHHA Governing Council 1991 to 1995 – During Waihee Administration		
SCHHA Council Chair	Kamaki Kanahele	Oahu Mokupuni Region
SCHHA Governing Council 1995 to 1999 – During Cayetano Administration		
SCHHA Council Chair	Kamaki Kanahele	Oahu Mokupuni Region
SCHHA Council Vice Chair	Tasha Kama	Maui/Lanai Mokupuni Region
SCHHA Council Member	Judy Stewart	Kauai Mokupuni Region
SCHHA Council Member	Kammy Purdy	Molokai Mokupuni Region
SCHHA Council Member	Kanani Kapuniai	Hawaii Island Region
SCHHA Governing Council 1999 to 2003 – During Cayetano/Lingle Administration		
SCHHA Council Chair	Tony Sang	Oahu Mokupuni Region
SCHHA Council Vice Chair	Tasha Kama	Maui/Lanai Mokupuni Region
SCHHA Council Member	Judy Stewart	Kauai Mokupuni Region
SCHHA Council Member	Kammy Purdy	Molokai Mokupuni Region
SCHHA Council Member	Kanani Kapuniai	Hawaii Island Region
SCHHA Governing Council 2003 to 2007 – During Lingle Administration		
SCHHA Council Chair	Tony Sang	Oahu Mokupuni Region
SCHHA Council Vice Chair	Tasha Kama	Maui/Lanai Mokupuni Region
SCHHA Council Member	Amanda Kaleiohi	Kauai Mokupuni Region
SCHHA Council Member	Kammy Purdy	Molokai Mokupuni Region
SCHHA Council Member	Kanani Kapuniai	Hawaii Island Region
SCHHA Governing Council 2007 to 2011 – During Lingle/Abercrombie Administration		
SCHHA Council Chair	Tony Sang	Oahu Mokupuni Region
SCHHA Council Vice Chair	Puanani Danner	Kauai Mokupuni Region
SCHHA Council Member	Tasha Kama	Maui/Lanai Mokupuni Region
SCHHA Council Member	Kammy Purdy	Molokai Mokupuni Region
SCHHA Council Member	Kanani Kapuniai	Hawaii Island Region
SCHHA Governing Council 2011 to 2015 – During Abercrombie/Ige Administration		
SCHHA Council Chair	Kamaki Kanahele	Oahu Mokupuni Region
SCHHA Council Vice Chair	Puanani Danner	Kauai Mokupuni Region
SCHHA Council Member	Tasha Kama	Maui/Lanai Mokupuni Region
SCHHA Council Member	Kammy Purdy	Molokai Mokupuni Region
SCHHA Council Member	Kanani Kapuniai	Hawaii Island Region
SCHHA Governing Council 2015 to 2019 – During Ige Administration		
SCHHA Council Chair	Puanani Danner	Kauai Mokupuni Region
SCHHA Council Vice Chair	Kammy Purdy	Molokai Mokupuni Region
SCHHA Council Member	Blossom Feiteira	Maui/Lanai Mokupuni Region
SCHHA Council Member	Michelle Kauhane	Oahu Mokupuni Region
SCHHA Council Member	Mike Hodson	Hawaii Island Region
SCHHA Governing Council 2019 to 2023 – During Ige/Green Administration		
SCHHA Council Chair	Puanani Danner	Kauai Mokupuni Region
SCHHA Council Vice Chair	Sybil Lopez	Molokai Mokupuni Region
SCHHA Council Member	Kekoa Enomoto	Maui/Lanai Mokupuni Region
SCHHA Council Member	Richard Soo	Oahu Mokupuni Region
SCHHA Council Member	Ron Kodani	Hawaii Island Region
SCHHA Governing Council 2023 to 2027 – During Green Administration		
SCHHA Council Chair	KipuKai Kualii	Kauai Mokupuni Region
SCHHA Council Vice Chair	Maile Lu`uwai	Hawaii Island Region
SCHHA Council Member	Sybil Lopez	Molokai Mokupuni Region
SCHHA Council Member	Kainoa MacDonald	Maui/Lanai Mokupuni Region
SCHHA Council Member	Iwalani McBrayer	Oahu Mokupuni Region

SOVEREIGN COUNCIL
OF



HAWAIIAN HOMESTEAD
ASSOCIATIONS



SCHHA
3375 Koapaka Street, Suite D145
Honolulu, Hawaii 96819
policy@hawaiianhomesteads.org
www.hawaiianhomesteads.org