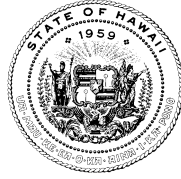


DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

JOSH GREEN
LT. GOVERNOR
STATE OF HAWAII



WILLIAM J. AILA, JR.
CHAIRMAN
HAWAIIAN HOMES COMMISSION

TYLER I. GOMES
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879
HONOLULU, HAWAII 96805

**TESTIMONY OF WILLIAM J. AILA, JR, CHAIRMAN
HAWAIIAN HOMES COMMISSION**

**U.S. SENATE COMMITTEE ON INDIAN AFFAIRS – FIELD HEARING ON
“UPHOLDING THE FEDERAL TRUST RESPONSIBILITY: FUNDING & PROGRAM
ACCESS FOR INNOVATION IN THE NATIVE HAWAIIAN COMMUNITY.”**

June 1, 2022

Aloha Chairman Schatz, Vice Chairman Murkowski, and Members of the U.S. Senate Committee on Indian Affairs:

Thank you for inviting me to testify on behalf of the Department of Hawaiian Home Lands (DHHL), which is governed by the Hawaiian Homes Commission Act of 1920 (HHCA), enacted by the U.S. Congress to protect and improve the lives of native Hawaiians.¹ Spearheaded by Prince Jonah Kūhiō Kalaniana'ole, the HHCA set aside public lands, called Hawaiian Home Lands, to establish a rehabilitative program for native Hawaiians.² Under the HHCA, native Hawaiians may obtain 99-year homestead leases at \$1 per year for residential, agricultural or pastoral purposes. The federal government served as the sole trustee of the Hawaiian Home Lands program until Statehood.

As required by the Admission Act of 1959³ and as a compact with the United States, the State and the people of Hawaii adopted the HHCA as a provision of the State Constitution and agreed to faithfully carry out the spirit of the HHCA.⁴ The Admission Act provides that the United States continues to have oversight responsibilities over the HHCA and certain amendments may be made only with the consent of the United States. Thus, the United States and the State assumed the duties of a trustee for native Hawaiians under the HHCA. Primary responsibility for the management and administration of the Hawaiian Home Lands program rests with DHHL, a principal department of the State subject to State and Federal laws.

¹ Hawaiian Homes Commission Act, 1920, Pub. L. No. 67-34, 42 Stat. 108 (1921), <https://www.doi.gov/sites/doi.gov/files/uploads/Act-of-July-9-1921-42-Stat-108.pdf>.

² The HHCA defines a native Hawaiian as any descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands previous to 1778.

³ Hawaii Admission Act, Pub. L. No. 86-3, 73 Stat. 4 (1959), <https://www.doi.gov/sites/doi.gov/files/uploads/An-Act-to-Provide-for-the-Admission-of-the-State-of-Hawaii.pdf>.

⁴ HAW. CONST. ART. XII § 1-2 (1978), https://www.capitol.hawaii.gov/hrscurrent/Vol01_Ch0001-0042F/05-Const/CONST_0012-0001.htm and https://www.capitol.hawaii.gov/hrscurrent/Vol01_Ch0001-0042F/05-Const/CONST_0012-0002.htm.

Consistent with the provisions of the HHCA and the Admission Act, Congress enacted the Hawaiian Home Lands Recovery Act (HHLRA) in 1995 to settle land use and ownership disputes as a result of the federal government's removal of Hawaiian Home Lands.⁵ In addition, the HHLRA provides a procedure for approval of amendments to the HHCA and land exchanges.

The mission of DHHL is to manage the Hawaiian Home Lands Trust effectively and to develop and deliver land to native Hawaiians. Today, DHHL is responsible for the management of approximately 200,000 acres of these trust lands, 9,957 homestead leases statewide, and 45,854 lease applications.⁶

Most of DHHL's lands are located on the neighbor islands in rural or more remote locations with over half of the acreage on the island of Hawai'i⁷ including over 56,000 acres on the slopes of Mauna Kea and over 11,000 acres at the southernmost point in both the Hawaiian Islands and US.⁸ With over 30,000 acres on Maui,⁹ a significant portion of those lands include over 22,000 acres on the southern flank of Haleakalā at Kahikinui with elevation ranges from sea level to 9,700 feet near the summit.¹⁰ DHHL's lands on Moloka'i consist of over 25,000 acres of which over half of those lands at Ho'olehua is a rural agricultural community ranging from level plains to rolling hills and sea cliffs at the northern coastal boundary.¹¹ Kaua'i includes over 20,000 acres of Hawaiian home lands with over 15,000 acres in Waimea, of which two thirds of the area is described as steep, mountainous terrain and isolated valleys.¹² O'ahu, the island with the greatest demand of applicants looking for homestead opportunities has the least amount of land with just over 8,000 acres, of which over 1,400 acres is designated conservation primarily consisting of the steep cliffs along the Ko'olau.¹³

⁵ Hawaiian Home Lands Recovery Act, Pub. L. No. 104-42, 109 Stat. 353 (1995), <https://www.doi.gov/sites/doi.gov/files/uploads/The-Hawaiian-Home-Lands-Recovery-Act.pdf>.

⁶ Lease and application counts as of 3/31/2022. An applicant can hold a maximum of two applications, one for a residential lease and the other for either an agricultural lease or pastoral lease. The 45,854 lease applications are held by less than 29,000 native Hawaiian applicants.

⁷ DHHL Hawaii Island Plan (May 2002), https://dhhl.hawaii.gov/wp-content/uploads/2012/05/Island_Plan_Hawaii_2002.pdf.

⁸ South Point Resources Management Plan (October 2016), https://dhhl.hawaii.gov/wp-content/uploads/2017/06/DHHL-South-Point-Final-Plan_101916_to-DHHL_low-res.pdf.

⁹ Maui Island Plan (September 2004), https://dhhl.hawaii.gov/wp-content/uploads/2012/05/Island_Plan_Maui_2004.pdf.

¹⁰ Kahikinui Regional Plan (July 2011), https://dhhl.hawaii.gov/wp-content/uploads/2011/06/Kahikinui_RP_110711.pdf.

¹¹ DHHL Molokai Island Plan (June 2005), https://dhhl.hawaii.gov/wp-content/uploads/2012/05/Island_Plan_Molokai_2005.pdf and 2019 Molokai Regional Plan, https://dhhl.hawaii.gov/wp-content/uploads/2020/02/Molokai-Regional-Plan-Update-Final_02-18-20_HHC.pdf.

¹² Kauai Island Plan (May 2004), https://dhhl.hawaii.gov/wp-content/uploads/2012/05/Island_Plan_Kauai_2004.pdf.

¹³ Oahu Island Plan (July 2014), <https://dhhl.hawaii.gov/wp-content/uploads/2013/04/DHHL-OIP-Final-140708.pdf>.

Along with developing new homesteads, DHHL also has other critical, albeit lesser known responsibilities. Like a county, DHHL maintains and repairs existing infrastructure (e.g. clearing of flood channels and drainage, fire protection of all lands, roads and facilities maintenance, sewer emergencies and repairs, etc.) In addition to County-like responsibilities, DHHL also performs water utility functions. DHHL owns and operates three regulated public water systems on Moloka'i, Kaua'i, and Hawai'i islands. Together, the systems have a total of 826 meters serving approximately 2,500 individuals (not including the schools and airport that are supported by the Moloka'i system). DHHL also owns and operates a non-potable water system for stock purposes in Pu'ukapu and soon to be constructed non-potable water system in Honokaia, both on Hawai'i Island. These non-potable water systems are designed to service over 200 connections.

Housing Needs of Native Hawaiians

DHHL conducted a study among all of its beneficiaries, current lessees¹⁴ and waitlist applicants for homestead awards in 2020.¹⁵ The purpose of the study was to assess the current condition and needs of DHHL beneficiaries and was designed to be consistent and similar to previous studies conducted in 1995, 2003, 2008, and 2014. These studies provide the most recent beneficiary data. In addition, the U.S. Department of Housing and Urban Development (HUD) commissioned the Assessment of Native Hawaiian Housing Needs.¹⁶ Some of the key findings of this HUD study include the following:

- Native Hawaiian households tend to be larger. In 2010, the average size of a Native Hawaiian's household was 4.1 people compared with 2.7 people for residents of Hawaii households.
- Although improvements were made during the 2000-to-2010 decade, Native Hawaiians living in Hawaii continue to be more economically disadvantaged: they have lower incomes, higher rates of assistance receipt, and higher poverty rates than do other residents of Hawaii.
- Native Hawaiian households also experience higher rates of overcrowding (15 percent) compared with residents of Hawaii households (8 percent).

¹⁴ DHHL Beneficiaries Study Lessee Report, 2020 (December 30, 2020), https://dhhl.hawaii.gov/wp-content/uploads/2021/01/DHHL_Lessee-UI_Report_FINAL-202101.pdf.

¹⁵ DHHL Beneficiaries Study Applicant Report, 2020 (December 30, 2020), <https://dhhl.hawaii.gov/wp-content/uploads/2021/04/DHHL-Applicant-Report-FINAL-Revised-210426.pdf>.

¹⁶ Housing Needs of Native Hawaiians: A Report From the Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs (May 2017), <https://www.huduser.gov/portal/sites/default/files/pdf/HNNH.pdf>.

- Homelessness among Native Hawaiians is prevalent. Although not typically chronically homeless, they are overrepresented in Hawaii's homeless population. Homeless Native Hawaiians often have jobs but cannot afford housing, so they double up (hidden homeless) or live in tents, shelters, cars, or garages.
- HHCA beneficiary households on the waiting list are more economically disadvantaged than are Native Hawaiian households overall, residents of Hawaii households, and Native Hawaiian households living on the home lands.
 - HHCA beneficiary households on the waiting list have the lowest median income of all four groups by a substantial margin: \$48,000 compared with more than \$60,000 for all other groups.
 - HHCA beneficiaries on the waiting list also receive public cash assistance at more than twice the rate of the other groups: about 20 percent of households on the waiting list received public cash assistance compared with about 7 percent of Native Hawaiians and those living on the home lands and 3 percent for residents of Hawaii.
- HHCA beneficiary households on the waiting list face more significant housing challenges across all dimensions than do the other groups.
 - Nearly 40 percent of HHCA beneficiary households on the waiting list were overcrowded compared with only 19 percent of households on sampled Hawaiian home lands, 15 percent of the state's Native Hawaiian households, and 8 percent of residents of Hawaii households.
 - About 10 percent of HHCA beneficiary households on the waiting list lack complete plumbing compared with 1 percent for all other groups.
 - Nearly one-half (46 percent) of HHCA beneficiary households on the waiting list experience cost burden compared with 40 percent of Native Hawaiian households, 42 percent of residents of Hawaii households, and only 21 percent of households on the sampled Hawaiian home lands. The much lower rate of cost burden among home lands households is due, at least in part, to the financial benefits of home lands leases, which reduce monthly housing costs, including minimal lease payments for the land and a 7-year exemption from real estate property tax.

The conclusions in the HUD study guide DHHL's programs that are ultimately aimed at upholding the State and Federal trust responsibility to beneficiaries.

Continued Support for Title VIII of NAHASDA

The first conclusion in the HUD study identifies the importance of Title VIII of the Native American Housing Assistance and Self-Determination Act (NAHASDA) to support the critical housing needs of Native Hawaiian families who are eligible to reside on the Hawaiian home lands.¹⁷

DHHL is grateful to Chairman Schatz for securing \$22.3 million in the current fiscal year for Native Hawaiian Housing, the highest level of Federal funding ever appropriated by Congress and requests continued funding at this level. In addition, DHHL applauds the leadership of this committee by both Senators Schatz and Murkowski in passing NAHASDA reauthorization.

NAHASDA funding has enabled DHHL to address and target those Native Hawaiian households most in need and with continued funding and support, reauthorization, and expansion of NAHASDA, even more native Hawaiians could realize the legacy of Prince Jonah Kūhiō Kalaniana'ole through award of a homestead lease and the resultant lower housing cost burden. In the most recent housing plan submitted to HUD that is currently under review, DHHL noted a continued focus on homeowner financing and down payment assistance options for native Hawaiian households that earn 80% or less of HUD AMI as a means for these households to realize homeownership. The housing plan also acknowledged that while the HUD study noted that HHCA beneficiary households on the waiting list face more significant housing challenges, lessees, especially in our older homestead communities face aging substandard housing. The 2020 Beneficiary Study Lessee Report identified 887 lessees that earn 80% or less of HUD AMI with a house needing major repairs. The home assistance program has already assisted over 100 income-eligible households and is geared to continue addressing this need.

In recognition of the need for increased housing stability, especially as families experienced hardships associated with the Coronavirus pandemic, DHHL took swift action first by approving the postponement of mortgage loan payments for all DHHL direct loans and loans assigned to DHHL. Chairman Schatz and the rest of Hawaii's Congressional delegation worked to pass legislation that provided relief for homeowners with government-guaranteed mortgages including mortgages backed by FHA, USDA, VA, HU Sec 184A, Fannie Mae, or Freddie Mac. DHHL also initially utilized NAHASDA

¹⁷ Title VIII of NAHASDA defines Native Hawaiian as any individual who is (A) a citizen of the United States; and (B) a descendant of the aboriginal people, who, prior to 1778, occupied and exercised sovereignty in the area that currently constitutes the State of Hawaii, as evidenced by (i) genealogical records; (ii) verification by kupuna (elders) or kama'aina (long-term community residents); or (iii) birth records of the State of Hawaii.

funds to provide emergency rental and homeowner assistance and has since received other federal funds for this purpose. DHHL received \$2.4 million for rental assistance through the Consolidated Appropriations Act, 2021. The U.S. Department of Treasury recognized DHHL as a high performing grantee in expending these funds to assist native Hawaiians. DHHL also received \$5 million under the American Rescue Plan Act of 2021 that was used for rental assistance for Native Hawaiians. These funds have all been expended and DHHL continued to provide rental assistance to Native Hawaiian families with an additional \$5 million in emergency rental assistance funds provided from the State's allocation of emergency rental assistance. Over 1000 Native Hawaiian households received emergency rental or homeowner assistance funded through NAHASDA or these other federal funds.

DHHL will build upon this emergency assistance by providing rental assistance initially to kupuna (elders) and subsequently disabled HHCA beneficiary households who have been on the waiting list longest in an effort to provide financial assistance for those at risk of homelessness or facing financial hardship. As the HUD study points out, this complementary approach supports affordable rental options as a stepping stone to homeownership.

The HUD study identified homelessness among Native Hawaiians as a significant problem, but also acknowledged that data is not available for only Native Hawaiians. In an effort to fill this gap, DHHL entered into a Memorandum of Understanding with Partners in Care – Oahu Continuum of Care to understand how pervasive the situation of homelessness might be among its beneficiaries and especially those HHCA beneficiary households on the waiting list. Additionally, the conversion of an existing structure on Oahu to a transitional housing facility for beneficiaries is intended to begin addressing this need and serve as a model for future facilities.

The final area DHHL would like to highlight is the plan to utilize NAHASDA funds to acquire land. DHHL's Oahu Island Plan noted that approximately 1,390 acres of land suitable for residential development is necessary to meet the homestead needs of HHCA beneficiary households on the residential waiting list that are not otherwise accommodated assuming full implementation of the Oahu Island Plan. Because of this high demand and limited availability of land on Oahu, one of the program areas in the housing plan is the development of site selection criteria to screen land and existing structures to identify possible lands and existing structures for residential units for HHCA beneficiary households on the waiting list.

The fifteen program areas in the housing plan under review by HUD projects an expenditure of \$18.1 million of NAHASDA funds, underscoring the need for continued funding at the current level.

Funding for Homeowner Financing on Hawaiian Home Lands

The unique legal status of Hawaiian home lands impacts the availability of financing. Nevertheless, the existing portfolio of nearly 5,000 loans totaling over \$700 million financed the construction, purchase, or rehabilitation of homes on Hawaiian home lands.

The Native Hawaiian Housing Loan Guarantee program (also known as the Section 184A program) provides access to mortgage financing to Native Hawaiian families who are eligible to reside on Hawaiian home lands and would otherwise face barriers to acquiring such financing. As of June 30, 2021, the HUD184A loan program had 507 loans with a total outstanding principal balance of over \$112 million. In FY 21 from July 1, 2020 through June 30, 2021, DHHL processed 77 HUD184A loan guarantees, 535 Federal Housing Administration (FHA) insured loans, 26 Veterans Affairs (VA), and 13 U.S. Department of Agriculture Rural Development (USDA-RD) loans. Each of these loans represents an opportunity for a native Hawaiian to return to trust lands or to remain on these lands. The President's FY 23 budget of \$28 million in total loan principal for new commitments to guarantee loans as authorized by the Section 184A program should continue to serve the demand for financing on Hawaiian home lands.

Appropriate Funding to Resolve the Outstanding Balance Under the HHLRA

The HHLRA authorizes the conveyance of certain non-ceded federal fee land in Hawaii to DHHL in exchange for the federal government's continued use of Hawaiian home lands at Lualualei and Waimanalo on Oahu and Kalaupapa on Molokai. The HHLRA further provides for the settlement of claims arising from the lost use, or foregone rent, for past use of these lands by federal agencies. Any federal lands that are transferred to DHHL are available for development for the benefit of native Hawaiians and assume the status of available lands. Before any land is transferred to DHHL, the federal property must complete the process of: (1) being declared as excess to federal needs; (2) environmental cleanup pursuant to the Comprehensive Environmental Response, Compensation and Liability Act; and (3) completion of surveys and legal documents.

The HHLRA acknowledges that a total of 1,486 acres of Hawaiian home lands with a 1998 value of \$75 to \$80 million continue to be used by federal agencies. A subsequent credit of \$16.9 million for use of the Waipahu Federal Communications Commission Monitor Station property was also added into the calculation. Therefore, the total amount due to DHHL increased to a total of \$92 to \$97 million.

There have been federal land conveyances to DHHL since the HHLRA was signed. As of July 2020, 843 acres with a value of \$58 to \$72 million had been transferred to DHHL. Therefore, a balance of about \$24 to \$33 million in 1998 land value is still due to DHHL. Part of the ongoing effort to resolve these outstanding claims resulted in the transfer of an 80-acre parcel of surplus property at the former NOAA Pacific Tsunami Warning Center on Oahu last year. Even with this most recent transfer of lands, an outstanding balance under the HHLRA still remains.

Moreover, while DHHL acknowledges that the greatest demand for land is on Oahu and the priority is to obtain lands where offsite infrastructure is already in place, under development, or requires limited resources to connect to existing infrastructure, the Oahu Island Plan cautions that some lands that were previously acquired through the HHLRA ended up providing limited homesteading. Therefore, it is recommended that any future potential land acquisition follow a review process that allows for lands to be rejected if those federal surplus lands have limited potential for homesteading. Conditions that are conducive for homesteading could include the following:

- A homestead density can be achieved that is consistent with current DHHL Residential or Subsistence Agriculture developments, if acquisition is pursued for homestead purposes.
- Estimated off-site infrastructure costs are comparable to the average cost for current DHHL developments.
- Slopes are less than 25 percent.
- Lands have not been identified as critical habitats or floodways.
- Development potential is not significantly reduced based upon obligatory development restrictions (i.e. location at the end of a runway, within blast zone, habitation conservation requirements, deed restrictions, etc.).
- Acquisitions identified for homesteading are located within areas of high preference.

In recognition of these issues that require proper consideration, it may be more efficient to appropriate funding for an agreed upon amount to DHHL to resolve the outstanding balance under the HHLRA that could then be used to acquire land on Oahu that better fit the criteria rather than waiting for excess federal lands to become available.

Addressing Climate Change

Hawaii is already feeling the impacts brought forth by climate change and as time progresses these effects – rising sea levels, rising temperatures, and less & heavy rain will be more prominent aspects of our lives.¹⁸ Sea level is rising at increasing rates indicating a growing vulnerability to coastal flooding and erosion.¹⁹ Sea level rise also affects cultural practices like fishpond maintenance, harvesting of salt, and gathering from the nearshore fisheries.²⁰ Climate change and forest loss are working together to make Hawaii drier and hotter. Hawaii lost a higher proportion of total land area to wildfires than the 12 fire-prone states in the western US combined from 2005-2011. Warming waters are harming sea life and warmer oceans are causing more frequent and intense extreme weather events.²¹ Rainfall has declined significantly over the past 30 years, with increasing variation in rainfall patterns on each island.

As a member of the Hawaii Climate Change Mitigation and Adaptation Commission, DHHL along with several other State and County government officials have focused on two main areas: 1) understanding and developing strategies to reduce greenhouse gas emissions, with an emphasis on mitigating ground transportation emissions by transitioning to clean transportation and 2) implementing the recommendations of the Hawaii Sea Level Rise Vulnerability and Adaptation Report by supporting sustainable and resilient land use and community development through prioritizing smart redevelopment in areas outside the sea level exposure area, limiting exposure inside the sea level rise exposure area, and incentivizing improved flood risk management while addressing cultural and environmental vulnerabilities.

Prior to serving on the Hawaii Climate Change Mitigation and Adaptation Commission, DHHL requested the assistance of the University of Hawaii at Manoa's Department of Urban and Regional Planning to identify and assess coastal hazard vulnerabilities affecting DHHL communities.²² 29 DHHL communities with land inside Special Management Area boundaries or tsunami evacuation zones were identified and of these, the communities with the greatest population exposed to the greatest numbers

¹⁸ Hawaii Climate Change Portal, <https://climate.hawaii.gov/>.

¹⁹ Hawaii Sea Level Rise Vulnerability and Adaptation Report (December 2017), https://climateadaptation.hawaii.gov/wp-content/uploads/2017/12/SLR-Report_Dec2017.pdf.

²⁰ Traditional Hawaiian Salt Makers Combat Climate Change (July 17, 2017), <https://www.hawaiipublicradio.org/post/traditional-hawaiian-salt-makers-combat-climate-change#stream/0>.

²¹ Climate Change Brief of the City and County of Honolulu Climate Change Commission (June 5, 2018), <https://static1.squarespace.com/static/59af5d3cd7bdce7aa5c3e11f/t/5bda020bf950b7dd16a458d6/1541014029634/Climate+Change+Brief.pdf>.

²² Coastal Resilience for DHHL Communities (May 2015), <http://manoa.hawaii.edu/durp/wp-content/uploads/2016/10/Plan-751-Sp-2015-DHHL-Coastal-practicum-LM-edit.compressed.pdf>.

of hazards were identified for each island. Five communities underwent a detailed vulnerability assessment, which compared four hazard types (tsunami inundation, flooding, coastal erosion, and sea level rise) and are among the most vulnerable to coastal hazards and should be prioritized in climate change planning initiatives. One of those areas is the South Molokai Shoreline. The Kapa'akea homestead community is extremely vulnerable to the effects of natural disasters including flooding due to serious soil erosion and sea level rise. There are a range of measures that can effectively mitigate inundation on coastal areas including retreat, accommodation, and protection. While the least favorable adaptive measure is retreat, depending on how severe the effects of sea level rise in the islands, retreat and relocation are likely to be the only options as proper drainage becomes less effective in transporting flood water out to the ocean. Nevertheless, response to climate change must include Native Hawaiians and incorporate traditional knowledge or Native stewardship principles.²³ DHHL is uniquely suited in this effort as a few areas on certain islands encompass a traditional land area.

Broadband Infrastructure

The State of Hawaii recognizes robust broadband infrastructure as foundational to Hawai'i's economic future and, as importantly, the quality of life of its residents.²⁴ However, many in Hawai'i, primarily from rural and socioeconomically disadvantaged communities, lack the necessary digital tools to work, learn, receive essential services, and participate in civic and social activities.²⁵ If this is left to continue, the impacts of digital inequity may become an increasingly significant contributor to a widening socioeconomic gap.

Recently completed DHHL beneficiary studies report that 8.6% of lessees on Hawaiian home lands indicated that no one in the household regularly uses a device to email/access the internet. Most concerning is that lessee households earning less than 30% and 50% of the HUD income level reported a significantly higher number of no one in the household regularly using a device to email/access the internet at 21.5% and 13.2%, respectively. Similar outcomes were reported for native Hawaiians on DHHL's waiting list for a homestead award with 5.4% indicating that no one uses a device to

²³ Testimony of Chair Carmen Hulu Linsey, Board of Trustees of the Office of Hawaiian Affairs before the U.S. House Committee on Natural Resources' Subcommittee for Indigenous Peoples of the United States – Oversight Hearing on “A Year in Review: The State of COVID-19 in American Indian, Alaska Native, and Native Hawaiian Communities” (March 23, 2021), [https://naturalresources.house.gov/imo/media/doc/SCIP%2003.23%20Testimony%20-%20Chair%20Lindsey%20\(OHA\)1.pdf](https://naturalresources.house.gov/imo/media/doc/SCIP%2003.23%20Testimony%20-%20Chair%20Lindsey%20(OHA)1.pdf).

²⁴ Hawaii Broadband Strategic Plan (October 2020), https://broadband.hawaii.gov/wp-content/uploads/2020/11/Hawaii-BB-Plan-2020-FINAL_10-23-20_v1.1.pdf.

²⁵ Broadband Hui, Broadband for A.L.L. (Access, Literacy, Livelihood) – A Digital Equity Declaration for Hawai'i, <https://www.broadbandhui.org/>.

send email or access the internet with households earning less than 30% and 50% of the HUD income level reporting 13.4% and 9.3%, respectively. Thus, DHHL is working with the State and the University of Hawaii in prioritizing digital equity.

Underlying all of these issues is the importance of upholding the Federal trust responsibility to Native Hawaiians as consistently and expressly acknowledged by Congress through the enactment of the HHCA, Admission Act, HHLRA, and the Hawaiian Homelands Homeownership Act codified in Title VIII of NAHASDA.

With the support of Chairman Schatz, critical funding has increased for important programs, yet many unmet housing needs of Native Hawaiians remain. DHHL stands ready to assist in accomplishing this most important work of ensuring the Federal trust responsibility to Native Hawaiians continues to be upheld.

In closing, I wish to express my appreciation and gratitude to Chairman Schatz for inviting me to testify. It has been an honor to have had this opportunity to address you and this Committee.