

Frequently Asked Questions

What action is the Department of the Interior taking?

The Department issued a final rule that clarifies how the Department reviews land exchanges involving Hawaiian home lands and amendments to the Hawaiian Homes Commission Act enacted by the State of Hawai‘i.

Why is the Department of the Interior publishing this rule?

The State of Hawai‘i, beneficiaries of the Hawaiian Home Lands Trust, the Native Hawaiian Community, and the general public should be confident that the processes the Department uses in reviewing land exchanges involving trust lands and amendments to the HHCA enacted by the State comply with all applicable Federal laws, are fair, and will be completed with the primary goal of protecting the integrity of the Hawaiian Home Lands Trust. This rule seeks to provide that transparency.

I submitted comments to the Notice of Proposed Rulemaking for 43 CFR parts 47 & 48 released in May of 2015. Did the Department take my comments into consideration in drafting the final rule?

After careful review and analysis of over 500 comments on the NPRM, the Department concluded that it is appropriate to publish a final rule that would set forth the administrative procedures for the review of land exchanges involving Hawaiian home lands proposed by the HHC Chairman and amendments to the HHCA proposed by the State.

What laws were used to develop this rule?

The main laws used to develop the rule are State of Hawai‘i Admission Act, 73 Stat. 4, chapter 339, approved March 18, 1959; Hawaiian Homes Commission Act, 1920, as amended, Act of July 9, 1921, chapter 42, 42 Stat. 108; Hawaiian Home Lands Recovery Act, 1995, 109 Stat. 537, Public Law 104-42; 5 U.S.C. 301; 25 U.S.C. 2 and 9; 43 U.S.C. 1457; 112 Departmental Manual 28.

Is this rule related to the Department of the Interior’s Notice of Proposed Rulemaking (NPRM) for procedures for reestablishing a government-to-government relationship with the Native Hawaiian Community?

No. This rule clarifies the Department’s responsibilities in reviewing land exchanges involving trust lands and State proposed amendments to the HHCA.

When will this rule become effective?

The rule becomes effective 60 days after publication in the Federal Register.