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LAND COURT SYSTEM

REGULAR SYSTEM

E Ho'ihoi Leka ( ) E Ki'i ( )  
Kaho'olawe Island Reserve  
586-0761

Ia:

HE PALAPALA HO'OLILO A HO'OKU'U KULEANA  
A NĀ MOKU'ĀINA HUIPŪ'IA O 'AMELIKA  
E HO'OLILO I KA MOKUPUNI 'O KAHO'OLAWE, HAWAI'I  
NO KA MOKU'ĀINA 'O HAWAI'I

HANA 'IA KĒIA PALAPALA i ka lā 'ehiku o Mei, 1994 e NĀ  
MOKU'ĀINA HUIPŪ'IA O 'AMELIKA, 'ike 'ia ma kēia palapala ma ka inoa 'o  
'AMELIKA HUIPŪ'IA, e hana ana ma o a ma lalo o ka mana i hā'awi 'ia e ke  
Kākau'ōlelo o ka 'Oihana Moku no ka ho'oholomua 'ana a ma lalo o ka mana i  
loko o ka Mokuna X o ke Kānāwai Pekelala helu 103-139, 107 Stat. 1418, 1479-  
1484. Ua hana 'ia a ho'opa'a 'ia 'elua mana o kēia palapala, 'o kekahi ma ka 'ōlelo  
Pelekane a 'o kekahi ma ka 'ōlelo Hawai'i. Inā hū a'e ka nīnau no ka  
ho'omaopopo 'ana ma muli o ka unuhi 'ana a ma muli paha o nā hua'ōlelo i  
ho'ohana 'ia ma ka palapala 'ōlelo Hawai'i, 'o ka 'ao'ao 'ōlelo Pelekane ke nānā 'ia.



'OIAI he māhele 'o Kaho'olawe o nā 'āina o ka lehulehu, he 'āina aupuni ma mua no ke Aupuni Mō'i 'O Hawai'i, i lawe 'ia a ho'olilo 'ia aku iā 'AMELIKA HUIPŪ'IA e ke Aupuni Lepupalika o Hawai'i ma lalo o ka 'Ōlelo 'Aelike no ka Ho'ohui 'Āina o ka lā 7 o Iulai, 1898, 30 Stat. 750, a ma muli o ke Kānāwai Kumu o ka mahina 'o Iune, makahiki 1900, 31 Stat. 141; a

'OIAI, ma lalo o ke Kānāwai Ho'okomo iā Hawai'i, Kānāwai Pekelala 86-3, 73 Stat. 4 a me ke Kānāwai Pekelala 88-233, 77 Stat. 472, pono e ho'olilo 'ia nā 'āina i ho'omaopopo 'ia i koena e 'AMELIKA HUIPŪ'IA i ka Moku'āina 'o Hawai'i, i 'ike 'ia ma ka inoa 'o ka "MOKU'ĀINA"; a

'OIAI, ua ho'oka'awale a ho'opa'a ka 'Ōlelo Ho'okō 10436 o ka lā 20 o Pepeluali, 1953 i ka mukupuni 'o Kaho'olawe no 'AMELIKA HUIPŪ'IA no nā hana a ka 'Oihana Moku a kau 'ia ka mukupuni ma lalo o ka mana o ke Kākau'ōlelo o ka 'Oihana Moku; a

'OIAI, mai ka makahiki 1941 a hiki i ka makahiki 1990, ua ho'ohana 'ia e 'AMELIKA HUIPŪ'IA ka mukupuni 'o Kaho'olawe a me nā kai a puni i kahua ho'oma'ama'a no ka ho'opahū pōkā 'ana, me ka hopena 'o ke kūlana weliweli o ia mukupuni ma muli o nā pōkā i koe ma luna a ma lalo o ka lepo o laila; a

'OIAI, i ka lā 11 o Nowemapa, 1993, ua ho'oholo 'ia ka Mokuna X o ke Kānāwai Pekelala 103 139, 107 Stat. 1418, 1479-1484, i kānāwai e kuhi ana iā 'AMELIKA HUIPŪ'IA, ma o ke Kākau'ōlelo o ka 'Oihana Moku, e ho'olilo a ho'iho'i i nā kuleana a pau o 'AMELIKA HUIPŪ'IA e pili ana i ka mukupuni 'o Kaho'olawe, moku'āina 'o Hawai'i (koe kekahi o nā kuleana i wehewehe 'ia ma loko o ka Mokuna X) i ka MOKU'ĀINA; a

'OIAI kuhi hou aku ke Kānāwai Pekelala 103 139, 107 Stat. 1418, 1479-1484 i ke Kākau'ōlelo o ka 'Oihana Moku e hana pū aku i ka PALAPALA 'AELIKE me ka MOKU'ĀINA e pili ana i ka ho'oma'ema'e 'ana a i 'ole ka lawe 'ana aku i nā pōkā ho'opahū 'ole 'ia a me ka ho'iho'i hou 'ana i ke kūlana mua o ke kaiaola o ka mukupuni 'o Kaho'olawe; a

'OIAI, ua hana 'ia ka PALAPALA 'AELIKE i ka lā 6 o Mei, 1994, a ua ho'opa'a 'ia ma ke Ke'ena Kope o ka Moku'āina 'o Hawai'i ma lalo o ka helu palapala 94-075038; a

'OIAI, ho'okumu ia PALAPALA 'AELIKE i ke ka'ina hana a ka MOKU'ĀINA e hana ai i papahana no ka ho'ohana 'ana i ia mokupuni, me ka ho'olālā pū 'ana me 'AMELIKA HUIPŪ'IA, a na ia papahana e ho'okumu i ke kahua ma luna o laila e ho'olālā ai 'o 'AMELIKA HUIPŪ'IA i ka papahana ho'oma'ema'e e hō'ike ana i ke 'ano me ka palena o ka hana ho'oma'ema'e pōkā a lawe pōkā paha, a i 'ole nā hana e ho'iho'i i ke kūlana mua o ke kaiaola, e hana 'ia e 'AMELIKA HUIPŪ'IA ma lalo o ka Mokuna X; a

'OIAI, koi ka PALAPALA 'AELIKE, i ka ho'okomo 'ana i loko o kēlā me kēia palapala hou aku e hana 'ia ana i kēia mua aku no ka ho'olilo, hā'awi a i 'ole ka ho'ohana 'ana i ka mokupuni, a māhele paha o ka mokupuni 'o Kaho'olawe, i nā 'ōlelo 'aelike e pono ai ka ho'ohana 'ana i ia wahi, i kēia mua aku, ma ke 'ano i no'ono'o 'ia e 'AMELIKA HUIPŪ'IA he kūlana hana i kū i ka palekana kūpono; a

'OIAI, ma kēia wahi, ua loa'a nō kēia HŌ'IKE HO'OMAOPOPO i nā hui like 'ole e no'ono'o ana e ho'opa'a a ho'ohana paha i kekahi māhele o ka mokupuni 'o Kaho'olawe penei: a hiki aku i ka wā e hō'oia mai ai 'o 'AMELIKA HUIPŪ'IA ma ka palapala, a mau palapala paha, i waiho 'ia me ka MOKU'ĀINA e like me nā 'ōlelo a ka PALAPALA 'AELIKE, e hō'ike ana i ka ho'opau 'ana i ka ho'oma'ema'e 'ana a lawe 'ana aku paha i nā pōkā, a i 'ole ka ho'opau 'ana i nā hana e ho'iho'i i ke kūlana mua o ke kaiaola, ma lalo o ka Mokuna X a me ka PALAPALA 'AELIKE, e mau ana nō ke kūlana WELIWELI A PALEKANA 'OLE NO KA LEHULEHU o nā wahi a pau i hō'oia 'ole 'ia pēlā i ka MOKU'ĀINA, ma o kekahi palapala, a mau palapala paha, i kākau ho'opa'a 'ia ma ke Ke'ena Kope o ka Moku'āina; a

'OIAI, ma kēia wahi, ua loa'a nō ka HŌ'IKE HO'OMAOPOPO i nā hui like 'ole e no'ono'o ana e ho'opa'a a ho'ohana paha i kekahi māhele o ka mokupuni 'o Kaho'olawe, ua WELIWELI A PALEKANA 'OLE NO KA LEHULEHU nā hana

a pau e ho'okūlike 'ole ana i ia mau 'ano hana i no'ono'o 'ia e 'AMELIKA HUIPŪ'IA e kū i ka pono a me ke 'ano palekana; a

'OIAI, ma kēia wahi, ua loa'a nō ka HŌ'IKE HO'OMAOPOPO i nā hui like 'ole e no'ono'o ana e ho'opa'a a ho'ohana paha i kekahi māhele o ka mokupuni 'o Kaho'olawe, aia nā palapala hō'oiā e pili ana i ka ho'oma'ema'e 'ana a i 'ole ka lawe 'ana aku i nā pōkā ho'opahū 'ole 'ia a me nā hana no ka ho'iho'i 'ana i ke kūlana mua o ke kaiaola i lawelawe 'ia e 'AMELIKA HUIPŪ'IA ma nā waihona o ka Māhele 'Āina o ka Māhele Pākīpika, Ke'ena Wilikī no nā Pono 'Oihana Moku, Awalau 'O Pu'uloa, O'ahu, Hawai'i, a ma ka Papa Mālama Moku 'O Kaho'olawe, 'Oihana 'Āina a Waiwai Honua, Moku'āina 'o Hawai'i, Honolulu, O'ahu, Hawai'i; a

'OIAI, hō'ike ka 'Āpana 10001(d)(2) o ka Mokuna X, me ka nānā 'ole 'ana aku i kekahi 'ōlelo o ke kānāwai, na 'AMELIKA HUIPŪ'IA e mālama, me ka ho'olālā 'ana me ka MOKU'ĀINA, i ka mana e 'ae a hō'ole i ka hele 'ana i ia wahi, ma mua a ma hope o ka lā e pa'a ai ka PALAPALA 'AELIKE, a pau loa ka ho'oma'ema'e 'ana, ka lawe 'ana aku i nā pōkā, a ka ho'iho'i 'ana paha i ke kūlana mua o ke kaiaola o ia wahi, a i 'ole a hiki aku i ka hala 'ana o 'umi mau makahiki ma hope o ka la 11 o Nowemapa, 1993, 'o ia ho'i ka manawa e hiki mua mai ana, a laila lilo loa ia mana i ka MOKU'ĀINA; a

'OIAI, hō'ike ka 'Āpana 10002(a)(2) o ka Mokuna X i ka pa'a mau 'ana o ka 'ae kūpono no 'AMELIKA HUIPŪ'IA e hele aku i ka mokupuni 'o Kaho'olawe me nā kai a puni i mea e ho'okō 'ia ai nā hana a 'AMELIKA HUIPŪ'IA e kupu ana ma muli o nā kuleana i ho'opa'a 'ia ma lalo o ka Mokuna X; a

'OIAI, ma ka 'ōlelo o 'Āpana 10002(a)(4) 'a'ole no ka MOKU'ĀINA ke kumu 'ai'ē me ke kuleana no ke 'ano hanana i nā hana ho'oma'ema'e me nā 'ano lawelawe pono 'ana e kupu ana mai loko mai o ka ho'ohana 'ana i ka mokupuni 'o Kaho'olawe a me ka ho'oma'ema'e 'ana i ke kaiaola o ia wahi me ka lawe 'ana aku i nā pōkā me ka ho'oponopono 'ana i ka mokupuni 'o Kaho'olawe me nā kai a puni.

NO LAILA, 'ĀNŌ, e like me ka Mokuna X o ke Kānāwai Pekelala 103-139, 107 Stat. 1418, 1479-1484, ke ho'okala, ho'oku'u a ho'olilo loa aku nei 'o 'AMELIKA HUIPŪ'IA no ka MOKU'ĀINA, kona mau hope a me nā waihona, i kēlā 'āina, me nā pono a me nā pōmaika'i ma luna, i ho'ākāka 'ia ma lalo iho nei:

Ka mokupuni holo'oko'a 'o Kaho'olawe, moku'āina 'o Hawai'i, nona ka 'ili he kanahākumamālīma mile kua, a 'oi aku a emi iho, ma ke 'ano he māhele o nā 'āina o ka lehulehu i lawe 'ia a ho'olilo 'ia iā 'AMELIKA HUIPŪ'IA e ke aupuni Lepupalika o Hawai'i ma lalo o ka 'Ōlelo 'Aelike no ka Ho'ohui 'Āina o ka lā 7 o Iulai, 1898, 30 Stat. 750.

ME KA HO'OKOE 'ANA NA'E no 'AMELIKA HUIPŪ'IA i :

1. Ke kuleana e ho'omau i ka mana e 'ae a hō'ole paha i ka hele 'ana i ia wahi, ma ka ho'olālā pū 'ana me ka MOKU'ĀINA, a hiki i ka ho'opau 'ana i ka hana ho'oma'ema'e, a ka papahana paha e ho'ihō'i hou i ke kūlana mua o ke kaiaola o ia wahi, a ho'olilo loa 'ia ia mana i ka MOKU'ĀINA e like me nā 'ōlelo o ka PALAPALA 'AELIKE, a i 'ole pa'a ia mana iā 'AMELIKA HUIPŪ'IA a hala he 'umi mau makahiki ma hope o ka lā 11 o Nowemapa, 1993, aia nō i ka mua o ia mau kūlana 'elua e hiki mai ana.

2. Ke kuleana, no ka wā pau 'ole, e hele aku i ia mokupuni no ka ho'oma'ema'e 'ana a lawe 'ana aku paha i nā pōkā i koe, a i 'ole no ka ho'ihō'i 'ana i ia wahi i kona kūlana kaiaola mua, ke pili ia mau hana i ka loa'a a ho'omaopopo 'ia 'ana o nā pōkā i 'ike mua 'ole 'ia, a no ka ho'okō 'ana i nā hana kūpono e kupu ana mai loko mai o nā kuleana o 'AMELIKA HUIPŪ'IA ma lalo o ka PALAPALA 'AELIKE a me ka Mokuna X o ke Kānāwai Pekelala 103 139.

3. Ka pū'o'a lā'au a 'ili 'ea o ke ki'eki'e he kanakolu kapua'i, me nā pono i pili i ka ipu kukui ho'okele moku i ho'ohana 'ia e ka 'Oihana Kia'i Kai o 'AMELIKA HUIPŪ'IA i kōkua no ka ho'okele moku 'ana, pū nō me ke kuleana e ho'ohana, mālama, ho'oponopono a ho'opa'a hou i nā pono like 'ole no ia ipu kukui.

A EIA KEKAHI, e kūmau ana ka mana piha, ke 'ano ho'ohiki a me ke 'ano ho'opa'a o nā 'ōlelo o ia PALAPALA 'AELIKE a me nā 'aelike me nā 'ōlelo kumu a pau o loko o ia PALAPALA 'AELIKE, ma luna o nā hui like 'ole e ho'olilo 'ia ai ke kuleana no ia wahi, a māhele paha o ia wahi, e ka MOKU'ĀINA, a me ka pili mau 'ana ho'i i kēlā a kēia mea e lilo ai kekahi kuleana e hiki ai ke ho'ohana i ka mokupuni, a māhele paha o ka mokupuni, koe wale ma ke 'ano i hō'ike 'ia ma o ka ho'āpono 'ia, ma ke kākau wale nō, o 'AMELIKA HUIPŪ'IA pū nō me ka MOKU'ĀINA, a i 'ole nā hope me nā waihona o ia mau 'ao'ao 'elua.

E LILO A E PA'A ia wahi i 'ōlelo 'ia ma luna, me nā pono a pau ma luna iho, no ka MOKU'ĀINA, i 'ōlelo mua 'ia, a no kona mau hope a me kona mau waihona no ka wā pau loa, me ka hiki 'ole ke lawe hou 'ia mai.

NO KA 'OIA'I'O O KĒIA, ua hana 'o 'AMELIKA HUIPŪ'IA i kēia palapala ma ka lā a me ka makahiki i kākau mua 'ia ma luna.

'AMELIKA HUIPŪ'IA

NA: William J. Cassidy, Jr.  
WILLIAM J. CASSIDY, JR.

HOPE KŌKUA KĀKAU'OLELO O KA 'OIHANA MOKU

NO

KE KĀKAU'OLELO O KA 'OIHANA MOKU

JOHN H. DALTON