

Land battle

Hawaii making a federal case over sell-off

By Gerald Kato
Advertiser Government Bureau

The state was sent scampering to the federal appeals court in San Francisco yesterday in pursuit of its efforts to stop the White House's controversial plan to sell off surplus federal lands.

Federal Judge Samuel King yesterday said that while he believes the U.S. government should be allowed to go ahead with the sale of two parcels on Oahu, he would extend an existing temporary order barring the sale until Monday so the state can present its case to the U.S. 9th Circuit Court of Appeals.

Without that action by King, the temporary order would have dissolved yesterday, and the federal government would have been free to sell a 55-acre former Nike

missile site above Makakilo and move ahead with plans to sell a 70-acre parcel at Maili.

Deputy Attorney General William Tam said the state will seek an expedited appeal of the case — one of the first challenges to President Reagan's new policy of selling surplus government lands to generate income and reduce the national debt.

Tam contends that federal statutes prevent the use of funds from the sale of surplus properties to be used to cover the national debt. The statutes, he said, require that those funds be used only for the purchase of more recreation and wildlife properties.

"The goal of reducing the national debt can't be accomplished," he said.

But Janice Siegel, representing the U.S. Justice Department, said that if Congress doesn't appropriate the money for wildlife

and recreation properties acquisition, it goes into the general fund, and ultimately to reduce the national debt.

According to Tam, the states aren't getting "fair consideration" by the federal government in the sale of surplus properties. Tam said the General Services Administration has been turning down all applications by local government to use the surplus properties rather than selling them to the highest bidders.

The state is considering a plan to use the Makakilo land for educational purposes. The city wants the Maili property to use in conjunction with the University of Hawaii and a number of Leeward Coast senior citizens groups.

Siegel, however, said there's no application before the General Services Administration for use of the properties.

Property of:
ETHNIC STUDIES LIBRARY
UNIVERSITY OF HAWAII

Honolulu Advertiser
2/3/83