



SB320

RELATING TO BURIAL SITES

Senate Committee on Tourism & Hawaiian Affairs

February 13, 2013

2:45p.m.

Room: 224

The Office of Hawaiian Affairs (OHA) **OPPOSES** SB320, which requires that iwi kupuna in the possession of the State whose provenience is unknown be reinterred on Kaho`olawe. It may be culturally inappropriate to reinter iwi on Kaho`olawe regardless of their origin unless they are from Kaho`olawe.

Iwi kupuna have been purposefully placed and their locations should be honored. In recent years, most burials have been discovered in burial sites and therefore have ancestral origin information. In these cases, iwi should either remain in place, or be reburied in the area in which they were found to honor the intent of the original decedent or `ohana.

Most of the remains with unknown origin are those that have been removed years ago, before Act 306 created the Island Burial Councils and Burial Program of the Department of Land and Natural Resources. These remains were often repatriated from museums and institutions under the Native American Graves Protection and Repatriation Act of 1990. They often had little, if any, identifying information, sometimes merely stating that the remains were "Sandwich Islanders." In these cases, iwi are often placed in areas traditionally recognized as "leina," or leaping off places for Native Hawaiian spirits, such as Ka`ena on O`ahu. We should continue considering more options like these in consultation with the Native Hawaiian community and interested stakeholders instead of selecting a fixed place to send iwi regardless of their place of origin.

OHA urges the Committees to **HOLD** SB320. Mahalo for the opportunity to testify.

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Senate Committee on Tourism & Hawaiian Affairs
Senator Brickwood Galuteria, Chair, Senator Gilbert Agaran, Vice Chair

Hearing Notice
Wednesday, February 13, 2013
2:45PM
Conference Room 224
State Capitol

Testimony Opposing SB 320 (Relating to Native Hawaiian Burials)

Aloha Chair Galuteria and Committee Members,
I'm a lifetime resident of Mokule'ia with lineage spanning several generations in Waialua Moku. Although I'm a current member of the North Shore Neighborhood Board (Mokule'ia to Ka'ena Point) along with other cultural and community participation, I'm presenting testimony as an individual. I oppose SB 320. Although the intent is noted, each island has at least (1) *Leina (Departure Point)* and this is much more appropriate. If unable to establish at least a geographical location, this is where our *Cultural Practitioners* of applicable arts such as *Ike Papalua, Moe Uhane, ect.* should be consulted and a list compiled similar to an *NHOL (Native Hawaiian Organization List)*. Lastly, if an individual accepts the *kuleana* then there should be a process parallel to *Decendancy Claims* submitted to *SHPD (State Historic Preservation Division)*. Also keep in mind that this concern maybe impeade on *NAGPRA (Native American Graves Protection Act)* at the federal level. *Malama Pono.*
Thomas T Shirai Jr
Mokule'ia, Waialua