

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON LABOR, CULTURE AND THE ARTS
ON
HOUSE BILL NO. 2449, H.D. 1

March 21, 2022
3:05 p.m.
Room 225 and Videoconference

RELATING TO THE HAWAII STATE ARCHIVES

The Department of Budget and Finance (B&F) offers comments on House Bill (H.B.) No. 2449, H.D. 1.

H.B. No. 2449, H.D. 1, appropriates to the Department of Accounting and General Services: unspecified general funds in FY 23 for ten new positions for the State Archives program to assist with its mission and increase public access to historical documents and artifacts; and unspecified general obligation bonds in FY 23 for the purpose of financing an additional building for the State Archives to expand and create new spaces for collections processing, storage, administrative use, public research, exhibitions, listening, learning, and community engagement. This measure also requires all departments, offices, and agencies to conduct an inventory of all documents in their possession related to the culture and history of Hawai'i and native Hawaiians and requires the State Archives to develop a transfer plan to acquire those documents.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that

states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

DAVID Y. IGE
GOVERNOR



CURT T. OTAGURO
COMPTROLLER
AUDREY HIDANO
DEPUTY COMPTROLLER

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

WRITTEN TESTIMONY
OF
CURT T. OTAGURO, STATE COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE

COMMITTEE ON LABOR, CULTURE, AND THE ARTS

MARCH 21, 2022, 3:05 P.M.
CONFERENCE ROOM 225, STATE CAPITOL

H.B. 2449, H.D. 1

RELATING TO THE HAWAII STATE ARCHIVES

Chair Taniguchi, Vice Chair Ihara, and Members of the Committee, thank you for the opportunity to testify on H.B. 2449, H.D. 1

The Department of Accounting and General Services (DAGS) strongly supports this bill and offers the following comments:

1. We respectfully request that Part III be removed from the bill. The wording is overly broad and not defined narrowly enough to apply to those records at State agencies that are in great need of archival storage and processing. It was never our intention to impinge on the interests of other archival operations.
2. The current Public Archives facility was designed 70 years ago. Based on current archival practice and public access needs, this facility is severely outdated in form and function to address the digital age that the State now operates in.

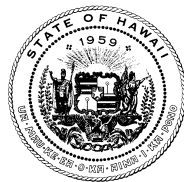
3. The facility can store approximately 14,000 cu ft of records and is currently at over 98% capacity. At the current rate of growth, the State Archives will reach capacity in the next biennium; after that time, it will no longer be able to execute on its Legislative mandate to collect, arrange, describe, and make accessible the public archives of the State of Hawai‘i.
4. As the mission of the State Archives continues to grow and evolve to meet the growing needs of the public and the shifts necessitated by the Statewide transition to digital, permanent staff at the Archives has gone from 29 FTE in FY95 to 15 FTE in FY23. This massive reduction in staffing has had a severe and negative impact on their ability to serve the public during a time when holdings are up 19%, remotes researcher contacts are up 149%, and service orders are up 22%. Simply put, they do not have the positions with needed expertise to fulfill their original Legislative mandate. When the Archives cannot provide needed documents that protect the rights, identity, property, and history of the People of Hawai‘i, trust in government suffers due to this ‘missing history’ and the rumors-becoming-conspiracy-theories that fill the void created by the absence of trustworthy records.
5. The Public Research Room is limited in the number of patrons it can accommodate, is frequently at capacity, and can only offer limited computing resources to aid in research due to the limitations of the original 1950s era building design and construction – greatly reducing its utility to public researchers, classroom activities at the high school and university levels, and members of the community wishing to research their documentary heritage.
6. There are no provisions to display more than a few of the over 1000 artifacts the State Archives holds in the Public Trust. These artifacts are among the most important objects in Hawai‘i’s rich and diverse history, and includes: The Buke Mahele, Royal Hawaiian

seals, flags from all of Hawai‘i’s Governments, moon rocks from Apollo 11 and 17, and numerous treaties and documents signed by Foreign Heads of State.

7. Physical space constraints are also impacting the staff through a lack of facilities to conduct proper archival processing and conservation of the materials; and greatly limiting our ability to engage more volunteers to assist staff, thereby reducing the number of possible records that could be made available to the public.
8. The space constraints of the Public Archives also greatly hinder its ability to collect the archives of the many diverse subgroups within the various communities of Hawai‘i that have added to our shared history and culture. As such, records that document the contributions and struggles of aging, under-represented, and marginalized segments of the community are lost; and with these losses, so are the collective memories of a people that the records document.
9. The COVID-19 pandemic has greatly disrupted the public’s ability to travel, resulting in reduced access to their history and documentary heritage, up to and including a complete inability to conduct research. This impairment has highlighted the need to place more of these unique and irreplaceable records online for free, unfettered public access twenty-four hours a day, seven days a week from anywhere in the world. As a vast majority of the most important records exist only in paper format, this requires mass digitization of fragile documents. The current facility cannot provide the needed space, power, or technological capabilities to grow the digitization infrastructure, and the massive reduction in staff over the past two decades leave us unable to provide large scale access to records protecting the public’s rights, identity, property and history.
10. The staff at the State Archives wants to do more, provide more, and serve more public and government stakeholders. They humbly request the resources needed to connect the People of Hawai‘i with their documentary heritage -- regardless of their location, ability to travel,

hours of employment, or economic status -- through expanded access and services to address their needs in the 21st century.

Thank you for the opportunity to submit testimony on this matter



STATE OF HAWAII
HAWAII STATE PUBLIC LIBRARY SYSTEM
OFFICE OF THE STATE LIBRARIAN
44 MERCHANT STREET
HONOLULU, HAWAII 96813

SENATE COMMITTEE ON LABOR, CULTURE AND THE ARTS

Monday, March 21, 2022

3:05pm

State Capitol, Room 225 + videoconference

**By Stacey A. Aldrich
State Librarian**

S.B. 2449 HD1 RELATING TO HAWAII STATE ARCHIVES

To: Chair Brian T. Taniguchi
Vice Chair Les Ihara Jr.
Members of the Senate Committee on Labor, Culture and the Arts

The Hawaii State Public Library System (HSPLS) appreciates the opportunity to provide testimony on SB2449 HD1, which appropriates funding to establish new positions; authorizes funding to construct a new building; requires all departments, offices and agencies to inventory all documents in their possession related to the culture and history of Hawaii and Native Hawaiians; and requires the State Archives to develop a transfer plan to acquire those documents.

HSPLS appreciates the intent of this measure to provide additional staffing for the State Archives and CIP funding to address preservation of historic records and artifacts related to Hawaii's history, so they may be protected and to ensure they are accessible to the public. HSPLS also respectfully shares the following concerns and comments about Sections 7 and 8, which require:

- "...all departments, offices, and agencies of the State to conduct an inventory of all documents in their possession related to the culture and history of Hawaii and Native Hawaiians..." (Section 7)
- "...the state archives to develop a plan to acquire those documents and submit the plan to the legislature." (Section 7)
- each department of the State to inventory all records and primary source documents in its possession, and that the "...state archives shall review the inventory reports submitted...and work with each department to prepare a transfer plan for all records and primary source documents related to the culture and history of Hawaii and Native Hawaiians...to the state archives." (Section 8)

Chapters 93 and 312 of the Hawaii Revised Statutes outline the duties and responsibilities of HSPLS. Specifically, chapter 93 identifies the public library system, under the direction of the state librarian, as the depository library system for all state and county publications, otherwise

referred to as the state publications distribution center. HSPLS notes that the state publications distribution center contains both copies and some primary source documents from State departments, agencies and offices.

In order to achieve the intent of this measure, HSPLS recommends that the measure be amended to clarify the roles and responsibilities of the HSPLS and the State Archives related to the collection and retention of state and county documents related to the history of Hawaii. The amendments to chapters 93 and 312 should also address the scope and collection retained by both the public library system and the HSPLS. Additionally, most of the documents sent to the state publications distribution center by other government entities are transmitted pursuant to statutory requirements imposed upon those government entities; these statutory provisions should also be reviewed and updated for consistency.

With respect to the collections maintained by the HSPLS, there are significant issues that should also be addressed prior to the transfer of any documents, including:

- Some records held by departments, agencies and offices contain confidential individual information that should not be made freely available for public access, particularly while the individual is still alive. The potential for identity theft is significant and of great concern to HSPLS.
- Some of the cultural records retained by HSPLS relate to specific islands and/or regions. These records remain on those islands and/or within a certain community because they are most relevant to that community. HSPLS does not support transferring these records to a location outside of the relevant community.

There also are research institutions that maintain and preserve important culturally relevant documents. These documents are important for academic research, supporting curriculum development and learning; consolidating all materials to one location may reduce access to important materials.

Finally, for preservation purposes, having all historical documents in one place may not be prudent. If anything ever happened to a single location, all of the physical history could be lost.

Thank you for the opportunity to provide comments on this Bill and your continued support of the Hawaii State Public Library System.

Written Only

DAVID Y. IGE
GOVERNOR



KEITH T. HAYASHI
INTERIM SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 03/21/2022

Time: 03:05 PM

Location: CR 225 & Videoconference

Committee: Senate Labor, Culture and
the Arts

Department: Education

Person Testifying: Keith T. Hayashi, Interim Superintendent of Education

Title of Bill: HB 2449, HD1 RELATING TO THE HAWAII STATE ARCHIVES.

Purpose of Bill: Appropriates funds to establish staff positions in the Hawaii state archives. Authorizes the issuance of general obligation bonds to finance the construction of an additional building for state archives. Requires all departments, offices, and agencies to conduct an inventory of all documents in their possession related to the culture and history of Hawaii and Native Hawaiians. Requires the state archives to develop a transfer plan to acquire those documents. Effective 7/1/2044. (HD1)

Department's Position:

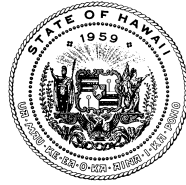
The Hawaii State Department of Education (Department) supports the intent of the bill HB 2449, HD1, but respectfully offers the following comments.

While the Department supports the mission of the State Archives, the requirement and timeline to conduct an inventory and submit a report will be an administrative burden for schools. School personnel do not have the appropriate qualifications nor receive the appropriate training for identifying historical artifacts. Furthermore, they do not have adequate resources to conduct a comprehensive inventory. We would request that the State Archives provide the Department with standardized guidelines, criteria, and a systematic process designed to identify cultural and historical documents and artifacts to determine what resources should be included in the inventory. Training would also be required.

Additionally, documents and artifacts may have been purchased or gifted to schools that meet the

cultural and historical requirements identified by the State Archives; however, the school may want to keep the items as part of their educational offerings, including curriculum and related programs. Schools should be allowed to retain any documents or artifacts they determine as of educational and cultural value to their respective school communities, especially those purchased by or gifted to the school.

Thank you for your consideration of our comments.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on HB2449 HD1
RELATING TO THE HAWAII STATE ARCHIVES.**

SENATOR BRIAN T. TANIGUCHI, CHAIR
SENATE COMMITTEE ON LABOR, CULTURE AND THE ARTS

Hearing Date: February 24, 2022

Room Number: Videoconference

1 **Fiscal Implications:** N/A.

2 **Department Testimony:** The role of the Department of Health (DOH) expresses serious
3 concerns with BILL SECTION 8 as it relates to vital records operations.

4 This measure proposes the eventual transfer of original records – **not copies** – that relate to the
5 culture and history of Hawaii and Native Hawaiians to the State Archives. If vital records such
6 as birth certificates and related documents that substantiate Hawaiian births or genealogy are
7 considered in scope, the issuance of certified copies of birth, death, and marriage certificates, as
8 well as genealogical research, will be severely impacted.

9 Chapter 338, Hawaii Revised Statutes, mandates that DOH shall establish and maintain a system
10 for the "preservation of all its official records," and for "collecting, transcribing, compiling, and
11 preserving public health statistics..." Lack of access to original documentation, some dating
12 back to the reigns of King William Lunalilo and King David Kalakaua, will make certain
13 research impossible.

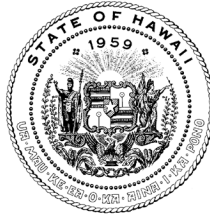
14 If this measure progresses then public health statistics, defined in statute as including "the
15 registration, preparation, transcription, collection, compilation, and preservation of data
16 pertaining to births, adoptions, legitimations, deaths, fetal deaths, morbidity, marital status, and
17 data incidental thereto..." must be exempted.

1 **Offered Amendments:** DOH requests amendments to exempt vital statistics records
2 specifically or generally by exempting working documents.

3 (b) The state archives shall review the inventory reports
4 submitted by each department and work with each department to prepare
5 a transfer plan for all records and primary source documents related
6 to the culture and history of Hawaii and Native Hawaiians in its
7 possession, or in the possession of any office or agency under its
8 administrative control or supervision, to the state archives[-] i
9 provided that public health statistics pursuant to chapter 338 shall
10 be exempt.

11 The state archives shall submit one consolidated transfer plan
12 consisting of the transfer plans for all departments to the
13 legislature, with any proposed legislation, no later than twenty days
14 prior to the convening of the regular session of 2024.

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
LABOR CULTURE AND THE ARTS**

**Monday, March 21, 2022
3:05 PM**

State Capitol, Conference Room 225 & Videoconference

**In consideration of
HOUSE BILL 2449, HOUSE DRAFT 1
RELATING TO THE HAWAII STATE ARCHIVES**

House Bill 2449, House Draft 1 proposes to: 1) appropriate funds to establish additional staff positions; 2) authorize the issuance of general obligation bonds to finance the construction of an additional building; and 3) requires all departments, offices and agencies to conduct an inventory of all documents in their possession related to the culture and history of Hawaii and Native Hawaiians and requires the State Archives to develop a transfer plan to acquire those documents. **The Department of Land and Natural Resources (Department) offers the following comments and concerns.**

Our primary concern is specific to PART III, SECTIONs 7 and 8 and arise from a lack of definition or details about the inventory and transfer plans and the lack of funding that would be needed to successfully complete this request

The Department understands the importance of preservation and access to valuable historic and cultural documents of Hawaii but cannot support the bill as written since the definition of which kinds of documents meets this criterion is unclear. This means the time, funding, and staff resources necessary to inventory and transfer the materials is unknown.

With the vast and diverse library of documents held by the Department's Land Division (LD), State Historic Preservation Division (SHPD) and the Bureau of Conveyance (BOC) (and to a lesser degree by other Department Divisions), any inventorying tasks premised on the broad definition in this bill for "all documents related to the culture and history of Hawaii and Native Hawaiians" is nearly impossible. Likewise, it would be impossible to gauge and allocate the already limited personnel resources to what will likely be an extensive and time-consuming activity. Pursuant to Section 94-1.2, Hawaii Revised Statutes, the State Archivist already has

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

responsibilities to take steps to preserve public records of enduring value to ensure its long-term accessibility.

The complexity of the documents held by LD, SHPD and BOC makes it an even greater challenge because the assessment and inventorying of these documents will likely require more experienced, senior staff and will displace their primary duties in providing administrative services to the public. The proposed turnaround time for this inventory to the Legislature and State Archivist of twenty days prior to the convening of the 2023 Regular Session will further exhaust resources in the near term and as a result, backlog work in the respective Divisions in the long-term and degrade services to the public.

This measure provides no funding for this work which would place additional constraints on the Department's Division budgets for current priorities and services.

The Department's mission statement includes the stewardship of not only the natural resources but the historical and cultural resources of Hawaii as well. We would be remiss in not raising concerns about the proposed new building facility for the State Archives. With many of the details for this building yet to be determined, the Department of Account and General Services (DAGS) must seriously evaluate the proper location of such a facility so as not to disturb the historic and cultural priorities of the Iolani Palace grounds and the rest of the Capitol Historic District (CHD), which includes two other national historic landmarks and at least nine other historic buildings. The Iolani Palace is one of the most significantly historic buildings in Hawaii, and indeed its significance in United States history is recognized in its designation as a National Historic Landmark (NHL is the highest designation for historic properties in the United States and comprise about one in a thousand federally recognized historic properties). It is architecturally unique and one of a kind in the entire world. In addition, the staff of the Iolani Palace and the Friends of Iolani Palace work out of the Kanaina Building since the strategic proximity are essential to the effective management and preservation of one of Hawaii's most precious historical assets. Any expansion of the State Archives on the grounds of the Iolani Palace State Monument or the possible repurposing of the historic Kanaina Building has very critical consequences and impacts to one of the most revered and historic locations in the State of Hawaii.

Finally, the Department acknowledges the Comptroller's testimony and the reasons presented that support the Archives' need for additional staffing and expansion of their facilities. Perhaps the Committee could consider removing PART III, SECTIONs 7 and 8 from this bill and have it presented in subsequent legislation once the proper definition, details and funding for inventorying and transferring "all documents related to the culture and history of Hawaii and Native Hawaiians" can be agreed upon by Archives and the affected Departments.

Thank you for the opportunity to comment on this measure.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committee on Labor, Culture and the Arts
Monday, March 21, 2022 at 3:05 p.m.

by
David Lassner
President
University of Hawai'i

HB 2449 HD1 – RELATING TO THE HAWAII STATE ARCHIVES

Chair Taniguchi, Vice Chair Ihara, and members of the committee:

Thank you for the opportunity to present testimony today. The University of Hawai'i (UH) has no position on Part 1 and Part 2 of this bill and will defer to the Department of Accounting and General Services on Part 3 of 2449 HD1. However, if Part III is retained, which would require the inventory and transfer of Hawaiian-related records and primary documents to the State Archives, then we would like to make the following comments.

UH respectively requests the bill be amended to exempt UH from requirements set forth in HB 2449 HD1 (page 5, lines 17-18).

SECTION 8. (a) Each department of the State, excluding the University of Hawaii, shall conduct an inventory of all records and primary source documents in its possession, including all records and primary source documents in the possession of any office or agency under its administrative control or supervision, that relate to the culture and history of Hawaii and Native Hawaiians and submit a report on the inventory to the legislature and to the state archives no later than twenty days prior to the convening of the regular session of 2023.

This bill will negatively impact each of the campuses in the UH System. Each library houses unique collections of materials that would be subject to this legislation. A few examples of the special collections that will become much more difficult to access if they are removed from UH are included here.

First, the Hawaiian Collection, located within Hamilton Library on the UH Mānoa campus, is widely recognized as the world's most extensive collection of materials on Hawai'i. The core of the collection was built through a comprehensive collecting policy emphasizing published content across all time periods, languages, material types, and subject matter, but it also holds a selection of manuscript and archival collections, covering corporate archives such as the Hawai'i Sugar Planters' Association Plantation Archives and the Dole Corporation, to archives of grassroots organizations such as

Save Our Surf and Save Sandy Beach. The Hawaiian Collection traces its roots back to the 1908 founding of the College of Hawai'i Library. It is the most significant investment the University of Hawai'i has made to tangibly document life in Hawai'i for the benefit of current and future students and the general public.

Second, the 'Ulu'ulu: The Henry Ku'ualoha Giugni Moving Image Archive of Hawai'i located at the University of Hawai'i West O'ahu (UH West O'ahu) is designated as the official state archive for moving images. This archive, created by statute, includes relevant materials intended to be housed at UH West O'ahu. Requiring these materials to be shifted to the state archive directly conflicts with the statutory mandate establishing the moving image archive.

Third, this bill will impact the Mookini Library, especially the Hawaiian Collection at the University of Hawai'i at Hilo (UH Hilo). The proposed bill takes away valuable resources regarding the culture and history of Hawai'i and Native Hawaiians from our UH Hilo and Hawai'i Community College students and faculty, especially our Native Hawaiian campus community. The UH Hilo library records and primary source material include (but are not limited to): Hawaiian language newspapers, audio material, books, films and tapes, photograph collections, Hawaiian material culture, UH records, and various other documents. Many of these materials were given to the library as gifts, with the understanding that they would directly benefit and be utilized by our UH Hilo students, faculty, staff and larger Hilo community.

In addition to the evisceration of the collections housed at UH libraries, there are negative public policy implications that should be considered. Most importantly, the bill's language requiring all materials to be moved to the State Archives means that all records would be relocated to O'ahu and away from the local communities where they are housed. The result would be disastrous for research and education on the neighbor islands. UH libraries ensure that materials of enduring value to our research community are available at our libraries, where trained librarians and archivists support inquiries from students, faculty, and the general community. As noted in the bill, the State Archives does not have the facility to support its current collection, let alone the additional collection this bill would require to be relocated to its facility.

Additionally, many archival records at the University of Hawai'i on the culture and history of Hawai'i and Native Hawaiians are part of collections deeded directly to UH by donors, such as family members of deceased faculty, alumni, and researchers. Donors often make important and sensitive personal, family decisions to bequeath archival collections to institutions they believe most appropriate, such as the Larry Kimura and Pila Wilson collections which were donated to the Ka Haka 'Ula o Ke'eli'iōkalani College of Hawaiian Language at UH Hilo.

The extensive sweep of Hawaiian collection records identified in HB 2449 HD1 would jeopardize over a century worth of Hawai'i's history if the material were to be removed

and would require UH to break the deeds of corresponding gift contracts when a donor transfers archival documents of high value to UH.

Thank you for your consideration of this requested amendment and the opportunity to testify.

Dear Senators of the Senate Committee on Labor, Culture, and the Arts:

I am writing in opposition to HB2449. Specifically, I recommend the Legislature to strike the language in Part II, Section 3, paragraph 4 and Part III from HB2449 HD1. These sections damage the University of Hawai'i system libraries and undermine the mission of the University. A new paragraph should be substituted that make clear that the University of Hawai'i archival and library collections are not impacted by this legislation, nor should this legislation interfere with the mission of the University system libraries should it pass into law.

I am the Law Library Director at the William S. Richardson School of Law. Although I support securing general funds to upgrade the facilities that house the State Archives and hiring additional staff to support this important resource, some of the measures of this bill in Part II will be devastating to the University of Hawai'i system. If this bill passes into law, it will create an obstacle for historical and Native Hawaiian rights researchers and scholars to pursue their goals, damaging the educational opportunities of our students.

HB2449 limits the educational opportunities for all the citizens of Hawai'i because it will remove the primary source material from academic experts who help others access and understand archival documents. As a state agency, the University of Hawai'i will be required to divest its Hawaiian archival collections under this bill. University collections are conserved and made accessible by the leading archivists in the State of Hawai'i. Highly skilled reference librarians specialized in Native Hawaiian research use these collections to help students, faculty, and the general public with their research. Removing University archival collections from its Libraries limits opportunities for anyone needing access to these materials and assistance with their research. It will essentially split the experts from the archival materials.

Many Hawai'i and Native Hawaiian archival records are parts of collections deeded directly to specific repositories by donors, such as family members of deceased judges, attorneys, faculty, and researchers. HB2449 would require separating "government records" from private, related donations to the University archives, thus dishonoring the intention of

these donors to add their contributions to a more extensive, integrated collection. HB2449 weakens, not strengthens, any archive's historical value and integrity.

HB2449 is vague and poorly worded. In addition to the above objections, I wonder what is meant by "the culture and history of Hawai'i and Native Hawai'ians?" Who does that include or exclude? What history and whose version is being captured? Who decides these matters, and what are the scope, use restrictions, and access methods proposed for this mass gathering of records?

This measure sorely lacks thoughtful engagement with cultural leaders and academic stakeholders and requires clarification. I urge you to amend Part II of this legislation to exclude the University of Hawai'i system from its reach.

Respectfully,

HB-2449-HD-1

Submitted on: 3/18/2022 6:12:24 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Helen Wong Smith	Individual	Oppose	In Person

Comments:

Aloha kakou, I am Helen Wong Smith submitting my testimony on HB 2449 HD 1, “A BILL FOR AN ACT RELATING TO THE HAWAII STATE ARCHIVES.” While I strongly support the establishment of new staff positions and allocation of funds for new facilities for the Hawai‘i State Archives (HSA) I am gravely concerned that the bill’s language, particularly Part III, and Part II, Section 3, para. 4, allows for the unacceptable commandeering and consolidation of repositories’ holdings. The extant language gives HSA sweeping permission to expropriate materials from State supported libraries and archives.

An eighth generation *kama‘āina* I am currently the Archivist for University Records for the University of Hawai‘i at Mānoa (UHM) and have held multiple archivist positions in our state for 35 years including the State Historic Preservation Division, Hawai‘i Volcanoes National Park, and the Queen’s Medical Center. I hold a B.A. in Hawaiian Studies (1986) and a Masters in Library and Information Science (1991) from UHM and was named a Distinguished Fellow of the Society of American Archivists, the first to be awarded from our state since State Archivist Agnes Conrad in 1964. I have accepted the third nomination for President of this Society, the first from Hawai‘i since its establishment in 1936.

I specifically oppose these lines:

“(1) Require all departments, offices, and agencies of the State to conduct an inventory of all documents in their possession related to the culture and history of Hawai‘i and Native Hawaiians and submit a report on the inventory; and

(2) Require the state archives to develop a plan to acquire those documents and submit the plan to the legislature.

SECTION 8. (a) Each department of the State shall conduct an inventory of all records and primary source documents in its possession, including all records and primary source documents in the possession of any office or agency under its administrative control or supervision, that relate to the culture and history of Hawai‘i and Native Hawaiians and submit a report on the inventory to the legislature and to the state archives no later than twenty days prior to the convening of the regular session of 2023.

(b) The state archives shall review the inventory reports submitted by each department and work with each department to prepare a transfer plan for all records and primary source documents related to the culture and history of Hawai‘i and Native Hawaiians in its possession, or in the

possession of any office or agency under its administrative control or supervision, to the state archives. The state archives shall submit one consolidated transfer plan consisting of the transfer plans for all departments to the legislature, with any proposed legislation, no later than twenty days prior to the convening of the regular session of 2024.”

HB2449 HD1 does not explicitly address the scope of the bill, does not tie requirements to HSA’s core function of managing operational records of Hawai‘i’s governments, and does not, even as a minimum, define “records” or “documents.” This ill-defined and unbounded scope is also reflected in Part II, Section 3, para. 4, which suggests the only current limits on HSA activity are physical space:

An additional challenge is presented when aging, underrepresented, and marginalized segments of the community seek to donate important historical documents and artifacts to the state archives, but a lack of storage space in the current state archives building requires the state archivist to be very selective in accepting donations.

HB 2449 defies basic professional archival principles by requiring removal of selected records from the larger body of records that provides vital context to reflect intent and influences.

Further, one centralized repository holding all “records” and “documents” pertaining to Hawai‘i and Native Hawaiians are at best impractical and fail to respect the efforts institutions have made since the early 1900s to build collections that are relevant to and that serve their communities.

Many archival records pertaining to the culture and history Hawai‘i and Native Hawaiians are part of collections deeded directly to specific repositories by donors, such as family members of deceased faculty, alumni, and researchers. The extensive Hawaiian collection HB 2449 would go against the deeds of gift when a donor transfers archival documents of high value to a repository or office. Donors often make important and sensitive personal, family decisions to bequeath archival collections to institutions like academic archives or units they believe most appropriate, e.g. the Larry Kimura collections to Ka Haka ‘Ula o Ke‘eli‘iōkalani College of Hawaiian Language at UH Hilo. To require an archival repository or unit to break that deed of gift contract would also interrupt the trust between the donor and the archive. Public libraries often receive priceless collections from their patrons for the benefit of their communities. The impact of this provision on neighbor island communities is significant and onerous.

HB 2449 would deplete repositories from state repositories including public educational institutions, which are often the first places where students and researchers begin to look into Hawai‘i and Native Hawaiian history. Preserving Hawai‘i and Native Hawaiian archival records within educational environments are important because students have proximity to secondary resources and subject experts to help them contextualize and interpret the archival materials. To take away Hawai‘i and Native Hawaiian archival records from educational libraries and archives would be a disservice to the quality of Hawai‘i’s public education systems.

Archival memory is very complex. Any historical event can be interpreted from many points of view. Hawai‘i is also complex, with many different views. What do we mean by Hawai‘i and Native Hawaiian histories? The rich history of Hawai‘i is one that certainly includes Native

Hawaiians, but there are also histories of Caucasian, Chinese, Japanese, Filipino, and so many other ethnic groups that came to settle in Hawai‘i. The historical genealogies of these people are not confined to Honolulu only, but are distributed across the Hawaiian Islands. To hold all of these histories in one place is practically impossible and unethical. We should practice this network based recovery thinking when exploring solutions to preserve and provide access to many Hawai‘i and Native Hawaiian histories. Each community across Hawai‘i has a stake in having direct and nearby access to Hawai‘i and Native Hawaiian archival records, in their own local archival institutions. To centralize Hawai‘i and Native Hawaiian archival records into one place--the Hawai‘i State Archive--could endanger the safety of this information, make these histories vulnerable to being interpreted from a narrow perspective, and limit accessibility to people across our state.

While I understand that the Hawai‘i State Archives is in need of funding to expand their important service to the public and the government, all archives across Hawai‘i, such as those across the University of Hawai‘i system, is also in need of support. But HB 2449’s request to support for the Hawai‘i State Archive to gain funds for needed positions, AND to require all other archives under the state to give their Hawai‘i and Native Hawaiian records to them, is unfair to the rest of the archival repositories in Hawai‘i and to all across the islands seeking this information.

Mahalo piha,

Helen Wong Smith, MLIS, Certified Archivist, Distinguished Fellow, Society of American Archivists

HB-2449-HD-1

Submitted on: 3/18/2022 8:30:26 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Sheena Lopes	Individual	Oppose	Written Testimony Only

Comments:

Aloha mai,

My name is Sheena Kau‘i Lopes and I strongly oppose HB2449. Indigenous Data Sovereignty is a big issue that we need to address. First and foremost, please note that despite The state of Hawai‘i having the word Hawai‘i in its agency name, it is NOT a Native Hawaiian agency. It is an agency that continues to uphold the illegal occupation of the US military on the Hawaiian Kingdom. Do not overlook this historical fact, to overlook the historical facts of Hawai‘i's true history, is to continue to abuse the people and culture of Hawai‘i. Native Hawaiian Data and archives must remain in the hands of Native Hawaiian agencies, something that the State of Hawai‘i is not. I encourage everyone to start thinking about Native Hawaiian's intellectual property rights and our rights to continue to have free and total control over all material and data that Hawaiians have. To introduce this bill under the guise of management and preservation is a flat lie. If we want to properly manage our Native Hawaiian data, it MUST remain in the hands of Native Hawaiians who have been its caretaker for decades. We have seen time and time again how the state mismanages not only the land it illegally occupies, but also its indigenous peoples and the indigenous culture it continues to appropriate. If you want to do right to the Hawaiian people, then start listening to our concerns, start funding Native Hawaiian programs to continue to maintain this data, and start investing in indigenous data sovereignty. I would hope that you would listen to a born and raised Hawaiian who's family has been here for generations and generations and not transplants or people in high positions who think they know what they are doing when in actuality they don't.

na‘u me ka ha‘aha‘a

S. Kau‘i Lopes

HB-2449-HD-1

Submitted on: 3/19/2022 12:32:00 AM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Stasey Butler	Individual	Oppose	Written Testimony Only

Comments:

I do NOT support this because as a Kanaka, it is my kuleana to protect Hawaii- including information such as these archives.

HB-2449-HD-1

Submitted on: 3/19/2022 9:57:42 AM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Molly Rowe	Individual	Oppose	Remotely Via Zoom

Comments:

I, as an archivist, librarian, and concerned citizen, strongly oppose this bill and have the following comments.

- This bill goes against archival standards and the Society of American Archivists' code of ethics. It is morally and practically wrong for one repository to seize collections from other organizations and institutions. As professionals, we should seek to actively collaborate with one another. The knowledge and culture held in archives are not meant to be owned by one single entity.
- It is inappropriate to strip archived material of its provenance by removing it from its locations of origin. Archival material gains historic value context by being tied to their rightful homes. It goes against archival standards to attempt to detach material from its creators.
- I am concerned about the safety of the materials in question. It goes against best practice to remove material from the safety of stable, climate-controlled environments. Archival material is notoriously fragile. It is not advised to remove stabilized items to transfer them to a different site. Irreplaceable items will be damaged and lost if this transfer occurs.
- Taxpayer dollars do not need to pay for this vanity project. The archives in Hawai'i already have staff, funding, and training to manage their materials. We do not need to spend money on a new structure to house materials that already have homes. The state archives does not need more power, land, or material from other organizations.
- It is immoral to grant the state archives the sole authority to decide what is considered a state document and what needs to be transferred to the state archives from other departments. One person should not be given control over all state-held material. Each state department needs to have authority over their own records. I am deeply concerned that this bill will set a precedent that the state archives are able to take collections from other private organizations.
- Lastly, it is wrong to allow the state archives to seize land and material from Native Hawaiians. Native Hawaiians are entitled to their cultural material. We cannot allow the state archives to seize culturally significant Native Hawaiian material away from Native Hawaiian organizations. Allowing the state archives to raid Native Hawaiian repositories in a neocolonial storm is highly offensive. I implore you to table the bill in its entirety.

Mahalo for the opportunity to submit testimony on this matter.

HISTORIC HAWAII FOUNDATION

TO: Senator Brian T. Taniguchi, Chair
Senator Les Ihara, Jr., Vice Chair
Committee on Labor, Culture and the Arts (LCA)

FROM: Kiersten Faulkner
Executive Director, Historic Hawaii Foundation

Committee: Monday, March 21, 2022
3:05 p.m.
Via Videoconference & Conference Room 225

RE: **HB 2449 HD1 Relating to the Hawai'i State Archives**

On behalf of Historic Hawaii Foundation, I am writing in **support for HB2449 HD1, with additional comments.**

The bill would provide funds to establish staff positions in the Hawai'i State Archives; authorize the issuance of general obligation bonds to finance the construction of an additional building for state archives; require all departments, offices, and agencies to conduct an inventory of all documents in their possession related to the culture and history of Hawai'i and Native Hawaiians, and require the State Archives to develop a transfer plan to acquire those documents

The Hawai'i State Archives preserves the records of the State and its predecessor governments (including the Territory, Republic and Kingdom of Hawai'i). It provides permanent protections for irreplaceable historic materials and artifacts, and is a priceless resource for researchers, educators, policy-makers, historians and all those who have an interest in the cultural legacy of the Islands.

Historic Hawai'i Foundation strongly supports the proposal to increase staffing levels at the Archives and to develop a plan for the inventory and acquisition of relevant documents from the State's departments and agencies.

HHF also supports efforts to ensure that adequate facilities are developed for both curating the archives and providing space for public research and exhibits. The Archives outgrew its original building (the 1905-era Kanaina Building) and has reached the limits of its current building (the 1952-era Kekauluohi Building). To continue to be successful in its mission to preserve and make available the records of the State, the Archives needs to have an appropriate facility.

HHF recommends that the Department of Accounting and General Services first develop a Master Plan to assess the needs and evaluate alternatives, including potential sites. Historic Hawai'i Foundation cautions that any proposed demolition and/or new construction located within the Hawai'i Capital Historic District needs to be consistent with standards and guidelines for the treatment of historic properties. Although the Kekauluohi Building is of a later vintage than the original Archives, it may still be historically significant in its own right for association with the post-World War II era of Mid-Century Modern design.

The Master Plan should address options for rehabilitation and expansion, as well as potential relocation, of the Archives among the alternatives considered. HHF also recommends that the Master Plan consider integrating the original Archives (the Kanaina Building) into the Master Plan, to assess whether it may provide opportunities for exhibit space and public programming or other related functions.

The Archives holds the collective history and important historical documents for the education of Hawai'i's people. We support the effort to identify additional funding sources to help preserve, restore, enhance and celebrate these resources.

Therefore, Historic Hawai'i Foundation supports HB 2449 HD1.

HB-2449-HD-1

Submitted on: 3/19/2022 1:04:53 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Joseph Keola Donaghy	Individual	Oppose	Written Testimony Only

Comments:

Aloha pumehana kākou,

As a scholar and teacher of Hawaiian language, culture, and knowledge, and one who has frequently utilized the many locations where this knowledge is stored, curated, and shared, I must voice my strong opposition to HB 2449 HD 1, “A BILL FOR AN ACT RELATING TO THE HAWAII STATE ARCHIVES.”

I do strongly support the establishment of new staff positions and allocation of funds for new facilities for the Hawai‘i State Archives (HSA). HSA is a treasure, offering public access to invaluable historical records. Support in the form of additional staff positions and upgrades to its facilities are long overdue.

However, I am very concerned that the bill’s language, particularly Part III, and Part II, Section 3, paragraph 4, allows for the appropriation by HSA of materials held by other repositories. The language contained within gives HSA sweeping permission to expropriate materials from State supported libraries and archives. One of the many flaws of this legislation that such a centralization of materials would negatively impact archives on the neighbor islands when residents already have to travel to O’ahu to access the larger archives.

HB 2449 defies basic professional archival principles by requiring removal of selected records from the larger body of records that provides vital context to reflect intent and influences. From a practical perspective, one centralized repository holding all records and documents pertaining to Hawai‘i and Native Hawaiians is unmanageable by any one entity. Further, the idea of one centralized repository fails to consider the historical efforts of the dozens of libraries and archival repositories situated across the islands to build collections that are accessible by and relevant to their communities.

Unless modifications are made to Part III that prevent the unprecedented and dangerous attempt to centralize these archives, as has been championed by those who have dedicated their lives to the archives, I urge that this bill be defeated.

Dr. Keola Donaghy,

Wailuku, HI

HB-2449-HD-1

Submitted on: 3/19/2022 3:06:11 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Sam ?Ohu Gon III	Individual	Oppose	Written Testimony Only

Comments:

Although there are advantages of one-stop resourcing of archival information, there are also many detriments and liabilities in that strategy. Physical transfer is not necessary in this age of digital information. Digitizing off-O‘ahu sources and transferring of that digital material is a better alternative, because there would be multiple sources of the same information. Many archival items should stay on the island of their origin. Placing all in one location also imposes the risk of disaster if that one site is damaged or destroyed. Redundancy and multiple localities is a much better guarantee of preservation of such vital historical information.

Please do not support this bill in its current form. It should be modified to direct off-O‘ahu archives to digitize and share that information to one proposed archive, AND provide the funds to establish a system to do so moving forward, since the archives are a continual process.

TESTIMONY IN OPPOSITION TO HB 2449 HD1
RELATING TO THE HAWAII STATE ARCHIVES

COMMITTEE ON LABOR, CULTURE AND THE ARTS

Senator Brian T. Taniguchi, Chair

Senator Les Ihara, Jr., Vice Chair

DATE: Monday, March 21, 2022

TIME: 3:05 PM

PLACE: Conference Room 225 & Videoconference

Members of the Committee,

My name is Janel Quirante. I am Head Archivist of 'Ulu'ulu: The Henry Ku'ualoha Giugni Moving Image Archive of Hawai'i at the University of Hawai'i-West O'ahu. My testimony is submitted as an individual and not as a representative of the University of Hawai'i.

I am opposed to the bill's language in Part III, and Part II, Section 3, paragraph 4, which gives the Hawai'i State Archives sweeping permission to remove and acquire materials held by other State supported libraries and archives.

From a technical perspective, HB 2449 HD1 defies basic professional archival standards and responsible stewardship by requiring removal of selected records from the larger body of records that provides vital context to reflect intent and influences. From a practical perspective, one centralized repository holding all records and documents pertaining to Hawai'i and Native Hawaiians is unmanageable by any one entity. Further, the idea of one centralized repository fails to take into account the historical efforts of the dozens of libraries and archival repositories situated across the islands to build collections that are accessible by and relevant to their communities.

While I support the establishment of new staff positions and allocation of funds for new facilities for the Hawai'i State Archives, I respectfully ask that Part III in its totality, and Part II, Section 3, paragraph 4 be removed from HB 2449 HD 1.

HB-2449-HD-1

Submitted on: 3/19/2022 3:59:25 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Dawn Sueoka	Individual	Oppose	Written Testimony Only

Comments:

Aloha kākou,

My name is Dawn Sueoka, and I have worked as an archivist in Hawai‘i for 13 years. I am testifying as an individual citizen.

I’m writing to request that Part II, Section 3, paragraph 4; and the entirety of Part III be removed from HB2449 because, as written, it is overly broad and it violates core archival principles.

As written, Part III would grant the Hawai‘i State Archives the authority to acquire all documents "related to the culture and history of Hawaii and Native Hawaiian" from "all departments, offices, and agencies of the State"--including the archival records of UH system libraries and public libraries. The reason, according to Section 7, is to "ensure that these records and documents are properly archived and handled by trained specialists."

State and UH system libraries steward many documents relating to Hawai‘i and Native Hawaiians. These documents are housed in secure, accessible, climate controlled facilities managed by trained archivists who work in accordance with national standards and best practices. Like the team at the state archives, we take seriously our responsibility to care for these stories for the benefit of present and future generations. However, the language in the bill makes no distinction between records that are stored in offices that may not have the staff or resources to care for them (which I believe is the intent behind the bill) and records that are already being "properly archived and handled by trained specialists" working in established state-funded libraries and archives.

Further, expropriating Hawai‘i and Native Hawaiian-related records from established archives violates the trust of individuals and other entities who donated their collections to us. Donors’ wishes are documented in signed "deeds of gift," legal instruments whereby the donors convey title (and sometimes intellectual property rights) to the designated repository; and repositories likewise commit to preserving and sharing their records with the public. It is rarely, if ever, possible for us to "deaccession" entire collections without first going back to the donors and obtaining their consent.

I understand that the intent behind the bill was not to acquire all of the Hawai‘i-related records from UH system and public libraries, but rather to ensure that records of permanent value that

are NOT already housed in libraries, archives, and other dedicated records facilities are properly cared for. I hope that the language of the bill can be changed so that it reflects the bill's intent.

The Hawai'i State Archives is an invaluable resource and I fully support the establishment of additional staff positions and the allocation of funds for new facilities.

Mahalo for your time and consideration,

Dawn Sueoka

HB-2449-HD-1

Submitted on: 3/19/2022 4:48:47 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Claudia Kamiyama	Individual	Oppose	Written Testimony Only

Comments:

91-1079 Kumulipo St.

Kapolei, Hawai'i 96707

March 19, 2022

To Whom it May Concern:

My name is Claudia Kamiyama and I would like to submit testimony *against* HB2449 that seeks to require all state libraries and archives to inventory and transfer all documents relating to the culture and history of Hawai'i and native Hawaiians to be transferred to the Hawai'i State Archives.

This centralization of resources would inflict hardship on neighbor island and rural O'ahu communities to access historical documents. It would transfer physical control away from those currently responsible for the documents with the risk of damage, misplacement, or loss of materials, along with potential loss of contextualized or specialized subject knowledge of local document custodians.

It makes much more sense to spend resources to digitizing and making source materials searchable and openly available to the public, rather than physically transferring all documents to one agency in one location.

Please vote "No" on HB2449. Please feel free to contact me if you have any questions.

Mahalo,

Claudia M. Kamiyama

HB-2449-HD-1

Submitted on: 3/19/2022 5:12:09 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Noelani Arista	Individual	Oppose	Written Testimony Only

Comments:

Aloha mai kākou,

I write today in my capacity as a Professor of Indigenous and Hawaiian History, as a researcher, writer, and translator of Hawaiian language documents, and one of the few native scholars actively working in the field of indigenous language archives organization. In recognition of my work in Hawaiian language archives, I have been invited to speak on the topic by the American Antiquarian Society, Harvard University’s Houghton Library, and most recently by the University of Virginia Rare Book School. I have over 25 years of experience in Hawaiian language research, and have been trained by Kumu Edith Mckinzie, Professor Rubellite Kawena Johnson, and Hawaiian archivist Kanani Reppun, as well as Dr. John Charlot. I earned an MA in Hawaiian religion from the University of Hawai‘i at Mānoa and a PhD in American History from Brandeis University. My first book on Hawaiian Governance and Law, *The Kingdom and the Republic: Sovereign Hawai‘i and the Early United States*, was awarded the Native American and Indigenous Studies Association’s Best First Book Award in 2020.

For this book, I pursued research in archives on Hawaiian governance and law during the period 1823-1843, and consulted papers in Hawai‘i, California, Massachusetts, and England. My research at Harvard University is a good example of the complexity of the task of working with what might be broadly deemed the history of the Hawaiian Kingdom. I accessed letters written by ali‘i and government officials at Houghton Library, at Baker Business Library, and at the Historical and Special Collections at Harvard Law School. In Massachusetts alone I conducted research in collections at the Massachusetts Historical Society, the Boston Public Library, the Phillips Library at the Peabody Essex Museum, where I was a fellow, the New Bedford Whaling Museum Archives, and the American Antiquarian Society, where I am a member. Election to membership in the AAS is an honor bestowed upon those who are recognized for “their eminent works of scholarship, artistic endeavors, or public engagement in pre-twentieth century American history and culture.” I supply some of these professional marks of status and my experience as a Native Hawaiian historian to illustrate that the question raised by State, to “collect all documents related to the culture and history of Hawaii and Native Hawaiians,” is a trawl net of such massive proportions that it should perhaps be understood in the broader context of global indigenous archives.

An initial question that I have as a Hawaiian historian, and a member of the Hawaiian community is : why should the Hawai'i State Archives be granted the power to single out and collect the papers of---Native Hawaiians---across the archipelago to one central site, Honolulu?

And which Native Hawaiian organizations or communities were consulted when this proposal was put forward? How does this serve the needs of the dispersed Hawaiian community across the archipelago who will now be unable to access historical sources particular to home place and particular historical context. Why inflict increased hardship upon communities beyond Honolulu? Why doesn't the State Archives continue to expend the extensive funding that it has received to digitize archives by creating capacity for archives and libraries across the island chain by seeking to build capacity on each island so that archives and libraries might digitize its own materials, and train teams state wide, helping them to open source collections via digital mediums.

Placing all the sources in one centralized basket seems risky and places the burden of decreased access heavily on outer-island and remote communities.

As a historian who has worked extensively in archives here and abroad, how records arrive in different archives, on different continents, are housed in different national collections, *is itself part of the history of Hawai'i*. The history of Native Hawaiians and the Hawaiian kingdom, its diplomatic, political, religious, and economic ties with governments across the globe are cemented and can be traced by visiting different repositories and uncovering the connections between peoples and place — between Hawai'i and the world, held and protected in both public *and* private archives in the U.S., the Pacific, and Europe. In seeking to acquire Hawai'i based papers, the State Archives seeks to replace itself as *the* source collection, effectively erasing the historical trajectory and paths which documents took organically, where there were sent and received, the relations between "owners" or creators of primary sources, and archives of their choice. The attempt to hunt down any and all documents that might possibly be considered "state papers" would actually destroy the context of their creation, and context is key to archival practice, especially arrangement and description, because documents cannot be understood outside the context of their creation *and maintenance*. What plan does the Hawai'i State Archives have in place to preserve the *context* of these records? How will they be organized? How will they be made accessible in a way that ensures that they are not divorced from their context? Can this be accomplished if they are separated out from the collections where they are currently housed?

By what measure should these particular documents under scrutiny, or any documents held *in the possession* of other public libraries and archives, be claimed as "public records" by the State of Hawai'i? The State is seeking to legislate possession when de-facto possession does not currently exist. How an archive acquires the materials in its care is part of the next point I would like to highlight concerning provenance.

Provenance includes not only where a document originated or by whom it was created, but also the means by which "...archivists emphasize the importance of respecting the individual, family, or organization that created or recieved the items that make up a unit of archival materials."^[1] Provenance codifies a chain of relations — how a set of papers are created, held together, organized as a collective, and what archives receives such a bequest. Where papers end up and how they get into a collection, all these things are important features of their history, of our collective history and in this case, *Hawaiian* history.

The papers of Chief Justice William S. Richardson serve as a pointed example. Justice Richardson's papers are currently housed at the William S. Richardson School of Law. The collection, as described on the UH Law library website, is as follows: "This collection documents Richardson's family and early history, World War II military service with the first Filipino infantry, *government services with the Democratic Party*, *appointment as the Lieutenant Governor of Hawai'i*, *his position as the 16th Chief Justice of Hawai'i's Supreme Court*, and service as a Bishop Estate Trustee. In addition, *Richardson collected papers related to the overthrow of the Hawaiian Monarchy*, community efforts seeking to protect lands and waters from destruction and exploitation, and research on Native Hawaiian and Pacific Island cultures." I have highlighted the sections in the above description that may be deemed "government papers" in order to illustrate that not all government papers are housed in the State Archives due to the choice of those who are in possession of or created the collection of papers. Any attempt to separate out government papers, or those dealing with the overthrow from the Richardson collection, not only does violence to the integrity of the collection as a whole, but also violates the wishes of the Richardson family who gave the papers to Ka Huli Ao. Later, and according to one UH Law Librarian, "...the papers were transferred to the Law Library for preservation and access. The Richardson family updated the *deed of gift reflecting this change in custody*."

I hope that it does not escape the people reading this letter that the words I have highlighted are contractual and legal in nature. The papers are thought of as property; this is the nature of all bequests to archives and libraries, and is the standard that protects and shepherds the historical integrity of not just a set of papers, but of the provenance of relationships between those making a bequest and the archives and libraries to which they are given.

The question of provenance is important because of its far reaching implications: if the state is granted the power to demand any set of papers it arbitrarily decides is "governmental" from any repository, then how can archives assure families and individuals that the decisions that they have made for their historical or familial legacies will be protected even after they are deceased? Families have not made decisions, without knowledge of the existence of the various repositories, the Hawai'i State Archives included; rather, they choose the archives that they want to deposit papers in for their own particular reasons. The power of the state to demand and take possession may have a chilling effect: in short families and individuals may decide that their bequests are not safe at the museums and archives of *their choice*, and opt to withhold them. Similarly, to safeguard collections from this power, museums and archives may place historical resources out of sight, restricting access to the greater public.

- The state might make clear what labor it seeks to expend in order to "inventory, assess and transfer," these archives. What has this policy entailed in its past operations?
- Perhaps it will be useful to audit how much public money has been expended in the years since statehood to actively "collect," re-house, re-accession, create finding aids, and make available to the public newly acquired government papers in order to understand the kind of repository the State Archive has been in the past.
- Where is the State Archive's inventory, and has it made this inventory public?
- Has it operated as a *collecting archive* or an *institutional archive*?

- Is it ever seeking to expand its collections, or has it been devoted to housing, organizing, accessioning, and making available to the public the documents generated primarily by the State of Hawai‘i?
- Is this policy to demand Hawaiian collections in the possession of other archives novel?
- Is this practice reflected in the activities of former State Archivists?
- How much more public funding will be, or can be, expended, especially in the midst of a pandemic on such matters: to pursue what is currently in the possession and safe keeping of other archives, libraries and repositories in order to synthesize a new “total archive” of “government papers” which **did not** *due to particular circumstances of history* end up in the possession of the State of Hawai‘i?

As a Hawaiian historian I might also offer another point of clarification: not all documents made or received by officials of the Hawaiian Kingdom are government documents. As example, consider Lili‘uokalani’s mele books, housed in the Bishop Museum archives, or Queen Emma’s journals, also held in the same repository. I might again offer a pointed example. In order to write my Master’s thesis as well as a recently published biography on Davida Malo (who served as a chiefly counselor prior to 1840, and in two governmental positions in the Kingdom of Hawai‘i), I visited the Bishop Museum archives, the Hawaiian Mission Houses Library and Archives, and the Hawai‘i State Archive, as well as Archives and Special Collections at The School of Oriental and African Studies at the University of London, and the Houghton Library at Harvard. I raise this point again, to highlight the fact that the standard proposed lacks clarity and efficacy. It might also be difficult to execute if this too wide net is expanded to repositories beyond Hawai‘i.

This next section speaks to the role of the Hawaiian Mission Houses Archives as a leader in supporting work that facilitates further understanding of indigenous language textual archives organization, not only in Hawai‘i, but also in the U.S.

Currently I work in the HMMH Archive as lead researcher on the Hawaiian Evangelical Association [HEA] Names Project to organize, digitize, transcribe, and create enhanced finding aids at the Hawaiian Mission Children’s Society Library and Archive. The HEA files are the largest collection housed at the archive, 1200+ writers, with over 80% of the material in the Hawaiian language. My work at HMCS is the culmination of more than two decades of working in and with this archive, its sources, and its professional staff, first as a graduate student researcher, as an intern responsible for transcribing manuscripts in the Hawaiian language, and now as a lead researcher. We put together a project team of Hawaiian experts and learners: two archivists, a project manager, editors, and transcribers. We will soon train members of the community to work on transcriptions — in short a public-private partnership to illuminate the Hawaiian past, which is built upon indigenous methods and approaches up from Hawaiian language and is supported by funding from both local and national grants.

While archivists play key roles ensuring the preservation of materials, crafting finding aids, and working to ensure access to the public, their work is not to (re)write history, or appoint themselves as the sole arbiter of what belongs in which archive, and extinguish chains of custody and the bequest of owners and family members altering archival praxis recognized by a majority of archives. This, in fact, is what the State’s overreach seeks to accomplish when it

demands all records of the "Culture and History of Hawai'i and Native Hawaiians" be turned over into its possession.

As a Hawaiian Professor I have been seasoned within a context churned by colonial desire to possess Hawaiian knowledge, history and language. I was given a kuleana placed upon me by all my kumu and the lineages they came from, to care for ancestral knowledge. It is in these kinds of clashes between the State and non-natives fighting over Hawaiian archives in this case---that this important impetus, this kuleana, is often lost. At the Hawaiian Mission Houses Library and Archive, we have gained a space where our governing power and judgement as scholars has been recognized and is allowed to flourish. Our question is how does this current battle serve the greater project of facilitating the dissemination and understanding of Hawaiian knowledge to a greater public? How can we continue to learn to organize what we have left to us in peace when the fight to dismember lāhui knowledge continues?

For too long the history and modes of operation of many of these institutions like the State Archives has been focused upon the colonial acquisition and possession of papers as artifacts, and their value derived solely from the prestige that their possession and reinterpretation will bestow upon its "owners," rather than considering the needs of Hawaiian members of the community and the greater public to have access to materials proximate to where they originated and where people reside. I do not support this bill, and believe that it is in the best interest of communities, libraries and Hawaiian knowledge to empower local libraries and archives to digitize materials and open source what has already been well tended in collections for generations.

If you have any further questions, please contact me at noelani.arista@mcgill.ca.

Me ke aloha,

Dr. Noelani Arista

Chair of Indigenous Studies

Associate Professor of History and Classics
McGill University

[1] Millar, Laura A. *Archives : Principles and Practices*. Principles and Practice in Records Management and Archives. London: Facet Publishing, 2017, p. 46.

HB-2449-HD-1

Submitted on: 3/19/2022 6:51:44 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Tara Rojas	Individual	Oppose	In Person

Comments:

KĀNAKA MAOLI have full rights to their Cultural Practices, Documents, and Artifacts.

I OPPOSE HB2449 which forces all of this ‘Ike Kūpuna over to the Illegally Occupying State of Hawai‘i.

Please note that the same day this hearing is held, Monday March 21, 2022 is the same day Keanu Sai is delivering a statement on the U.S. Occupation of Hawai‘i to the UN Human Rights Council.

Vote NO to HB2449. Stop this HEWA. It is 2022, 129 yEArS of Illegal Occupation and stEAling of ‘Āina and Wai through these legislative procedures, it is time to stop this stealing of ‘Ike Kūpuna from Kānaka Maoli, the only rightful heirs and caretakers of this knowledge, place, and space.

Hawai‘i is Hawai‘i because of Hawaiians. Keep Hawaiian Lands in Hawaiian Hands. Keep Hawaiian Wisdom and Knowledge, ‘Ike Kūpuna, in Hawaiian Hands.

HB-2449-HD-1

Submitted on: 3/19/2022 7:38:45 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
melissa tomlinson	Individual	Oppose	Written Testimony Only

Comments:

Please do not support HB2449. I'm a citizen in CA that deeply cares for the history and culture of Hawai'i. I am learning more everyday and its not from the illegally occupying "State" nor would I want it to be. These requests have criminal intent and look to be a means of enacting control and authority which I find disturbing.. Hb2449 is not ethical, as well as, clearly not any form of reconciliation with Kānaka Maoli or The Kingdom of Hawai'i. With the understanding of history and without treaties, regardless of where i live, I could never support HB2449. Everything regarding Hawai'ian culture and history, all the proposed requests in this should be denied. Why would the suggestion for additional resources, inventory, and funding be considered in anyway when you have an increasing houseless population. Countless people struggling because of the impacts of government agendas prioritized over protecting people throughout Covid and otherwise (I choose tourism as my example though there are countless). It makes no sense to discuss the collapse of economy when you're senselessly funneling overwhelming resources into policing and military, among many other harmful systematic structures. This bill is an example, in more way then one, of what causes continued harm. Again, Please do not support thes Bill.

HB-2449-HD-1

Submitted on: 3/19/2022 7:59:19 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Krystal Kakimoto	Individual	Oppose	Written Testimony Only

Comments:

I am writing to submit testimony opposing HB2449 HD1.

I am asking that Part III in its totality, and Part II, Section 3, paragraph 4 be removed from HB2449 HD1.

While I do hope the Hawaii State Archives gains more positions and buildings in the future, I think HB2449 HD1 needs more work on properly define certain terms such as "records" and "documents" and provide the scope of the Hawaii State Archives.

Thank you very much for the opportunity to submit testimony.

Mahalo nui,
Krystal Kakimoto

HB-2449-HD-1

Submitted on: 3/19/2022 8:51:36 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Ellen-Rae Cachola	Individual	Oppose	In Person

Comments:

Aloha Senator Brian Taniguchi, Senator Les Ihara Jr., and the Committee of Labor, Culture, and the Arts,

My name is Dr. Ellen-Rae Cachola, and I am the Archives Manager at the William S. Richardson School of Law Library. I speak to you as an individual citizen in opposition of HB 2449 SD 1 because it requires amendments in the language.

Part III, section 7, and part II section 3, paragraph 4, should be removed from the bill.

Part III, section 7 needs to define which state agencies and departments will be required to inventory and send their Hawai'i and Native Hawaiian records to the Hawai'i State Archives. The University of Hawai'i system archives and libraries are state agencies and should be excluded from this requirement because they have the infrastructure and professionals to preserve and provide access to Hawai'i and Native Hawaiian archives to meet their public education mission.

Part II, section 3, paragraph 4 should be removed from the bill because the Hawai'i State Archives function is to not centrally acquire and preserve the archives of underrepresented, aging and marginalized community records. Instead DAGS and the Hawai'i State Archives should consult and collaborate with the over 50 archival repositories and cultural heritage centers across the islands toward a sustainable plan to preserve the records of these communities statewide.

Please remove Part III in its totality, and Part II, Section 3, paragraph 4 from HB2449 SD 1.

Mahalo,

Dr. Ellen-Rae Cachola

My name is Sarah Kuaiwa and I am a historian and art historian specializing in nineteenth-century Hawai'i. I have been a student of history for the majority of my life now, and consider archives as a place of potential and hope; a space to dream up futures that are guided by Hawai'i's past.

While I largely support the activities of the Hawai'i State Archives and its employees, I vehemently oppose HB2449 for the following reasons.

- Archives have their own histories and the people who work within these individual repositories have worked tirelessly to continue to maintain the documents within the system they were created in. Moving the documents to a centralized space destroys the unique organization of a grouping of documents and destroys the ability to see the interrelationships between documents and specific spaces.
- HB2449 calls for a dangerously quick turnaround for inventories. The bill does not provide any resources – financial or otherwise – for agencies to create the necessary inventories that are being asked of them.
- While it is up to the State Archives to create a plan to transfer documents from individual agencies, I fear that the bill's creators did not take into consideration the time it will take to have documents processed into the Archives. The Archives will likely not complete this in a timely manner. It is likely that a backlog will be created and documents will remain inaccessible as they wait in a queue to be processed.
- Centralization makes access even more difficult for those living on the outer islands or for those who do not have the financial ability to travel to the State Archives.
- The language of HB2449 is dangerously broad and undefined. The bill does not provide a definition for "Native Hawaiians" or "the culture and history of Hawaii". It also does not provide a definition for what types of materials may fall into these larger categories. For example, is art and material culture included in these materials?

I stand with the greater archival community in Hawai'i and oppose HB2449. Documents affect all of us living in Hawai'i, and a bill of this magnitude should have been created with better community input and discussion.

HB-2449-HD-1

Submitted on: 3/20/2022 7:11:58 AM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Alfred Medeiros	Individual	Oppose	In Person

Comments:

Aloha, my name is Alfred Keaka Hiona Medeiros...I am a Kānaka Maoli that's born and raised here in Hawai'i, from Wai'anae O'ahu and I oppose HB2449 and it's for many reasons! One of the main reasons is that fact that, our archives don't need to go anywhere and don't need to be relocated or in possession of the State and one of the reasons for that is due to the documented illegal occupation of Hawai'i in 1893! Why give control to the paperwork that has details of numerous significant historical events and that we as Kānaka and people of this 'Āina are able to use to trace back our history. Passing HB2449 would be another way for the State and Government to erase our history and we can't let that happen, as Hawai'i without Hawaiians, wouldn't be Hawai'i! Please understand that it may just be paperwork to many and nothing of significance, but to us, the people that come from this place where we all call home...those papers tell our story, tell our struggle, tell our strength to survive, etc. and is a way for us to connect to our history. **WE MUST NOT LET ANY 1 ENTITY HAVE POWER AND CONTROL OVER SOMETHING THAT HOLDS THAT MUCH SIGNIFICANCE!** Please understand how we feel and please be considerate to our people, our culture and our history...because this is just as important, if not, much more important than Mauna Kea and we will fight for this the same way! Mahalo for your time and please do what is right for our people that have been wrongly done on their own homeland since 1893!

HB-2449-HD-1

Submitted on: 3/20/2022 9:11:54 AM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristin Laitila	Individual	Oppose	Written Testimony Only

Comments:

I oppose HB2449 HD1 in its current draft form. I ask that Part III in its totality, and Part II, Section 3, paragraph 4 be removed. These parts of the bill deserve more individual attention and clarity of language; they do not support the focus of the bill which is, and rightly should be, funding needed positions and the expansion of the State Archive's storage capacity.

As State Archivist Adam Jansen wrote in email to the Association of Hawaii Archivists on February 28, 2022:

"The State Archives does not have the staffing or space or desire to centralize every historical record in State government, nor would we want to. But there are important records [in State offices across the islands] that are under direct threat due to poor storage conditions, lack of staffing, and inaccessibility to the public."

Currently the State Archives is one of those state agencies suffering a lack of staffing and poor storage condition. The focus of HB2449 should be on remedying this situation.

A thoughtful and specific bill for an inventory and transfer of records can follow -- one that acknowledges the other state agencies that already provide for the preservation and public access to "documents in their possession related to the culture and history of Hawaii and Native Hawaiians."

While I am submitting this testimony as a private citizen, I am including my organizational affiliation to explain my interest and concern with the language of this bill.

Sincerely,

Kristin Laitila -- Library Technician, Hawaii State Library, Hawaii Documents Center

HB-2449-HD-1

Submitted on: 3/20/2022 9:13:08 AM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaleo Nakoa	Individual	Oppose	Written Testimony Only

Comments:

My testimony is in opposition to HB 2449 where AS STATED " Requires all departments, offices, and agencies to conduct an inventory of all documents in their possession related to the culture and history of Hawaii and Native Hawaiians. Requires the state archives to develop a transfer plan to acquire those documents." The history of Hawaiians should not be acquired by the State, nor shall it be under the states control to limit the access of further educating OUR people of our history. Olelo Hawaii has already been pushed out of the public school system and is being replaced with foreign languages. My daughter is in Kindergarten and she has learned Spanish words from her teacher instead of learning her native language of Olelo Hawaii. The Kindergarten class next to hers greets each other in Japanese before walking into class. Still, the State wants to control what languages, cultures can and wont be taught in our school system.

I served 20 years in the Military with very little knowledge of my Hawaiian culture and now that I have moved back to Hawaii, 4 children of my own and a wife who is from Georgia, teaching my family about our culture is of the utmost importance to me before my time is called. The state is quick to demolish the existence of "Native Hawaiians" but would the state ever consider archiving the history of Asian descents before Hawaiians? Or is that too importantto the state due to the majority of the tourist population that visits Hawaii?

HB-2449-HD-1

Submitted on: 3/20/2022 10:37:09 AM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kawena Lauriano	Individual	Oppose	Written Testimony Only

Comments:

Aloha mai kākou,

My name is Kawena Lauriano and I am a librarian at the University of Hawai‘i - West O‘ahu. I write today, as an individual, in opposition to HB 2449.

While I strongly support more funding and positions for the Hawai‘i State Archives, the current language in Part III of the bill is vague and undefined. It currently states that "all departments, offices, and agencies of the State to conduct an inventory of all documents in their possession related to the culture and history of Hawaii and Native Hawaiians" and for the State Archives to "develop a plan to acquire those documents". In the practical sense, this would be nearly impossible for every State department to accomplish and for the State Archives to collect, process, and make these documents accessible. While in theory, it sounds like a good idea to have a singular place to access all State archival material, it actually creates an additional and unnecessary barrier to access especially for the Native Hawaiian community who need clear, unobstructed access to these materials for genealogical and research purposes. It is difficult for many of us, especially those on islands that are not O‘ahu, to make it to the current operating hours of the State Archives. By accumulating and collecting more documents in this area, access will be almost nonexistent. Lastly, this bill would go against current best practices in archiving and would adversely affect the University, the Hawai‘i State Library System, the Department of Health, the Department of Land and Natural Resources, and so many more.

If the intention of this bill is to target only Executive branches, please revise the language to reflect this. Mahalo for your time.

March 21, 2022

Senator Brian Taniguchi, Chair
Senator Les Ihara, Jr., Vice Chair
Committee on Labor, Culture, and the Arts (LCA)
Hearing, Monday, March 21, 2022, 3:05pm

Re: HB2449 HD1, A BILL FOR AN ACT RELATING TO THE HAWAII STATE ARCHIVES

Aloha kākou,

I am submitting testimony on behalf of the undersigned archivists, librarians, and educators, working throughout Hawai'i. We are speaking as private individuals with expertise on Hawai'i libraries and archives.

We strongly support the establishment of new staff positions and allocation of funds for new facilities for the Hawai'i State Archives (HSA). HSA is a treasure, offering public access to invaluable historical records. Support in the form of additional staff positions and upgrades to its facilities are long overdue.

However, we are gravely concerned that the bill's language, particularly Part III, and Part II, Section 3, paragraph 4, allows for the appropriation by HSA of materials held by other repositories. While the State Archivist has offered assurances that the bill would have a limited scope, the extant language gives HSA sweeping permission to appropriate materials from State supported libraries and archives.

Part III, Section 7 states:

The legislature finds that many of the state departments, offices, and agencies possess records and primary documents related to the culture and history of Hawaii and Native Hawaiians. Housing all of these precious records and documents in the state archives would ensure that these records and documents are properly archived and handled by trained specialists.

The purpose of this part is to:

- (1) Require all departments, offices, and agencies of the State to conduct an inventory of all documents in their possession related to the culture and history of Hawaii and Native Hawaiians and submit a report on the inventory; and*
- (2) Require the state archives to develop a plan to acquire those documents and submit the plan to the legislature.*

HB2449 HD1 does not provide definitions of "records" and "documents," and does not tie these required actions to HSA's core function of managing operational records of Hawai'i's current and historical governments. The bill's unbounded scope is also

reflected in Part II, Section 3, paragraph 4, which suggests that the only current limit on HSA activity is physical space:

An additional challenge is presented when aging, underrepresented, and marginalized segments of the community seek to donate important historical documents and artifacts to the state archives, but a lack of storage space in the current state archives building requires the state archivist to be very selective in accepting donations.

From a technical perspective, HB2449 defies basic professional archival principles by requiring removal of selected records from the larger body of records that provides vital context to reflect intent and influences. From a practical perspective, one centralized repository holding all records and documents pertaining to Hawai'i and Native Hawaiians would be a significant challenge to manage by any one entity.

More importantly, the idea of one centralized repository fails to take into account the historical efforts of the dozens of libraries and archival repositories situated across the islands to build collections that are accessible by and relevant to their communities. There are many State funded libraries and archival repositories encompassed by the bill's current language.

We ask that Part III in its totality, and Part II, Section 3, paragraph 4 be removed from HB2449 HD1, and that the Dept. of Accounting and General Services and HSA revisit the actions of inventorying and acquiring State agency records and documents after consultation with the archival community and potentially affected State agencies, and after HSA is assured of new facilities able to accommodate such an influx of new materials.

If Part III is to remain in this bill, we ask that the following be added to Part III, Section 8:

(c) This section applies to Executive branch cabinet level departments, offices, and agencies, and excludes any State supported repositories serving the public, such as the University of Hawai'i System libraries and archival repositories.

Thank you for considering our comments.

Respectfully,

Genie Alvarado, Librarian, Hawai'i & Pacific Section, Hawai'i State Library
Kristen L. Anderson, Director, Health Sciences Library, John A. Burns School of
Medicine

Tisha Aragaki

Kathryn Arinaga, Librarian, Hawai'i & Pacific Section, Hawai'i State Library

E. Halealoha Ayau, Hui Iwi Kuamo'o

Daniel Blackaby, Reference & Instructional Librarian, William S. Richardson Law Library

Catherine Bye, MLIS, Technical Services/Acquisitions Librarian, William S. Richardson
Law Library
Ellen-Rae Cachola, Archivist & Educator
Amy Carlson, Serials Librarian, UH Mānoa Library
Sharrese C. Castillo
Carina Chernisky, UH West O'ahu Library
Stuart W. H. Ching, Archivist
Michael A. Chohey, Catalog/Metadata Librarian, UH Mānoa Library
Stu Dawrs, Librarian, Pacific Collection, UH Mānoa Library
Carolyn Dennison, Librarian, UH Mānoa Library
Keola Donaghy, Assistant Professor of Music, Faculty Coordinator of Music Studies and
the Institute of Hawaiian Music, University of Hawai'i Maui College
Kamalu du Preez
Barbara E. Dunn, Director and Librarian (retired), Hawaiian Historical Society
Cynthia Engle, MLISc and Certified Archivist
Kelsey Faradineh, MLISc
David Flynn, Social Sciences/Business Librarian, UH Mānoa Library
Todd Fukushima, Bishop Museum Library & Archives
Alphie Garcia, UH West O'ahu Library
Monica Ghosh, PhD, Public Services Division Head & South Asia Studies Librarian, UH
Mānoa Library
Sarah Gray, Collection Management Librarian
David Gustavsen, Reference Librarian, UH Mānoa Library
Mary Louise Haraguchi, Hawaiian Collection Librarian (Retired), UH Hilo Library
Carol M. Hasegawa, Librarian (Retired)
Rachel Hoerman, Program Officer, Huliauapa'a and Archaeologist and Principal,
Nohopapa Hawai'i, LLC
Stacy Hoshino, private citizen
Brian R. Huffman, JD, MLIS, Law Librarian
Clara Inouye
Michiko Joseph, UH West O'ahu Library
Krystal Kakimoto, Bishop Museum Archives
Sheri Kelly, Hawai'i & Pacific Section, Hawai'i State Library
Larry Kimura, Associate Professor, Ka Haka 'Ula O Ke'elikōlani College of Hawaiian
Language, UHH, Director of Kani'āina Hawaiian Speech online repository
Eleanor Kleiber, Librarian, Pacific Collection, UH Mānoa Library
Kawena Komeiji, Hawai'i-Pacific Librarian, UH West O'ahu Library
Theodore Kwok, Geospatial Librarian, UH Mānoa Library
Kristin Laitila, Library Technician, Hawai'i State Library - Hawai'i Document Center
Keahiahi S. Long, Hawai'inuiākea School of Hawaiian Knowledge, UH Mānoa
Sidney Louie, MLISc, MBA
Koa Luke, MLISc
Kylee Pōmaika'i Mar
Shavonn Matsuda, Librarian, University of Hawai'i Maui College
Jodie Mattos, Librarian, Hawaiian Collection, UH Mānoa Library
Kīna'u McKeague, Librarian, Bishop Museum

Dore Minatodani, Librarian, Hawaiian Collection, UH Mānoa Library

Chad S. Miyasaki, UH LIS Student graduate Dept.

Malia Morales

Karla Morgan, Library & Archives Collections Manager, Bishop Museum

M. Puakea Nogelmeier, PhD, Polopeka Welo, UH Mānoa, Luna Ho'okō, Awaiaulu

Luree H. Ohigashi Oasay, Librarian, John A. Burns School of Medicine, UH Mānoa

Keiko Okuhara, Metadata Services Librarian, William S. Richardson Law Library

Robert Omura

Allyson Ota, Electronic Resources Librarian, Kapi'olani Community College Library

Janel Quirante

Kuuleilani Reyes, Hawai'i Pacific Collection librarian for Kamehameha Schools -

Kapālama

Molly Rowe, MLIS, Curator of Archives/Librarian, Hawaiian Mission Houses Historic Site
and Archives

Nancy Sack, Catalog Librarian, UH Mānoa Library

Elizabeth Seaton, MLIS

Susan E. Shaner, Archivist (Retired), Hawaii State Archives

Kapena Shim, Librarian and Archivist

Helen Wong Smith, Archivist for University Records, UH Mānoa Library

Nathanael Smith, Digital Asset Manager, Library & Archives, Bishop Museum

Bob Stauffer

Dawn Sueoka, Archivist

Linda Sueyoshi, Librarian, Hawai'i & Pacific Section, Hawai'i State Library

Jan Sung, Librarian, UH Mānoa Library

Victoria Szymczak, Law Library Director, Associate Professor of Law

Monica Texeira

Annie Thomas, Librarian, Kapi'olani Community College Library

Malia Van Heukelem

Alicia Yanagihara

Jan Zastrow, Congressional Papers Archivist

Marya B. Zoller, Head of Library Operations, Hawai'i State Library

HB-2449-HD-1

Submitted on: 3/20/2022 11:31:51 AM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Morganne Kaahaaina	Individual	Comments	Written Testimony Only

Comments:

March 20, 2022

My name is Morganne Hōkū Ka‘aha‘aina. I am an assistant archivist at the University of Hawai‘i-West O‘ahu, ‘Ulu‘ulu: The Henry Ku‘ualoha Giugni Moving Image Archive of Hawai‘i.

I support Part I and Part II of HB2449 HD1; increased financial support for new staff and facilities to continue the Hawai‘i State Archives' kuleana to the people of Hawai‘i is greatly needed. Hawai‘i State Archives, the materials it houses, and those who work to preserve and increase accessibility to those materials are all precious resources in their own right.

That being said, I kindly ask that the Hawai‘i State Archives' acquisition of "records and primary documents related to the culture and history of Hawaii and Native Hawaiians" from other State repositories in Part III be reconsidered or reworded for clarity.

In my capacity as assistant archivist, I have seen the great aloha that filmmakers have recorded into every foot of reel, minute of video that makes up their life's work. Donors, creators, cultural practitioners, their families and others have entrusted these and similar works and collections to institutions of their own choosings across the state. It would a breach of that trust to split and spread those collections from their institutional homes under legislative order.

My testimony is submitted as an individual and not as a representative of the University of Hawai‘i.

Mahalo,

Morganne Hōkū Ka‘aha‘aina, MLIS, Assistant Archivist

University of Hawai‘i-West O‘ahu, ‘Ulu‘ulu

March 20, 2022

Senator Brian Taniguchi, Chair
Senator Les Ihara, Jr., Vice Chair
Committee on Labor, Culture, and the Arts (LCA)

Re: HB2449 HD1, A BILL FOR AN ACT RELATING TO THE HAWAII STATE ARCHIVES

Aloha kākou –

Speaking in my personal capacities as a private individual with expertise of Hawai'i libraries and archives, I offer the following letter of concern on HB 2449 HD 1, "A BILL FOR AN ACT RELATING TO THE HAWAII STATE ARCHIVES," which has been referred to your Senate committee.

I am in strong support for the establishment of new staff positions and allocation of funds for new facilities for the Hawai'i State Archives (HSA) to support their primary responsibility as a State archive responsible for providing permanent access to government records of the State of Hawai'i and its former governments. As I have witnessed in scholarly and popular literature, HSA is very important for Hawaiian research, offering public access to invaluable historical records from the governments of the Hawaiian Kingdom, Provisional Government, Republic of Hawai'i, Territory of Hawai'i and the State of Hawai'i. Adding more staff and upgrading to its facilities will provide better access to their government records and are long overdue.

However, I am gravely concerned about the bill's language. In particular, Part III which, in its current written form, allows for materials held by other State supported libraries and archives to be acquired by HSA. Currently, the extant language of this bill gives HSA sweeping permission to expropriate materials from State supported libraries, archives, and collections such as those in the University of Hawai'i System and in the Hawai'i State Public Library System.

For instance, the language in Part III, Sections 7 and 8 would require all departments, offices and agencies of the State to conduct an inventory of all documents and records in their possession and transfer them to HSA upon archival appraisal by HSA staff. This would be very problematic for State libraries and archives that hold records and documents that support the unique—and localized—research needs of their constituents. A good example of this is the University of Hawai'i at Mānoa's libraries and archival collections that supports the strong research, teaching, and learning of its students, faculty, and staff as well as many local, national, and international researchers.

These sections and in general HB2449 HD1 are further problematic because the bill does not provide any definitions of "records" and "documents." This ambiguity leads to an unbounded scope of records, documents, and responsibilities of HSA in the bill. For instance, without a clear definition of records, publications from State departments such as newsletters, technical reports, and annual reports that are traditionally collected by libraries could be seen as a

“record” or “document” of that State department and acquired by HSA. This would really expand the scope of HSA’s collections as they are known to be responsible for primarily collecting the unpublished “records” and “documents” of State departments.

In another example, under lack of definitions around “records” and “documents,” HSA could also make the justification to collect non-State department commercial publications, including commercially available audio/visual materials as these can be seen as a “record” documenting a certain aspect of Hawaiian culture and history. A tangible example of this could be collecting commercially available Hawaiian music albums from the 1950s to document Hawaiian music in that era. Or to collect all the tourist magazines in Waikīkī and at Hawai‘i’s airports to document how Hawaiian culture and Hawaiian history is being used by Hawai‘i’s tourist industry. Without clear definitions on “records” and “documents,” HSA will have an unbounded scope to collect anything they deem to be a record that documents Hawaiian history and culture. This, I argue, could further distract away from HSA’s core responsibility over government records, can result in the need for additional appropriation of public funds, hence the first part of this bill, and may duplicate the efforts already being done in other State funded libraries and archives to collect materials that fulfill their own unique collection responsibilities and needs of their constituents.

An additional issue with Part III is that it does not connect the required actions of inventorying “records” and “documents” to HSA’s core function of acquiring and making accessible Hawai‘i’s current government records from departments and agencies outlined in HSA’s *Records Retention and Disposition Schedules*. This important document already outlines the records HSA is mandated to receive and appraise for permanent preservation and access, as well as the records State agencies and departments can dispose of. I highly recommend reviewing these schedules, in particular the *General Records Schedule* as it directly relates to Part III: <https://ags.hawaii.gov/archives/about-us/records-management/records-retention-and-disposition-schedules/>.

Since Part III of this bill fails to (1) take into consideration the many State funded libraries and archival repositories encompassed by the bill’s current language, (2) account for HSA’s current records retention and disposition schedule, and (3) provide clear definitions on “records” and “definitions,” I ask that Part III be revised to take into account the issues and concerns I am raising. If revising the language is not feasible due to time constraints and/or other pressures, I ask that Part III be totally removed from HB 2449 HD 1. The removal of Part III would give the Department of Accounting and General Services and HSA time to consult with the broader archival and library community.

Respectfully,



Kapena Shim, MLISc, Librarian, Archivist, specializing in Hawaiian Collections and Hawaiian archives since 2013.

HB-2449-HD-1

Submitted on: 3/20/2022 12:07:08 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kerri A. Inglis	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am writing to express my **opposition to HB2449**, Section 07 specifically, as I do not agree that the State Archives should have the power to **compel** all other state agencies (including the campuses of the UH system) to inventory and **transfer** all materials related to Hawai'i and Native Hawaiians to Honolulu. Such a measure is not only O'ahu-centric but would also be costly, a hardship for neighbor island communities, and inefficient. Moreover, issues of provenance must also be considered.

As we are in the age of digitization, why not better equip (and train) state agencies across the islands to digitize their records, provide open access for source materials, and allow our communities across the pae 'āina to maintain possession of their historical documents?

respectfully,

Kerri A. Inglis

HB-2449-HD-1

Submitted on: 3/20/2022 2:52:43 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Renea Stewart	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

There are many State funded libraries and archival repositories encompassed by the bill's current language. We ask that Part III in its totality, and Part II, Section 3, paragraph 4 be removed from HB 2449 HD 1, and that the Dept. of Accounting and General Services and HSA revisit the actions of inventorying and acquiring State agency records and documents after consultation with the archival community and potentially affected State agencies, and after HSA is assured of new facilities able to accommodate such an influx of new materials.

Mahalo for your considerations.

HB-2449-HD-1

Submitted on: 3/20/2022 2:56:29 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Heather H. Giugni	Individual	Oppose	Written Testimony Only

Comments:

I am not in support of this bill as it stands. I would be if Part III, Section 3, paragraph 4 be removed from HB 2449 HD 1, and that the Dept. of Accounting and General Services and HSA revisit the actions of inventorying and acquiring State agency records and documents after consultation with the archival community and potentially affected State agencies, and after HSA is assured of new facilities able to accommodate such an influx of new materials.

I humbly ask you to re-consider the language. I support the Hawai'i State Archives and the important work they do everyday as I support archives, libraries and museums throughout the state of Hawai'i. I do support the request for funding for personnel and build out to accomplish their daily tasks.

Mahalo for your time,

Heather Giugni

HB-2449-HD-1

Submitted on: 3/20/2022 3:01:49 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Ami Mulligan	Individual	Oppose	Written Testimony Only

Comments:

20 March 2022

Aloha mai kākou,

I submit testimony today as both a doctoral candidate in the Department of History at the University of Hawai‘i at Mānoa who researches, writes, and translates Hawaiian language documents as well as a professional genealogist who frequently accesses primary source documents from various State and private archives for a variety of purposes. I am grateful for and very appreciative of the work and efforts of the archivists and other staff of the Hawai‘i State Archive. I am, therefore, supportive of the creation of new positions to support the important and necessary work performed by the Hawai‘i State Archive. As a historian and genealogist, I am also in support of the legislature’s statement that “there is a need to promote citizen engagement in the documentary and tangible artifact heritage of the government, provide greater education of the history of Hawai‘i’s governments and its people, and assist the people of Hawai‘i in connecting with their personal history, as well as the history of Hawai‘i...” However, particularly in Part III, the language in the bill raises concerns about precisely how the communities whose culture and history it intends to protect and perpetuate will benefit from and inform the practices this bill. Therefore, I ask that the legislature revisit and reconsider the language that outlines the scope and intent of this bill.

Section 7 of Part III reads, in part, “The legislature finds that many of the state departments, offices, and agencies possess records and primary documents related to the culture and history of Hawaii and Native Hawaiians. Housing all of these precious records and documents in the state archives would ensure that these records and documents are properly archived and handled by trained specialists.” The phrasing of this portion of the bill allows for the acquisition and centralization of State records currently archived in other departments, ostensibly for the purpose of preserving “the culture and history of Hawaii and Native Hawaiians.” It raises the question of whether professionals who actively work in the field, including archivists, librarians, historians, and researchers, and community members whose culture and history are at stake were consulted in the drafting of this bill. If professionals from these various archives and particularly community members who this bill intends to benefit have not been identified and their voices heard, the question of who truly benefits from the implementation of this bill remains unanswered.

The bill as worded regarding the inventory, potential acquisition, and centralization of records from various state agencies would negatively impact the communities who this bill aims to serve. If the authority to select which records to acquire and which to leave in its original repository is given to an individual or group external to the community or communities whose culture and histories this bill aims to protect, the subjectivity of the selection may not be reflective the community's best interests. Furthermore, selective acquisition creates issues with provenance. Provenance is an essential component of any record, providing links in a chain that are the history of the record itself and it is critical to the proper analysis and contextualization of the records. Maintaining records in their current position allows researchers to view the breadth and depth of the records over time, and selective acquisition would interrupt this capability and introduce more difficulties in accessing records create by the same agency. Records that might have all been viewed in a single visit could be separated into two different archives, introducing difficulties to research that were previously nonexistent. If the goal is to increase visibility and access to the records, yet they are moved to a centralized state archives facility in Honolulu, it might also impair the ability of these communities to access the records. Travel to several archives in Honolulu might require considerable cost to community members – for example, travel fees, time away from work, or childcare – over several visits.

I do not support this bill as currently worded, particularly without the clarity of whether the communities and professionals impacted by this bill have been consulted regarding best practices. If there are any questions, please email me at amimalie@hawaii.edu.

Me ke aloha,

Ami S. M. Mulligan

HB-2449-HD-1

Submitted on: 3/20/2022 3:06:07 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Karla Morgan	Individual	Oppose	Written Testimony Only

Comments:

Remove Part III in its totality. Remove Part II, Section 3, paragraph 4.

HB-2449-HD-1

Submitted on: 3/20/2022 4:04:28 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
william kalei josiah lagazo	Testifying for kingdom of hawaii	Oppose	Written Testimony Only

Comments:

aloha kakahiaka,

I am William Kalei Josiah lagazo I am 26 years of age and was born @ wahiawa general hospital on May 2, 1995 I am an aboriginal native Hawaiian. I am over 75% Hawaiian with the front line blood of Queen Liliuokalani I come from the tribe of kepookalani as well. in English “The head of the heavens”. I was blessed a few months ago with knowledge from consistent prayers as well as help from Ohana and the journey began with the OFHA army that allowed me to want to gain more knowledge due to savage behavior from our trusted government. taking away the Hawaii state archives is against the kingdom of Hawaii’s Kapu law. We are here to bless others by giving not taking. The way you use your words is very important. with the knowledge of my passed family and how to achieve lands to perpetrate the lands with honest righteousness I feel that the whole kingdom of Hawaii should allow me William kalei Josiah lagazo to be the front representative of the Hawaii state archives as me, and my team come with love, joy, peace, hope, leadership, patience, most of all listening skills. I consider my mindset of a ali’i nui/high Cheif witch I sincerely give all glory to GOD. So, to TAKE away the Hawaii state archives would be taking away blessings passed on to the one that asks and has been seeking once again this journey started December of last year with the help of god and my Kapunas, I am a true representative of the Kingdom of Hawaii witch was founded in 1795 and as of my knowledge the only young man with a plan as well with documents to uphold my statements.I am reconized in the courts and believe I should get full recognition from the state of Hawaii on national level. I can’t explain how this is even a bill this is such selfish behavior and needs direct addressing. Please contact me if there’s any concern I would love to have a conversation with someone very important and blessed. 🙏 Aloha o’e

Sincerely, William kalei Josiah lagazo

HB-2449-HD-1

Submitted on: 3/20/2022 5:05:54 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Ashley Galacgac	Individual	Oppose	Written Testimony Only

Comments:

The Hawaiian Archives need to be preserved and protected and remain in Hawaiian Hands.
Please oppose HB 2449.

HB-2449-HD-1

Submitted on: 3/20/2022 5:17:27 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrew B. Wertheimer	Individual	Support	Written Testimony Only

Comments:

HB-2449-HD-1

Submitted on: 3/20/2022 8:47:57 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Willis	Individual	Oppose	Written Testimony Only

Comments:

I oppose

HB-2449-HD-1

Submitted on: 3/20/2022 8:49:00 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kanoë Willis	Individual	Oppose	Written Testimony Only

Comments:

I oppose

HB-2449-HD-1

Submitted on: 3/20/2022 9:04:49 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Jonah Bobilin	Individual	Oppose	Written Testimony Only

Comments:

Aloha Members of the Senate Committee on Labor, Culture and the Arts,

I am a constituent from Pearl City and I am writing in strong opposition to HB2449, which would result in the removal of Hawaiian artifacts and materials from Hawaiian institutions.

I oppose the consolidation of Hawaiian cultural materials and control of these materials by the state government; stewardship of these materials should be handled by archivists in the community.

Mahalo nui,

Jonah Bobilin

HB-2449-HD-1

Submitted on: 3/20/2022 9:10:13 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
patricia	Individual	Oppose	Written Testimony Only

Comments:

I do not agree that any funds or staff needs to be set aside for the collection of Hawaii kingdom records. They are fine where it is and viewable by the public.

thank you have a great day.

HB-2449-HD-1

Submitted on: 3/20/2022 11:45:12 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Sheadon Freitas	Individual	Oppose	Written Testimony Only

Comments:

Aloha nui,

I humbly oppose bill HB2449 due to the fact that the state should not require organizations to submit Hawaiian collections. But rather the state should encourage and be open to creating a better system to preserve archives. **DO NOT** require other agencies and organizations to submit their collections and then abandon or neglect the archives!!

I hope you folks be pono with what this entails and think about the future consequences that may arise!

Mahalo,

Sheadon Freitas

HB-2449-HD-1

Submitted on: 3/21/2022 5:32:39 AM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Anthony Castañeda	Individual	Oppose	Written Testimony Only

Comments:

I plead to oppose HB2449 HD1 Relating to the Archives of Hawai'i. I oppose because I strongly believe that Hawaiian archives should not be seized from Hawaiian institutions. The Kingdom of Hawai'i materials are not "state" materials and for that fact, all Hawaiian documents and archives should be kept in Hawai'i, in Hawaiian hands, under Hawai'i ownership.

HB-2449-HD-1

Submitted on: 3/21/2022 9:51:32 AM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa L Chow	Individual	Oppose	Written Testimony Only

Comments:

I do not support HB2449 HD1 bill as it is written. While the need for building a new archive building is a novel idea, the Bill has future implications that are problematic for creating access issues.

I do not support the the proposal for the State Archive to "Require those documents" that are related to culture and history of Hawaii and Native Hawaiians from other State Libraries.

This is an over reach on the State Archives and has a potential to create a gate keeper situation. The description of the request is also to the point of obnoxious to demand a broad sweep of documents within the realm documents that are related to "culture and hisotry of Hawaii and Native Hawaiians."

As a researcher, instructor at the college level and high school, Executive, and a Native Hawaiian, I oppose the bill as it is written.

Lisa L Chow

HB-2449-HD-1

Submitted on: 3/21/2022 9:52:53 AM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa L Chow	Individual	Oppose	Written Testimony Only

Comments:

I do not support HB2449 HD1 bill as it is written. While the need for building a new archive building is a novel idea, the Bill has future implications that are problematic for creating access issues.

I do not support the the proposal for the State Archive to "Require those documents" that are related to culture and history of Hawaii and Native Hawaiians from other State Libraries.

This is an over reach on the State Archives and has a potential to create a gate keeper situation. The description of the request is also to the point of obnoxious to demand a broad sweep of documents within the realm documents that are related to "culture and hisotry of Hawaii and Native Hawaiians."

As a researcher, instructor at the college level and high school, Executive, and a Native Hawaiian, I oppose the bill as it is written.

Lisa L Chow

March 20, 2022

Aloha nō,

Please accept my respectful regards to the legislators and committee members considering this bill, HB2449 HD1

While I support the intention of HB 2449 HD1, I would not support its currently drafted form, as it includes actions that extend beyond the scope, purpose, and capacity of that agency.

The whole of Section I and II are important and appropriate, providing much-needed staffing and physical space for the ever-growing assembly of records and artifacts, and for the ever-increasing demands on the Hawai‘i State Archives by the general public and government agencies. I fully support this part of the bill.

The whole of Section III should be dropped, or could be amended to address only a survey of state agencies and offices to document their collections of historical records. The recognition and extraction of materials deemed to be “related to the culture and history of Hawai‘i and Native Hawaiians,” as deemed so by various agencies and the HSA, could generate a whole new level of obscurity and confusion for the archival record of Hawai‘i’s history.

The acquisition of those pertinent records *or copies (digital or facsimile)* thereof can be considered once such a survey has been completed. For many governmental, professional, scholarly, and curatorial reasons, decisions about HSA acquisition of original records or artifacts should be considered only by an appropriate and objective body under a clear set of guiding principles established in collaboration with the archival community.

Though my opinion does not represent the two institutions to which I am affiliated, they do reflect my four decades of professional experience, much of which has been directly connected to the Hawai‘i State archives, all of the other archival collections in Hawai‘i, and many of the collections in the control of various state agencies and offices.

Mahalo nui for your consideration,

M. Puakea Nogelmeier

Professor Emeritus of Hawaiian Language, U.H. Mānoa

Executive Director, Awaiaulu

HB-2449-HD-1

Submitted on: 3/21/2022 1:48:05 PM

Testimony for LCA on 3/21/2022 3:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Jay Baker	Individual	Oppose	Written Testimony Only

Comments:

Aloha kākou

I respectfully enter this testimony as a private individual.

I work as the sole librarian at Kaua‘i Community College. In my daily work, I observe students and community members using the library collection at Kaua‘i Community College to learn about the history of Hawai‘i and Kaua‘i. This legislation as written would be a significant hardship for students and researchers on the neighbor islands. For example, as a result of this legislation it would seem that in the future a student at Kaua‘i Community College would need to travel to Oahu to access documents or information about the history of Hawai‘i or Kaua‘i. The expense of this would prevent most students and researchers from accessing this important historical information effectively removing their access to their own history. I respectfully ask that the reviewers please consider how this legislation would affect the students and community members located on neighbor islands.