

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the House Committee on
WATER & LAND
Tuesday, March 25, 2025
9:40 AM
State Capitol Conference Room 411 & Videoconference

In consideration of
HOUSE RESOLUTION 186
HOUSE CONCURRENT RESOLUTION 193
REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A WORKING
GROUP TO EXAMINE AND CONSIDER THE TRANSFER OF NATIVE HAWAIIAN BURIAL
SITE MANAGEMENT UNDER CHAPTER 6E, HAWAII REVISED STATUTES, FROM THE
STATE HISTORIC PRESERVATION DIVISION TO THE OFFICE OF HAWAIIAN AFFAIRS

House Resolution 186 (HR) and companion House Concurrent Resolution 193 (HCR) requests the Office of Hawaiian Affairs to convene a working group to examine and consider the transfer of Native Hawaiian burial site management under Chapter 6E, Hawaii Revised Statutes, from the State Historic Preservation Division to the Office of Hawaiian Affairs. **The Department of Land and Natural Resources (Department) acknowledges the intent of this measure and offers comments.**

The Department recognizes the importance of protecting Native Hawaiian burial sites and the historical significance iwi kupuna hold for the Native Hawaiian community. It further recognizes that the complex and culturally sensitive nature of burial site management often prompts controversial situations that implicate the Department's State Historic Preservation Division (SHPD). SHPD has been taking a proactive approach in working with the Office of Hawaiian Affairs (OHA) to improve in areas such as standard operating procedures, interagency communication, and community relationships. Establishing a working group provides an opportunity to formalize these discussions in a collaborative environment to explore an option that could strengthen the protection of Native Hawaiian burial sites.

To ensure the working group's effectiveness, the Department recommends adding clarification on the specific "conflicts of interest, or appearance of conflicts of interest resulting from historic preservation reviews, inadvertent discoveries, descendancy claims, and making recommendations to the Island Burial Councils" on HR page 3, line 38; HCR page 4, line 1. The effectiveness of the working group will depend

on a clear understanding of these conflicts. In addition, HR page 4, line 4; HCR page 4, line 8, states that “these potential conflicts of interest may be resolved by transferring parts of the Burial Sites Program to another agency.” Without identifying these conflicts, it is difficult to determine whether a transfer to the OHA would effectively resolve them. Thus, further elaboration is essential to provide the working group with a strong and defined premise for meaningful and well-informed analysis.

The Department further recommends adding language for the working group to also consider and evaluate new or amended legislation that may address the challenges identified by the 2022 Burial Sites Working Group and improve the current structure of the burial sites program. HR page 3, line 7; HCR page 3, line 11, states that one of the 2022 Burial Sites Working Group’s key findings were “fundamental inadequacies in the laws affecting burial sites.” This suggests the existing legal framework itself is a core issue that would continue to affect the burials program whether it remains with SHPD or is transferred to OHA. Therefore, including a provision to review legislative improvements would facilitate a more comprehensive assessment of potential solutions rather than presupposing that transferring the program is the only viable solution. This further ensures that the most effective approach is identified to strengthen the burials program while also establishing a contingency should it be determined that transferring the program, in whole or in part, is not feasible. The Department recommends the following language be added on HR page 5; HCR page 5:

- (5) Identify and consider issues in the existing legislation and develop amendments that may improve the processes for protecting Native Hawaiian burial sites and the effectiveness of the current burial sites program under SHPD; and
- (56) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2027; and

The Department notes that the primary objective of this particular working group is essentially an interagency feasibility evaluation and limiting its members to representatives of OHA, SHPD, and the Island Burial Councils provides a more focused governmental perspective on the transfer’s implications for those affected State agencies. However, the Department also recognizes the importance of community input and thus, further notes that if non-governmental organizations participate in the working group, having more than one Native Hawaiian organization would promote an inclusive representation of cultural perspectives and expertise. Therefore, the Department recommends one of the following changes to HR page 5, line 22; HCR, page 5, line 26:

- (4) ~~One member representing Hua Iwi Kaumo’o, the leading repatriation and reburial advocacy organization; and~~ Five members of the community representing unique Native Hawaiian organizations with expertise and experience in protecting Native Hawaiian burial sites, that self-identify and are randomly selected by the working group from a list of names submitted; and

The Department recognizes that there are ongoing challenges in the protection of burial sites and we are committed to working collaboratively with all stakeholders, including OHA, Island Burial Councils, and the community to improve the effectiveness of the burial sites program in whichever for it may take. We remain committed to furthering discussions to determine how best to protect Native Hawaiian burial sites.

Mahalo for the opportunity to provide testimony on this measure.



TESTIMONY IN SUPPORT OF HCR193/HR186

REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A WORKING GROUP TO EXAMINE AND CONSIDER THE TRANSFER OF NATIVE HAWAIIAN BURIAL SITE MANAGEMENT UNDER CHAPTER 6E, HAWAII REVISED STATUTES, FROM THE STATE HISTORIC PRESERVATION DIVISION TO THE OFFICE OF HAWAIIAN AFFAIRS.

House Committee on Water and Land
Hawai'i State Capitol

March 25, 2025

9:40 a.m.

Conference Room 411

Dear Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

The Office of Hawaiian Affairs (OHA) submits this testimony in **STRONG SUPPORT** of HCR193, requesting that OHA convene a working group to examine and consider the transfer or partial transfer of Native Hawaiian burial site management under chapter 6E, Hawai'i Revised Statutes, from the State Historic Preservation Division (SHPD) to OHA. OHA believes that the convening of this working group bringing together government and community representatives will strengthen existing relationships and processes while also exploring the possibility of new and innovative solutions to longstanding community concerns with the historic review process, specifically as it relates to the care, management, and protection of Native Hawaiian burials.

As a matter of first principles, OHA appreciates the Legislature's continued recognition of the need to ensure the care, protection, and proper treatment of Native Hawaiian burials. As the resolution acknowledges, it is the duty of the state under article XII, section 7, of the Hawai'i State Constitution to protect the Native Hawaiian cultural and religious practice of caring for iwi kūpuna. This duty is further enshrined in chapter 6E, which declares the public policy of Hawai'i is to preserve and steward burial sites as a matter of sacred trust. However, decades of community testimony and experience have shown that the structures in place to carry out these duties are not functioning as they were intended, leading to continued desecration of iwi kūpuna across the pae 'āina.

With respect to the solution proposed by HCR193, it is both practical and appropriate to house the proposed working group examining a transfer of duties from SHPD to OHA, as well as potential statutory and regulatory amendments to strengthen burial sites protection, within OHA. Our role as the principal public agency in the state responsible for Native Hawaiian affairs, and our obligation to assess the policies and practices of other agencies that impact our beneficiaries, compel us to manage the proposed working group with care and diligence. Accepting the kuleana to convene this

working group would be an extension of OHA's longstanding efforts to protect iwi kūpuna.

Substantively, HCR193 presents a thoughtful and responsible way forward. Rather than mandating an immediate transfer of any duties from SHPD to OHA, the resolution calls for a working group that would carefully examine what duties and responsibilities may be practically assumed by OHA, whether a transfer would be in the best interests of iwi kūpuna and descendant communities, and what infrastructure is necessary to effectuate such a transfer. The working group would provide an opportunity to explore whether shifting any component of the burial sites program to a Native Hawaiian-led agency could better reflect the cultural values, legal principles, and community expectations that the law was designed to uphold, while balancing the practical implications of any such transfer. Among the "partial" transfer options the working group could examine is housing the administration of the island burial councils within OHA.

In summary, OHA stands ready to fulfill the role envisioned in this resolution, and we are committed to convening a process that is inclusive, culturally grounded, and solution oriented. Further, SHPD and OHA have recently collaborated on a number of initiatives to increase protection for iwi, including exploring solutions for iwi exposed by coastal erosion. The already open line of communication between the two agencies makes the convening of such a working group timely, as the agencies are well positioned to share information in an atmosphere of trust and mutual respect. We believe that this working group will further enable the agencies to work together to address community concerns in a transparent forum that invites public comment and input.

Mahalo nui for the opportunity to testify on this important matter. For these reasons, OHA respectfully urges the Committees to pass HCR193.

HCR-193

Submitted on: 3/23/2025 11:03:29 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Master Shelby "Pikachu" Billionaire	Ohana Unity Party & Kingdom of The Hawaiian Islands	Support	Remotely Via Zoom

Comments:

To the Honorable Legislators of the State of Hawaii,
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Subject: Full Support for H.C.R. 193 – Putting Iwi Kūpuna Care Where It Belongs

Dear Esteemed Legislators,

I'm writing to throw my heartfelt support behind House Concurrent Resolution 193 (H.C.R. No. 193)—a call to action that could finally right a long-standing wrong in how we protect Native Hawaiian burial sites, or iwi kūpuna. This resolution asks the Office of Hawaiian Affairs (OHA) to lead a working group to explore shifting burial site management from the State Historic Preservation Division (SHPD) to OHA under Chapter 6E, Hawaii Revised Statutes. It's about trust, culture, and giving Native Hawaiians the reins to care for their ancestors. Here's why this matters, with stats and benefits to back it up—tied to the sacred duty under HRS 172-11 for iwi kūpuna and allodial title lands.

Why H.C.R. 193 is a Cultural and Practical Win:

- **Fixing a Broken System:** The 2023 Burial Sites Working Group report didn't mince words—SHPD's dropped the ball. It's underfunded (\$1.2 million budget in 2023, per DLNR), understaffed (13% vacancy rate, Hawaii Budget Office), and lacks the will to protect iwi kūpuna properly. OHA's got the cultural chops and mandate to step up.
- **Self-Determination in Action:** The UN Declaration on Indigenous Rights says Native peoples—like Hawaii's 384,000 Native Hawaiians (U.S. Census, 2020)—should control their cultural sites and remains. OHA's already the state's go-to for Native Hawaiian advocacy (HRS 10-3). This aligns perfectly.
- **Conflict-Free Care:** SHPD's stuck in a bind—reviewing projects while advising burial councils. That's like refereeing your own game. In 2022, 47 inadvertent discoveries of iwi kūpuna were reported (SHPD data)—too often mishandled due to these conflicts. OHA can focus solely on protection.

Benefits for Hawaii—Rooted in HRS 172-11:

- Honoring Iwi Kūpuna: Under HRS 172-11, the state holds allodial title lands (land owned outright, often from the Kingdom era) in trust, including burial sites. Moving management to OHA ensures these sacred spots—over 10,000 known sites statewide (SHPD, 2023)—get culturally sensitive care, not bureaucratic neglect.
- Economic Boost: Protecting burial sites right cuts costly redo's. SHPD's delays have stalled projects—like the \$1.4 billion Thirty Meter Telescope saga—costing taxpayers and developers. OHA's focus could save millions annually in litigation and fixes (est. from UH Econ Research, 2022).
- Community Healing: Native Hawaiians make up 21% of the state (Census, 2020), yet 60% of desecration complaints come from their communities (OHA, 2022). This shift rebuilds trust—vital when only 36% of Americans trust government (Pew, 2023).

Stats That Hit Home:

- Burial Site Struggles: Since 1990, 6E-43 has mandated preservation, yet 30% of known sites face threats from development (Burial Sites Working Group, 2023). SHPD's backlog—over 200 pending reviews in 2023—shows it's stretched thin.
- OHA's Ready: With a \$20 million budget (2023) and staff trained in cultural stewardship, OHA's equipped to take this on—unlike SHPD's shoestring operation.
- Global Precedent: Indigenous repatriation works—Canada's First Nations reclaimed 1,500+ remains since 2015 (Canadian Gov't). Hawaii can lead too.

Tying It to HRS 172-11 and Allodial Lands:

- Sacred Duty: HRS 172-11 ensures allodial lands—often ancestral burial grounds—stay in the public trust. SHPD's mismanagement risks these sites; OHA's stewardship honors that trust, especially for the 15% of state lands tied to Hawaiian title (DLNR, 2023).
- Crime Link: Desecration fuels black-market relic trades—\$10 million globally (UNESCO, 2022). Stronger OHA oversight could curb this, protecting iwi kūpuna from theft.

Legislators, H.C.R. 193 isn't just a study—it's a step toward justice. It hands the kuleana back to Native Hawaiians, saves money, and heals old wounds—all while upholding HRS 172-11's promise. I urge you to pass this resolution and let OHA's working group pave the way by 2027. Our ancestors—and our future—deserve it. Mahalo for hearing this call from the heart of our 'āina.

Sincerely,

Master Shelby "Pikachu" Billionaire, HRM

Ohana Unity Party, Chairman

www.Ohanaunityparty.com

Why This Resolution is Important

H.C.R. 193 is a big deal because it tackles a messy problem: the state's been fumbling the protection of Native Hawaiian burial sites (iwi kūpuna) for years. Right now, the State Historic Preservation Division (SHPD) under the Department of Land and Natural Resources (DLNR) handles this under Chapter 6E, HRS, but it's not working—underfunding, conflicts of interest, and a lack of cultural focus have left sacred sites vulnerable. This resolution asks OHA to figure out if they can take over, which ties directly to HRS 172-11—a law about allodial title lands (land owned free and clear, often from the Hawaiian Kingdom) held in trust by the state, including burial grounds.

Why It's a Game-Changer:

- **Cultural Respect:** Native Hawaiians see iwi kūpuna as living connections to their past. SHPD's track record—47 mishandled discoveries in 2022—shows it's not up to the task. OHA, built for Native Hawaiian advocacy, can do it right.
- **Land Trust Duty:** HRS 172-11 says the state must protect these lands for the public good. Burial sites on allodial lands—like the 15% of state holdings with Hawaiian roots—are at risk without proper care. OHA's involvement honors that trust.
- **Practical Fixes:** SHPD's delays cost money and spark lawsuits—think \$50 million+ in project overruns since 2010 (est. from legislative audits). OHA could streamline this, saving cash and headaches.
- **Stopping Desecration:** Weak oversight lets thieves and developers disturb sites—part of a \$10 million global relic trade (UNESCO). OHA's focus could shut that down, protecting both culture and law.

For the average citizen, this means a government that respects its roots, saves your tax dollars, and keeps sacred lands safe—whether you're Native Hawaiian or just care about Hawaii's soul. It's a win for history, economy, and justice.

HCR-193

Submitted on: 3/23/2025 3:06:16 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Joanne Okika Shigeko Qinaau	Pilina Center for Wellbeing	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo’o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.
Jo Qina`au

Founder, Pilina Center for Wellbeing



March 23, 2025

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

This letter is being written on behalf of the Ko'olauloa Hawaiian Civic Club in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law's express recognition that "all burial sites are significant" and the state's constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo'o would collaboratively explore whether transferring any of SHPD's burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae 'āina.

Respectfully Submitted,

Raynae Fonoimoana

Raynae Fonoimoana
Ko'olauloa Hawaiian Civic Club President
Ko'olauloa Hawaiian Civic Club Membership

HCR-193

Submitted on: 3/23/2025 10:17:18 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Hale Hikalea	Pu'uhonua o Wailupe	Support	Written Testimony Only

Comments:

I'm writing in support of HCR 193 granting OHA the authority to form a working group. This giving OHA the ability to transfer the Native Hawaiian Burial sites Management. From State Historic Preservation Division to Office of Hawaiian Affairs.

Mahalo nui,

HCR-193

Submitted on: 3/24/2025 8:21:32 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelley Uyeoka	Nohopapa Hawai'i, LLC	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law's express recognition that "all burial sites are significant" and the state's constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo'o would collaboratively explore whether transferring any of SHPD's burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae 'āina.

Mahalo for the opportunity to testify.
Kelley Uyeoka

HCR-193

Submitted on: 3/24/2025 8:24:03 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Kelley Uyeoka	Huliauapa'a	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.
Kelley Uyeoka, Executive Director, Huliauapa‘a



Environmental Caucus of The Democratic Party of Hawai'i

March 24, 2025

Testimony in Support of HR186/HCR193 - Native Hawaiian Burial Site Management

To: Chair Mark J. Hashem, Vice Chair Rachele F. Lamasao, and Members of the Committee on Water & Land

Date: Tuesday, March 25, 2025 **Time:** 9:40 a.m.

Place: Conference Room 411 & Videoconference

Aloha Chair Hashem, Vice Chair Lamasao, and Members of the Committee:

The Environmental Caucus of the Democratic Party of Hawaii submits this testimony in strong support of HR186/HCR193, requesting the Office of Hawaiian Affairs (OHA) to convene a working group to examine and consider the transfer of Native Hawaiian burial site management under Chapter 6E, Hawaii Revised Statutes, from the State Historic Preservation Division to OHA.

Key Points in Support:

- Native Hawaiian burial sites hold profound cultural and spiritual significance, and their management should reflect the values and traditions of the Native Hawaiian community.
- Transferring management to OHA ensures that decisions regarding burial sites are guided by Native Hawaiian perspectives and expertise, fostering culturally appropriate stewardship.
- Establishing a working group allows for a thorough examination of the implications of this transfer, including legal, logistical, and community considerations.
- This initiative aligns with the Environmental Caucus's commitment to supporting policies that empower Native Hawaiian organizations and promote the preservation of cultural heritage.
- Advancing HR186/HCR193 demonstrates Hawaii's dedication to honoring its indigenous culture and ensuring respectful treatment of sacred sites.

Mahalo for the opportunity to provide this testimony.

Sincerely,

Melodie Aduja and Alan Burdick

Co-chairs, Environmental Caucus of the Democratic Party of Hawaii

HCR-193

Submitted on: 3/24/2025 10:19:30 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Elaine SanJose	Kahua O Kakou, Hui (Corp) Humu'ula Kala'i'eha LLC	Support	Written Testimony Only

Comments:

[View this email in your browser](#)

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law's express recognition that "all burial sites are significant" and the state's constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo'o would collaboratively explore whether transferring any of SHPD's burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.

Elaine P.K. SanJose

P.O. Box 6329 Hilo, Hawai'i 96720

aka Hawai'i o Keawe

808-747-1048

humuularanch1847@gmail.com

HCR-193

Submitted on: 3/24/2025 1:19:27 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Edward Halealoha Ayau	Hui Iwi Kuamo'o	Support	In Person

Comments:

I support this resolution contingent on OHA withdrawing SB268. This resolution seeks to address the real problems plaguing the burial sites program whereas the later measure is intended only to placate the ego on one person. Not a good think to risk the care and protection of the iwi kupuna for low hanging fruit.

Ola nā iwi,

Edward Halealoha Ayau

HCR-193

Submitted on: 3/24/2025 5:07:39 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Clare Apana	Mlama Kakanilua	Oppose	Remotely Via Zoom

Comments:

Malama Kakanilua has been a organization whos purpose is to protect our iwi kumuna burials. We do not agree that a State agency should ever have control of our Iwi Kupuna. OHA has repeatedly demonstrated their lack of followthrough in protecting our iwi kupuna. It is simply not the place of a State agency to speak for our burials or to control their wherabouts.

HCR-193

Submitted on: 3/20/2025 6:17:30 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Leimomi Khan	Individual	Support	Written Testimony Only

Comments:

Support.

HCR-193

Submitted on: 3/22/2025 3:32:13 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Marilyn Moniz	Individual	Support	Written Testimony Only

Comments:

Collaboration between the parties and OHA to create a better way to ensure the protection of the Iwi is a priority.

HCR-193

Submitted on: 3/22/2025 3:46:27 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
RUTH LOPEZ	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.

Ruth Lopez

ruth@socialcoherencevillage.org

HCR-193

Submitted on: 3/22/2025 3:57:31 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Lily Cabinatan	Individual	Support	Written Testimony Only

Comments:

The Hawaiians need to be respected especially their burial grounds and the people laying at rest.

HCR-193

Submitted on: 3/22/2025 4:18:34 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Ezgi Green	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land,

I hope this message finds you well. I am writing to express my support for HCR193.

Native Hawaiian burial sites are of great importance and deserve our utmost protection. HRS chapter 6E outlines the processes for identifying and respectfully handling Native Hawaiian burials. However, the effectiveness of this law relies heavily on sufficient resources and proper implementation. Unfortunately, the State Historic Preservation Division (SHPD) has faced challenges with staffing and funding, leading to situations where Native Hawaiian burials are sometimes disturbed and not handled appropriately. This occurs despite the law's explicit acknowledgment of the significance of all burial sites and the state's commitment to safeguarding Native Hawaiian traditions.

It is essential to explore collaborative solutions. Under HCR 193, a working group of OHA, SHPD, and community representatives selected from the island burial councils and Hui Iwi Kuamo'o would investigate transferring specific burial site responsibilities from SHPD to OHA. The goal would be to enhance the protection of iwi kūpuna. This group would evaluate essential factors such as timelines, funding, staffing, and any necessary legal changes to facilitate this transfer efficiently. A thoughtful and collaborative approach is crucial to ensure that any potential changes strengthen the protection of iwi kūpuna without disrupting the program.

I kindly urge you to support HCR193, which would enable the involved parties to work together to improve the protection of iwi kūpuna throughout the pae 'āina. Thank you for considering this important matter.

Mahalo for the opportunity to testify.

Ezgi Green

HCR-193

Submitted on: 3/22/2025 4:46:55 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Ronnie N Inagaki	Individual	Support	Written Testimony Only

Comments:

****Testimony in Support of HCR193 with Comments****

TO: ****COMMITTEE ON WATER & LAND****

Rep. Mark J. Hashem, Chair , Rep. Rachele F. Lamosao, Vice Chair, and Committee Members

Hearing Date: Tuesday, March 25, 2025 @ 9:40am

Re: HCR193 – REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO CONVENE A WORKING GROUP TO EXAMINE AND CONSIDER THE TRANSFER OF NATIVE HAWAIIAN BURIAL SITE MANAGEMENT UNDER CHAPTER 6E, HAWAII REVISED STATUTES, FROM THE STATE HISTORIC PRESERVATION DIVISION TO THE OFFICE OF HAWAIIAN AFFAIRS**

Aloha Chair Hashem, Vice Chair Lamosao, and Members of the Committee,

My name is Ronnie Inagaki, and I am submitting testimony in ****strong support**** of HCR193, which seeks to establish a working group led by the Office of Hawaiian Affairs (OHA) to examine the feasibility of transferring Native Hawaiian burial site management responsibilities from the State Historic Preservation Division (SHPD) to OHA. This resolution represents a significant step toward protecting and preserving Native Hawaiian cultural and spiritual practices regarding iwi kūpuna (ancestral remains).

****Support for HCR193****

1. ****Alignment with Native Hawaiian Values and Rights****

The protection of iwi kūpuna is deeply rooted in Native Hawaiian cultural and spiritual traditions. Article XII, Section 7 of the Hawai‘i State Constitution, and the United Nations Declaration on the Rights of Indigenous Peoples affirm the rights of Native Hawaiians to maintain and protect their religious and cultural sites. OHA, as an institution founded to advocate for Native Hawaiian interests, is better positioned to uphold these values compared to SHPD.

2. ****Addressing SHPD’s Historical Challenges****

The 2022 Burial Sites Working Group report identified serious concerns with SHPD's management of burial sites, including:

- Inadequate resources and staffing.
- A lack of will to fulfill burial law responsibilities.
- Systemic inadequacies in burial-related laws.

Transferring management to OHA could address these issues by placing the kuleana (responsibility) with an organization that has a vested interest in protecting Native Hawaiian culture and iwi kūpuna.

3. ****Resolving Conflicts of Interest****

SHPD's dual responsibilities in historic preservation and burial site management have created potential conflicts of interest, especially when preservation reviews intersect with burial issues. Transferring burial site management to OHA would eliminate these conflicts and ensure that iwi kūpuna are treated with the respect and care they deserve.

4. ****Empowering Native Hawaiian Self-Determination****

This resolution aligns with the broader goal of Native Hawaiian self-determination. By transferring responsibilities to OHA, Native Hawaiians gain greater control over the stewardship of their cultural and spiritual heritage.

****Comments and Recommendations****

While I support HCR193, I would like to offer the following comments and recommendations:

1. ****Ensuring Adequate Resources for OHA****

Transferring burial site management to OHA will require significant resources, including staffing, funding, and technological infrastructure. It is crucial that the working group develops a comprehensive implementation plan that accounts for these needs to prevent OHA from being overburdened.

2. ****Clear Timelines and Accountability****

The working group is tasked with submitting a report to the Legislature by 2027. While this timeline is reasonable for developing a thorough plan, interim updates to the Legislature should be required to ensure the process remains transparent and on track.

3. ****Engagement with Island Burial Councils and Community Stakeholders****

The inclusion of Island Burial Council members in the working group is a positive step. However, the working group must also ensure robust and meaningful engagement with Native Hawaiian communities and cultural practitioners across the islands to develop solutions that reflect the collective will and expertise of the lāhui (people).

4. ****Consideration of Immediate Issues****

While the working group deliberates on the transfer of responsibilities, urgent issues related to burial site management must still be addressed. The resolution should include language to ensure that SHPD continues to fulfill its responsibilities during the transition period.

5. ****Incorporating Recommendations from the 2022 Burial Sites Working Group****

The working group should prioritize the implementation of recommendations from the 2022 report, which reflect extensive community input and expert analysis. These recommendations provide a strong foundation for improving burial site management.

****Conclusion****

HCR193 is an important and necessary resolution that addresses long-standing issues with the management of Native Hawaiian burial sites. By transferring responsibilities to OHA, we can ensure that iwi kūpuna are cared for in a manner consistent with Native Hawaiian values and cultural practices. I urge the Committee to pass this resolution, ensuring that the working group has the resources and support it needs to succeed.

Mahalo for the opportunity to testify on this important measure.

Respectfully submitted,

Ronnie Inagaki

HCR-193

Submitted on: 3/22/2025 5:21:34 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephen T Hazam	Individual	Oppose	Written Testimony Only

Comments:

Please OPPOSE HCR193

This is a waste of resources. SHPD could use more resources to better fulfill their duties, but a transfer of responsibility to another agency would do nothing but unnecessarily spend needed resources and add costs and confusion.

Please OPPOSE HCR193

HCR-193

Submitted on: 3/22/2025 5:26:56 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Holst	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.
Mark Holst

408-334-4874

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation.

Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law's express recognition that "all burial sites are significant" and the state's constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo'o would collaboratively explore whether transferring any of SHPD's burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae 'āina.

Mahalo for the opportunity to testify.

Fredrick Yomes

fyomes@yahoo.com

HCR-193

Submitted on: 3/22/2025 6:36:10 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Bodien	Individual	Support	Written Testimony Only

Comments:

Aloha,

This is a no brainer. Protect the sacred burial sites.

Mahalo,

Richard

Hawi, Hawai'i

HCR-193

Submitted on: 3/22/2025 7:05:28 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Lauren Kepa‘a-Tam Sing	Individual	Support	Written Testimony Only

Comments:

I strongly **support** HCR193 and HR186.

HCR-193

Submitted on: 3/22/2025 7:42:24 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Tracey	Individual	Support	Written Testimony Only

Comments:

I strongly support HCR 193 and HR186

HCR-193

Submitted on: 3/22/2025 7:50:59 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Ahia Dye	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.

Ahia Dye

HCR-193

Submitted on: 3/22/2025 8:13:51 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Banner Fanene	Individual	Support	Written Testimony Only

Comments:

Aloha -

I strongly support HCR193

Mahalo

HCR-193

Submitted on: 3/23/2025 3:22:30 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Beth Coffey	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.

Beth Coffey

bethcoffey@gmail.com

HCR-193

Submitted on: 3/23/2025 3:48:43 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Colin McCubbin	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.

Me ka ha‘aheo,

Colin

HCR-193

Submitted on: 3/23/2025 4:46:01 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Dylan Okihiro	Individual	Support	Written Testimony Only

Comments:

I support HCR 193 to give Kānaka Maoli more control over iwi kūpuna and ensure that they are properly and respectfully handled.

I am in support of HCR193 to assist with better protecting iwi kūpuna since it seems there are problems with the existing protocol. We cannot allow the remains of our kūpuna to be treated disrespectfully.

Mahalo.

Moana Heu

HCR-193

Submitted on: 3/23/2025 8:05:37 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
N. Uilani Barrett-Tau	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to submit my testimony,

Noel U Barrett-Tau

uilanibt@gmail.com

HCR-193

Submitted on: 3/23/2025 8:06:05 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Jezelyn Gonsalves	Individual	Support	Written Testimony Only

Comments:

To whom this may concern,

My name is Jezelyn Gonsalves and I am from Lahaina, Maui. I support this bill because for many years the State, specifically SHPD, has failed to protect Iwi Kūpuna. Many have been dug up, kept in boxes, relocated without the proper protocol and respect they deserve. OHA should be put in charge as they should specialize in situations such as this. Mahalo nui for your time.

HCR-193

Submitted on: 3/23/2025 8:26:14 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Leilani Keli'ikipi	Individual	Support	Remotely Via Zoom

Comments:

TESTIMONY IN STRONG SUPPORT OF HCR 193 – RELATING TO STRENGTHENING BURIAL SITES PROTECTION

House Committee on Water and Land

Hearing Date: 3/24/2025

Honorable Chair Mark Hashem, Vice Chair Rachele Lamosao, and Members of the House Committee on Water and Land:

Aloha, my name is Leilani Keli'ikipi, and I am a resident of Lāhaina, Maui, living on my family's Kuleana land where my 'ohana has resided for generations, with our genealogy tracing back to the 1600s. I am submitting this testimony in strong support of HCR 193, which seeks to establish a working group to explore transferring the care, management, and protection of iwi kūpuna from the State Historic Preservation Division (SHPD) to the Office of Hawaiian Affairs (OHA).

As a caretaker of my ancestral Kuleana lands, I hold a profound kuleana (responsibility) to protect the final resting places of our kūpuna. The land I live upon is not merely property; it is the foundation of our lineage, the very place where the bones of my ancestors rest. These iwi kūpuna are sacred, embodying our familial and cultural connection to the land, and they deserve to rest undisturbed, shielded from exploitation and intrusion.

Unfortunately, the current system under SHPD has consistently failed to protect our iwi kūpuna adequately. Notably, the SHPD has:

- Failed to support the Burial Councils and manage their appointments effectively, resulting in councils that are not properly constituted to render legally binding decisions. This chronic issue undermines the protection of burial sites and the voices of those who seek to safeguard them.
- Neglected to provide effective training to Burial Sites Program staff and Burial Council members, hindering their ability to fulfill their legal and cultural duties. This lack of training leads to mismanagement and inadequate protection of iwi kūpuna.
- Demonstrated a lack of will to fulfill its burial law responsibilities, including failing to advocate for adequate resources to administer burial laws and protect Native Hawaiian burial sites.

These systemic issues within SHPD have led to the mishandling of burial protections across Hawai‘i, underscoring the need for a different approach—one that genuinely understands and respects Native Hawaiian cultural practices.

OHA, as an entity rooted in Native Hawaiian values and guided by the principle of mālama (care, preservation), is far better suited to protect our burial sites. OHA’s dedication to advocating for iwi kūpuna, its collaborative approach with communities, and its cultural expertise make it the appropriate entity to manage this critical responsibility. Transferring this kuleana to OHA would be a step toward correcting historical injustices and ensuring that the dignity of our ancestors is upheld.

For those of us residing on Kuleana lands, this issue is personal, urgent, and essential to our cultural survival. The iwi kūpuna resting on my family’s property deserve protection grounded in our own cultural understanding and practices, free from the risk of unnecessary intrusion, exposure, or removal. Passing HCR 193 is a necessary step toward establishing a framework that genuinely acknowledges and respects the sacredness of burial sites according to our traditions.

I respectfully urge this committee to support HCR 193 and empower OHA to establish a more culturally appropriate and respectful process for the care, management, and protection of iwi kūpuna. This action would demonstrate the State's genuine commitment to righting past wrongs and preserving the dignity of our kūpuna for future generations.

Mahalo nui loa for your time and consideration of this deeply important matter.

With deepest respect,

Leilani Keli'ikipi

Lāhaina, Maui

HCR-193

Submitted on: 3/23/2025 8:33:42 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
KAMUELA DIZON	Individual	Support	Written Testimony Only

Comments:

TESTIMONY IN STRONG SUPPORT OF HCR 193 – RELATING TO STRENGTHENING BURIAL SITES PROTECTION

House Committee on Water and Land

Hearing Date: 3/24/2025

Honorable Chair Mark Hashem, Vice Chair Rachele Lamosao, and Members of the Committee,

Aloha, my name is Kamuela Dizon, and I am a resident of Lāhaina, Maui, living on my family’s Kuleana land where my ‘ohana has lived for generations. I am submitting this testimony in strong support of HCR 193, which seeks to transfer the care, management, and protection of iwi kūpuna from the State Historic Preservation Division (SHPD) to the Office of Hawaiian Affairs (OHA).

As a caretaker of Kuleana land, protecting the resting places of my ancestors is a responsibility I take seriously. The SHPD has repeatedly failed to properly protect burial sites, allowing harmful development and ignoring cultural protocols. Our iwi kūpuna deserve better.

OHA, with its commitment to mālama (care) and cultural understanding, is better suited to provide the respectful protection our ancestors deserve. I urge the committee to support HCR 193 and allow OHA to create a culturally appropriate system that truly honors and safeguards our iwi kūpuna.

Mahalo for your time and consideration.

Respectfully,

Kamuela Dizon

Lāhaina, Maui

HCR-193

Submitted on: 3/23/2025 10:12:56 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Kimmer Horsen	Individual	Support	In Person

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.

Kimmer Horsen

HCR-193

Submitted on: 3/23/2025 10:44:15 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Theodore Robert Norman Jr	Individual	Oppose	Written Testimony Only

Comments:

I Oppose Bill HCR 193 and HR 186 for reasons that OHA and Hui Iwi Kuamoo want to take away the rights along with the decisions of Recognized Lineal and Cultural Descendants. I am a recognized Lineal and Cultural Descendant. I am also a cultural practitioner for over 25 years that repatriated many Kupuna Iwi on Oahu and Hawai'i Island. All the work I do to Malama Iwi Lupuna is voluntary and paid out of my own pocket. This Bill is another attempt by OHA by the guidance and paid interests of Hui Iwi Kuamoo formerly Hui Malama I Na Kupuna. They want to override my rights and proven genealogy through the State. They also want to be able to see my Private genealogy information to benefit and connect to serve there interest and purpose.. Under the current laws the State protects my private information along with the State Attornerys Office. OHA does not have that same protection. OHA and Hui Iwi Kuamoo already have a conflict of interest. Hui Iwi Kuamoo works under Grants provided by OHA.

Please vote against this Bill because it does not serve the best interests of the Native Hawallan People, the Lineal, and Cultural Descendants..

Sincerly,

Theodore Norman Jr, aka Kekua Norman

HCR-193

Submitted on: 3/23/2025 12:40:11 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Johne Constance Colahan	Individual	Support	Written Testimony Only

Comments:

I support ORA'S stand on HCR193

HCR-193

Submitted on: 3/23/2025 1:13:15 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Keala Norman	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Carolyn Keala Norman. I am a State vetted recognized lineal and cultural descendant. I have been a practitioner in malama I na iwi kupuna, the care and protection of ancestral bones for over 25 years.

I have stood shoulder to shoulder with my Auntie Paulette Ka'anohi Kaleikini who is my mother's youngest sister, my mother, siblings, sons, nieces and nephews fighting to protect the iwi kupuna, ancestral bones at various locations in Waikiki, Kaka'ako, Kalihi, Ewa and Hawai'i Island. Some of these areas are the Walmart Ke'eaumoku, Alexander and Baldwin's Waihonua Condominium, HART, the then General Growth Properties Ward Village and Hokuli'a.

I oppose HCR 193 and HR 186.

These resolutions present a conflict of interest because Edward Halealoha Ayau is the Vice President of the Burial Sites Working Group, the founder of Hui Iwi Kuamo'o, and Hui Iwi Kuamo'o receives grants from OHA.

Edward Halealoha Ayau and Hui Iwi Kuamo'o consider their organization the ultimate authority on malama iwi kupuna practices, despite many families continuing to follow their traditional ohana ways for centuries.

HCR 193 and HR 186 would allow Edward Halealoha Ayau, Hui Iwi Kuamo'o, Burial Sites Working Group and OHA access to the private genealogies, my family's genealogy and of the families involved in the cultural practice of the care and protection of ancestral bones, that we submit to SHPD. Our genealogy is currently protected by the State Historic Preservation Division (SHPD) and the Attorney General.

Under HCR 193 and HR 186, our genealogy will not be protected. Our genealogy will be subjected to possible fraud and abuse.

I do not want Edward Halealoha Ayau, Hui Iwi Kuamo'o, A Burial Sites Working Group or OHA to have access to our private genealogy. **I do not want** Edward Halealoha Ayau, Hui Iwi Kuamo'o, A Burial Sites Working Group or OHA impose their political beliefs, and or cultural practices and beliefs on me and my ohana.

Rather than involving OHA, Hui Iwi Kuamo'o and a Burial Sites Working Group in the State Historic Preservation Division 6E process, what needs to be addressed is the long-standing staffing shortages at SHPD, which have persisted for over 20 years.

I strongly oppose HCR 193 and HR 186.

Mahalo nui,

Carolyn Keala Norman

HCR-193

Submitted on: 3/23/2025 2:29:17 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Lion Fiyah	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.

My respects,

Lion Fiyah

HCR-193

Submitted on: 3/23/2025 3:17:34 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
mary drayer	Individual	Support	Written Testimony Only

Comments:

i am in strong support of HCR193 - it has been too long that iwi kūpuna have been unearthed, and improperly treated, by developers and land owners, despite laws that require them to work with SHPD, cultural, and lineal descendents to protect all iwi.

HCR193 recognized and reaffirms the duty of the State to enforce these laws.

Kū Kia'i 'Āina - Kū Kia'i Iwi

Mahalo

Mary Drayer

557 Imi Dr

Wailuku, Hi 96793

HCR-193

Submitted on: 3/23/2025 3:21:12 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Ann K Poire	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.
Elizabeth "Napua" Poire
napua_poire2004@yahoo.com

HCR-193

Submitted on: 3/23/2025 3:53:21 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Tadia Rice	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.
Tadia Rice

tadiarice@gmail.com

808.286.2313

HCR-193

Submitted on: 3/23/2025 7:05:19 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Brenten Kanoa Yamane	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law's express recognition that "all burial sites are significant" and the state's constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo'o would collaboratively explore whether transferring any of SHPD's burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae 'āina.

Mahalo for the opportunity to testify.

Brenten Kanoa Yamane

brentenyamane@gmail.com

HCR-193

Submitted on: 3/23/2025 7:48:23 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Rik Masterson	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

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Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.

Rik Masterson

Hilo Hi

rikmasterson@hotmail.com

HCR-193

Submitted on: 3/23/2025 8:44:06 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Diane Napua Reyes McHugh	Individual	Oppose	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamososao, and members of the House Committee on Water and Land: I am writing in strong opposition to support of HCR193. OHA has responsibilities that require their attention such as Kuleana land review in accordance with current laws. OHA is understaffed to properly manage their responsibilities to native Hawaiians. SHPD, although understaffed, they have properly managed requests and approvals of burial site protections.

Mahalo for the opportunity to testify. Diane Napua Reyes Mchugh, 505-412-9716, Linear descendant of William Kapaona family

HCR-193

Submitted on: 3/23/2025 9:50:40 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Loraine Kanervisto	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.

Loraine Kanervisto

HCR-193

Submitted on: 3/23/2025 11:50:03 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Napua Froman	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.

Napua Froman

nfroman@hotmail.com

HCR-193

Submitted on: 3/24/2025 5:22:56 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Kalani	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

Mahalo for the opportunity to testify.

Kalani Ah Toong

HCR-193

Submitted on: 3/24/2025 6:06:20 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Iolani Kuoha	Individual	Support	Written Testimony Only

Comments:

Subject: Strong Support for HCR193 – Strengthening Burial Site Protections

Aloha Chair Hashem, Vice Chair Lamosao, and Members of the Committee,

I am writing to express my strong support for HCR193, which seeks to strengthen protections for Native Hawaiian burials by requesting the Office of Hawaiian Affairs (OHA) to convene a working group to explore the transfer of oversight responsibilities from the State Historic Preservation Division (SHPD).

Despite existing laws, iwi kūpuna continue to be disturbed across the pae ‘āina. The findings of the 2022 Burial Sites Working Group clearly show that the state has not adequately upheld its responsibilities under Hawai‘i Revised Statutes Chapter 6E. The lack of proper enforcement, coupled with systemic inadequacies, has resulted in ongoing desecration and distress within the Native Hawaiian community.

HCR193 is a critical step forward in ensuring that burial protections align with the cultural, historical, and spiritual significance of iwi kūpuna. By including representatives from OHA, SHPD, the five island burial councils, and Hui Iwi Kuamo‘o, this measure ensures that key stakeholders—especially cultural and lineal descendants—are involved in shaping policies that directly impact their heritage.

I urge the committee to pass HCR193 to uphold the state’s constitutional duty to protect Native Hawaiian cultural practices and ensure that iwi kūpuna are treated with the dignity and respect they deserve.

Mahalo for your time and consideration.

Me ka ‘oia‘i‘o,

‘Iolani Kuoha

HCR-193

Submitted on: 3/24/2025 6:49:41 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Roslyn Cummings	Individual	Comments	Written Testimony Only

Comments:

Affidavit in Support of HCR 193: Strengthening Protection for Native Hawaiian Burial Sites

State of Hawai‘i

County of Kaua‘i

Affiant: Roslyn Cummings

Address: Kalaheo, Ahupua‘a

Phone: 808-652-9918

Email: roslyncummings@ymail.com

Affidavit:

I, Roslyn Cummings, being duly sworn, depose and state the following:

1. Personal Background:

- I am a Kanaka Maoli, Wahine Maoli, and Ho‘oilina of Kaua‘i Moku, Hawai‘i Nei. I carry kuleana over nā iwi kūpuna and our ancestral waiwai (cultural and spiritual resources).

2. Purpose of Affidavit:

- This affidavit is submitted in strong support of House Concurrent Resolution 193 (HCR 193), which proposes that the Office of Hawaiian Affairs (OHA) convene a working group to assess the possible transfer of responsibilities regarding Hawaiian burial sites from the State Historic Preservation Division (SHPD) to OHA. I intentionally do not refer to our ancestors as 'Native Hawaiian burials' because our kūpuna were not United States citizens. They are Hawaiian Kingdom nationals and their identity must be respected.

3. Significance of Hawaiian Burial Sites:

- Hawai‘i’s ilina (burial grounds) and the iwi kūpuna (ancestral remains) are sacred. They hold immense spiritual, genealogical, and cultural value. These sites are an irreplaceable part of our cultural heritage and identity.

4. Current Challenges:

- Despite legal protections under HRS Chapter 6E, many burial sites continue to be disturbed or disregarded. Excuses of underfunding and lack of staffing by SHPD have become systemic barriers to proper protection.
- Communities across Hawai‘i express increasing frustration with the lack of enforcement, transparency, and cultural alignment in the current management of iwi kūpuna.

5. Previous Findings and Recommendations:

- A 2022 burial sites working group, convened by OHA, acknowledged several critical failures:
 - Inadequate management of burial protections by the state
 - Lack of political and institutional will to uphold responsibilities
 - Structural and legal deficiencies in current burial law

6. Support for HCR 193:

- HCR 193 proposes a path toward a more responsive and culturally grounded system by including representatives from OHA, SHPD, all island burial councils, and Hui Iwi Kuamo‘o to evaluate such a transition.
- The working group must prioritize the voice of lineal descendants and protect the sacredness of burial sites, not just their administrative classification.

7. State and OHA Fiduciary Responsibility:

- The State of Hawai‘i has a constitutional and public trust duty to protect Hawaiian cultural practices, including the proper care of iwi kūpuna.
- The Office of Hawaiian Affairs (OHA), created to serve as a fiduciary for the betterment of Kanaka Maoli, must be held to that standard.
- Why has OHA not initiated legal action to defend the sepulture rights of Kanaka Maoli? Has it failed in its fiduciary duty by standing idle as burial grounds are desecrated or mismanaged?
- What legal or administrative remedies has OHA pursued, and if not, why not?

8. Conclusion:

- I urge that any restructured burial protection framework center the voices of ho‘oilina and ho‘a‘ina.
- Let this resolution become a moment of reckoning—not only with the inadequacies of the past but with the kuleana of the present.
- Our kūpuna deserve more than consultation. They deserve justice, protection, and remembrance guided by truth and law.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

signature:

Roslyn Cummings

Date: 03/24/2025

HCR-193

Submitted on: 3/24/2025 7:25:01 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Mia Sado-Magbual	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law's express recognition that "all burial sites are significant" and the state's constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo'o would collaboratively explore whether transferring any of SHPD's burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae 'āina.

Mahalo for the opportunity to testify.

Mia Kaulana Sado-Magbual

Mauiwahine54@hotmail.com

808-357-3633

HCR-193

Submitted on: 3/24/2025 9:26:56 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Erin ODonnell	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Hashem, Vice Chair Lamosao, and Members of the House Committee on Water and Land:

I am writing in strong support of HCR193.

Native Hawaiian burial sites are sacred and must be protected. HRS chapter 6E sets forth procedures to identify Native Hawaiian burials and ensure their respectful treatment but success of the law is dependent upon adequate resources and implementation. Unfortunately, SHPD has historically been understaffed and underfunded. As a result, Native Hawaiian burials continue to be unearthed and mismanaged despite the law’s express recognition that “all burial sites are significant” and the state’s constitutional obligation to protect Native Hawaiian practices.

Collaborative solutions are necessary. Under HCR 193, OHA, SHPD, and community representatives elected through the island burial councils and Hui Iwi Kuamo‘o would collaboratively explore whether transferring any of SHPD’s burial site duties to OHA would improve protection of iwi kūpuna. The working group would consider timelines, funding, staffing, and statutory and regulatory amendments necessary to operationalize any transfer. A measured, collaborative approach is necessary to ensure that any changes increase protection of iwi kupuna and are not overly disruptive to the existing program.

Please PASS HCR193 to allow the affected parties to collaborate on ways to improve protection of iwi kūpuna across the pae ‘āina.

HCR-193

Submitted on: 3/24/2025 10:03:40 AM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Regina Gregory	Individual	Support	Written Testimony Only

Comments:

support

Testimony in support of HCR 193

Aloha nui kākou,

Please accept this testimony in **support** of the passage of HCR 193 for the following reasons:

- Native Hawaiian burials continue to be unearthed across the pae ‘āina despite laws in place requiring that landowners work with SHPD and cultural and lineal descendants on burial site protection.
- HCR193 takes a critical step forward by requesting OHA to convene a working group to explore whether transferring any portion of the Native Hawaiian burial sites program from SHPD to OHA would better protect iwi kūpuna.
- The working group would be comprised of representatives from OHA, SHPD, each of the five island burial councils and Hui Iwi Kuamo‘o, ensuring community representation and information sharing between the affected agencies.
- HCR193 also recognizes and reaffirms the state’s duty under Hawai‘i’s Constitution to protect Native Hawaiian cultural practices related to mālama iwi.
- As someone who has had direct experience with registering known kūpuna burial sites, I think this working group is needed to find ways to strengthen the protection of iwi kūpuna because the current system is just not working. It relies too heavily on landowners’ voluntary compliance with regulations, including regarding **known burial sites**, without adequate monitoring occurring.

Background

- Under Hawai‘i Revised Statutes (HRS) Chapter 6E, SHPD administers the State’s historic review program which currently includes oversight of Native Hawaiian burials.
- In 1990, in enacting the amendments to Chapter 6E, HRS, to strengthen burial site protections, the Legislature found that “Native Hawaiian traditional prehistoric and unmarked burials are especially vulnerable and often not afforded the protection of law which assures dignity and freedom from unnecessary disturbance.”
- In 2022, as directed by Senate and House Resolutions, OHA convened a burial sites working group (BSWG) to investigate the treatment of Native Hawaiian burials and make recommendations for improvement.
- The BSWG determined that: (1) the state has failed to adequately manage its burial law responsibilities; (2) the state has demonstrated a lack of will to fulfill its burial law responsibilities; and (3) there are fundamental inadequacies in the burial law.
- HCR193 would continue the work of the BSWG by considering whether transferring to, or sharing oversight of Native Hawaiian burials with, OHA would help address the community's critical concerns.

Please support passage of HCR 193. Mahalo nui loa.

Julian Keikilani Ako

HCR-193

Submitted on: 3/24/2025 1:09:35 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
sunnie Kupahu	Individual	Support	Written Testimony Only

Comments:

I support oha

HCR-193

Submitted on: 3/24/2025 5:29:20 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Kauai Hill	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this measure. The state should not have this control. Should stay with the counties at least.

HCR-193

Submitted on: 3/24/2025 6:21:38 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Kealii Makekau	Individual	Support	Written Testimony Only

Comments:

Pass this bill

HCR-193

Submitted on: 3/24/2025 10:41:44 PM

Testimony for WAL on 3/25/2025 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Cheryl Hotta	Individual	Oppose	Written Testimony Only

Comments:

Aloha mai kākou,

My name is **Cheryl Hotta**, a Kanaka Maoli, advocate, and descendant who carries kuleana for the protection of our iwi kūpuna and the lands that hold them. I strongly oppose H.C.R. No. 193, which proposes to convene a working group to explore the transfer of burial site management from the State Historic Preservation Division (SHPD) to the Office of Hawaiian Affairs (OHA).

While on the surface this may appear to be a step toward self-determination, this resolution simply **shifts the same colonial structure from one state-controlled agency to another** without meaningfully empowering lineal descendants or grassroots cultural practitioners. It repeats the pattern of **top-down governance**—a continued failure to return kuleana to the people who hold it by birth, by blood, and by practice.

Major Concerns & Negative Impacts:

1. Same System, Different Agency

This resolution does not dismantle the systems that have failed our iwi; it **reshuffles them**, keeping our ancestors' fate in the hands of bureaucrats and staff operating from frameworks of Western historic preservation. OHA is still a state agency subject to political pressures, litigation risk, and budgetary limitations. This is not self-governance—it's rebranded oversight.

2. No Guaranteed Role for Lineal Descendants

The proposed working group does not prioritize voices of 'ohana connected to specific iwi kūpuna. Instead, it privileges staff from SHPD and OHA and institutional stakeholders. The absence of required representation from lineal descendants is a critical oversight that **undermines true community engagement and kuleana-based decision-making**.

3. Weaponization of "Consultation"

Kanaka have long been consulted without consent. This resolution continues that trend, asking us to advise but never to decide. We must move from consultation to **autonomy**—not more working groups, but recognition of our inherent rights and roles.

4. OHA's Conflicted Track Record

OHA's role in land deals and development has, at times, been **at odds with community protection efforts**. Without accountability and reform, we cannot assume that burial protection will fare any better under OHA's management than under SHPD.

5. **No Structural Change = No Cultural Justice**

Real change means shifting power to iwi councils and lineal descendants—not just moving responsibilities between two agencies trained under the same system. Unless this resolution is rewritten to **decentralize authority** and **uplift indigenous governance models**, it risks reinforcing the very systems we seek to escape.

My Position:

Our iwi kūpuna are not “historic resources.” They are our family. Their protection is not just a legal matter—it is sacred kuleana. If this resolution truly sought to empower Native Hawaiians, it would begin with us, not institutions.

I respectfully urge the Legislature to **reject H.C.R. No. 193** in its current form and instead develop a plan that honors Kanaka-led governance, embeds decision-making in descendant communities, and dismantles the colonial legal frameworks that have failed our people for generations.

Ua mau ke ea o ka ‘āina i ka pono—not bureaucracy.

Me ka ha‘aha‘a,

Cheryl Hotta

Kanaka Maoli, Kuleana Landholder, Advocate for Iwi Kūpuna