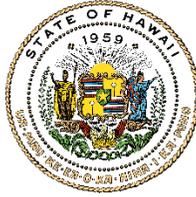


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
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ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N.S. CHANG
Chairperson

Before the House Committee on
WATER & LAND

Tuesday, February 4, 2025
9:00 AM

State Capitol, Conference Room 411 & Videoconference

In consideration of
HOUSE BILL 1358
RELATING TO THE PUBLIC LAND TRUST WORKING GROUP

House Bill 1358 proposes to appropriate funds to the Office of Hawaiian Affairs (OHA) to support the Public Land Trust Working Group (PLTWG) in hiring of necessary staff and the purchase of equipment and professional services to fulfill its mandate under Act 226, Session Laws of Hawai'i 2022. **The Department of Land and Natural Resources (Department) supports this measure and offers the following comments.**

The PLTWG was established by Act 226 to conduct a comprehensive accounting of all ceded lands in the Public Land Trust and determine the share of income and proceeds due annually to OHA. The Department recognizes the importance of this work and has actively participated in the PLTWG's efforts. The PLTWG Interim Report was submitted to the Legislature in December 2024 and recommended an appropriation of \$1,000,000 to fund third-party professionals to help complete the PLTWG's work. The funding proposed in this bill will help the PLTWG fulfill its mandate under Act 226.

The Department developed and maintains the Public Land Trust Information System (PLTIS). The Department acknowledges that the PLTIS is reliant on data provided by various agencies and does not independently audit or verify the data provided, nor make any representations regarding the accuracy of the data contained in the PLTIS. If errors in the PLTIS are identified, the appropriate agency managing the lands must correct the error and submit the corrected data to the Department for inclusion in the PLTIS.

The PLTWG's review has not identified specific errors in the PLTIS to date, but the Department remains committed to working with OHA and the PLTWG to improve the accuracy, transparency, and completeness of the PLTIS.

Furthermore, with respect to parcels that may have multiple public land trust classifications, i.e. portions of the parcel are both ceded and non-ceded, the Department notes that it has uncovered very few parcels with multiple public land trust classifications. Finally, regardless of the accuracy of data contained within the PLTIS, the Department provides an accounting of ceded land revenues received and paid to OHA through the annual Act 178 report submitted annually to the Legislature.

Thank you for the opportunity to testify on this measure.



TESTIMONY IN STRONG SUPPORT OF HB1358
Relating to the Public Land Trust Working Group
House Committee on Water and Land

February 4, 2025

9:00 a.m.

Room 411

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

Mahalo for setting HB1358, which is part of the Office of Hawaiian Affairs' (OHA's) 2025 legislative priorities, for public hearing. OHA submits this testimony in **STRONG SUPPORT of HB1358**, which appropriates funds to OHA to hire a third-party expert to audit the public land trust inventory and the accounting practices used to calculate OHA's pro rate share of public land trust revenues.

HB1358 was introduced with the unanimous consent of the Public Lands Trust Working Group (PLTWG). The PLTWG was established by Act 226 in 2022, to:

- (1) Account for all ceded lands in the public land trust inventory;
- (2) Account for all income and proceeds from the public land trust; and
- (3) Subsequently determine the twenty per cent pro rata share of income and proceeds from the public land trust due annually to [OHA] for the betterment of the conditions of Native Hawaiians.

Act 226, § 3. **The PLTWG unanimously agreed that a third-party audit is necessary to complete the working group's scope of work, as defined above.**

It is well recognized that the State of Hawai'i is paying OHA only a small fraction of the annual public land trust revenues, and not the full 20% that OHA is entitled to under law. As set forth in greater detail in HB1358, section 1, the PLTWG was created to help the State of Hawai'i fulfill its trust duties to Native Hawaiians as established in the Admissions Act, the Hawai'i State Constitution, and Hawai'i Revised Statutes Chapter 10, by performing the work necessary to ensure that OHA receives its 20%. The \$1 million requested by the PLTWG for a third-party audit is what is necessary for the State of Hawai'i to resolve longstanding disputes over the accuracy of the public land trust inventory.

Right now, OHA receives \$21.5 million per year. A 2016 audit commissioned by OHA at its own expense showed the amount due to OHA *at that time* was \$78.9 million. In the absence of accurate and uniform inventory and accounting practices, the gap between what is rightly due to OHA and what is being paid to OHA will only continue to grow. **We ask that you help to bring closure to this problem by authorizing and funding the hiring of a third-party expert to determine the accurate pro rata share due to OHA as required by Hawai'i State law.**

Mahalo again for the Committee's consideration of this bill.

Brickwood Galuteria - Chairperson
Kaleihikina Akaka - Vice Chair

MEMBERS

Dan Ahuna
Keli Akina, Ph.D.
Luana Alapa
Katali Kahele
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OFFICE OF HAWAIIAN AFFAIRS
KE'ENA KULEANA HAWAI'I
BENEFICIARY ADVOCACY AND EMPOWERMENT COMMITTEE
560 N. Nimitz Hwy., Suite 200
Honolulu, HI 96817

January 31, 2025

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

The Honorable Mark J. Hashem, Chair
House Water and Land Committee

Aloha Chair Hashem and Honorable Members of the House Water and Land Committee,

I am writing to express my strong support for HB1358 which creates the Public Land Trust Inventory Working Group (PLTWG). As the Bill states, "It is incumbent upon the legislature to enact legislation that upholds its trust responsibilities and duty of care to Native Hawaiians to: (1) Account for all ceded lands in the Public Land Trust inventory; (2) Account for all income and proceeds derived from the Public Land Trust; and (3) Transfer the full twenty per cent pro rata share of income and proceeds from the Public Land Trust annually to the Office of Hawaiian Affairs (OHA) for the betterment of the conditions of Native Hawaiians."

HB1358 appropriates funds to the Office of Hawaiian Affairs to facilitate the hiring of necessary staff and the purchase of equipment and professional services on behalf of the Public Land Trust Working Group. This initiative is crucial for ensuring transparency and accountability in managing the Public Land Trust, which holds significant cultural and historical importance for Native Hawaiians. The PLTWG's efforts to account for all ceded lands and accurately track income and proceeds from the Public Land Trust are commendable. By determining the twenty percent pro rata share due annually to the Office of Hawaiian Affairs, this group helps uphold the trust responsibilities and duty of care for Native Hawaiians.

In addition to the Working Group, there is a pressing need for a consistent formula for every agency reporting revenue. Currently, it appears that each agency reports and delivers revenues differently, leading to inconsistencies and challenges in tracking and distributing funds accurately. Standardizing the reporting process across all agencies will ensure greater transparency and fairness in the management of the Public Land Trust.

I urge you to support HB1358 and the funding and resources necessary for the PLTWG to conduct a thorough audit and review of the Department of Land and Natural Resources' Public Land Trust Inventory System. This will ensure the accuracy of the land inventory and accounting systems, ultimately benefiting Native Hawaiians and preserving our cultural heritage.

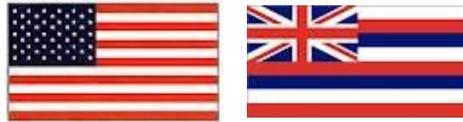
Thank you for your dedication to this important cause. Mahalo and malama for now.

A handwritten signature in black ink, appearing to be "B" followed by a horizontal line.

Brickwood M. Galuteria, Trustee At-Large
Chair, Committee on Beneficiary Advocacy and Empowerment

Center for Hawaiian Sovereignty Studies
46-255 Kahuhipa St. Suite 1205
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Kenneth R. Conklin, Ph.D. Executive Director
e-mail Ken_Conklin@yahoo.com
Unity, Equality, Aloha for all



To: HOUSE COMMITTEE ON WATER & LAND

For hearing Tuesday February 4, 2025

Re: HB1358 RELATING TO THE PUBLIC LAND TRUST WORKING GROUP.
Appropriates moneys to the Office of Hawaiian Affairs to facilitate the hiring of necessary staff and the purchase of equipment and professional services on behalf of the public land trust working group

TESTIMONY IN OPPOSITION

Summary of three main points; detailed discussion follows.

OHA claims it is entitled to 20% of ceded land revenue. Therefore in this bill OHA wants tax dollars to pay for research to create an inventory of all the ceded lands to make sure OHA gets every last penny it is "entitled to" from those lands. This bill would force taxpayers of all races to pay for setup and operation of an agency under the control of OHA whose purpose is to identify all the ceded lands and the revenue they generate, and then to grab 20% of that money to give to OHA for the exclusive benefit of one racial group. OHA's continually rising hoard of assets now totals ONE BILLION

DOLLARS with no explanation what they want it for. Make OHA pay for its own research and propaganda whose sole purpose is to grab more money from all of us to benefit only a highly privileged few of us through racially exclusionary programs.

2. The State of Hawaii rightfully owns all the public lands for the benefit of all Hawaii's people, not segregated by race. Under an act of the Kingdom legislature in 1865, signed by the King, the crown lands were consolidated with the government lands. The Hawaiian monarchy was "illegally" overthrown in 1893 (of course all revolutions are "illegal" under the existing laws of the overthrown government, including the anti-monarchy U.S. revolution of 1776). All Hawaii's public lands remained public lands benefitting all Hawaii citizens of all races, including Native Hawaiians, under the revolutionary Provisional Government and then the Republic of Hawaii -- that's what happens throughout the world whenever a government changes because of election or revolution. The Republic of Hawaii offered a Treaty of Annexation in 1897 and the U.S.A. accepted it in 1898 by joint resolution of Congress signed by the President. Under terms of that Treaty these public lands were ceded to U.S.A., as happened routinely every time a new area of land became a U.S. territory during the westward expansion. Later, when Hawaii and the other territories became U.S. states, those ceded lands were then ceded back to them at Statehood. These lands do not belong to a racial group now, and never did throughout the Kingdom period.

3. The rule that 20% of ceded land revenue must be given to OHA is merely a statute, not mandated by the Statehood Admissions Act nor by the Hawaii Constitution. Like any statute enacted during one term of the legislature, it can be amended or rescinded during any later term. The nonsense in this bill gets constantly repeated in legislation and litigation. **YOU HAVE THE POWER TO PUT AN END TO IT. PASS A BILL TO RESCIND THE 20% RULE AND DECLARE THAT ETHNIC HAWAIIANS SHALL PAY TAXES AND RECEIVE BENEFITS ON THE SAME BASIS AS ALL OTHER CITIZENS OF HAWAII.**

DISCUSSION

1. Make OHA pay for its own research and propaganda.

This bill would force taxpayers of all races to pay for setup and operation of an agency under the control of OHA whose purpose is to identify all the ceded lands and the revenue they generate, and then to grab 20% of that money to give to OHA for the exclusive benefit of one racial group. It is absurd to force defendant taxpayers to pay for research by plaintiff OHA to support political demands or litigation whose purpose is to take away defendant's assets and give them to OHA. OHA has hoarded assets -- far beyond its expenditures "for the betterment of Native Hawaiians" -- assets increasing by tens of millions of dollars every year until it now owns ONE BILLION DOLLARS. Make OHA pay for its own research and propaganda.

Suppose the Department of Education filed a bill demanding millions of dollars to do research proving that schools are good for "the betterment of children" and identifying laws around the world requiring children to attend school, and demanding additional millions of dollars to publish ads in the newspapers and pay for lobbyists at the legislature touting those research findings and demanding huge increases in the DOE budget to build fancy schools and double the salaries of school administrators. Wouldn't you defeat such legislation?

According to OHA's Annual Report for the fiscal year ending June 30, 2024, on page 15, OHA's total assets were \$971 Million. By now, half a year later, that figure is likely more than A BILLION DOLLARS as can be seen by extrapolating the annual increases in OHA's total assets as documented in its annual reports. No other branch of the State government is allowed to carry forward such an enormous amount. Yet here comes OHA, demanding a huge amount of additional taxpayer dollars for its expenses to build and operate its own private propaganda and lobbyist agency. If OHA wants to have its own private lobbyist group, let OHA pay for it. We, the 80% of Hawaii's people who lack a drop of Hawaiian native blood, should not be forced to pay

for OHA's lobbying which is intended to take away our money and give it to them.

Hawai'i Free Press on Friday June 24, 2025 reported some information from OHA's check register which it was able to obtain only after demanding access through the Freedom of Information Act. OHA's payroll was \$15.9 Million for its bloated bureaucracy, which was 40.7% of its spending. Any charity spending such a large percentage on payroll would be regarded as a scam.

All citizens of Hawaii pay taxes to the State government, regardless of race, and receive benefits from the State government, regardless of race. The same thing is true regarding ceded land revenues -- money is fungible; so whether government gets money from taxes or from land revenues, the money is used to provide goods and services. But two branches of the State government, OHA and DHHL, are empowered by law to take large amounts of money and land away from the general population and set it aside for the exclusive benefit of ethnic Hawaiians, even while ethnic Hawaiians also continue to receive all the other benefits that are given to all our citizens. That is obviously unfair. In fact, it is unconstitutional under the Equal Protection Clause of the 14th Amendment of the U.S. Constitution.

2. History shows that the State of Hawaii rightfully owns all the public lands for the benefit of all Hawaii's people, not segregated by race.

Kamehameha The Great owned all the lands of Hawaii by right of conquest, using weapons and military advisors given to him by Britain. He invaded nearly all the islands, slaughtering thousands of natives and ruining some croplands; and at the end he intimidated King Kaumuali'i of Kaua'i to surrender without being invaded, for fear of the same fate.

In 1840 his second son King Kamehameha III proclaimed the first Constitution of the Kingdom, voluntarily giving up dictatorial powers to establish a legislature and courts. In 1848 Kamehameha III

began the Mahele process, voluntarily giving up his sole ownership of all the lands to create three categories: crown lands (owned by the office of the monarch), government lands (owned by government to provide public services such as roads and harbors), and private lands (initially given in fee-simple in huge swaths to high-ranking chiefs and eventually also allowing ordinary people to own small parcels for homes and farms). There were never any racial set-asides. In the early stages nearly all the people were native Hawaiians, but as time went by increasing numbers of Asians and Whites became private landowners, including some very large plantations. The laws of the Kingdom did not discriminate for or against racial groups regarding land ownership or regulation.

By 1865 Lota Kamehameha V, with a dissolute lifestyle, had run up huge gambling debts to foreigners, and had mortgaged the crown lands to pay them. When he was unable to pay the mortgages, the mortgage grantors threatened to foreclose and take ownership of the crown lands. The chiefs and legislators were alarmed and decided such a thing must never be allowed to happen. So the legislature passed a law declaring that the crown lands now belonged to the government in return for the government issuing bonds to pay off the mortgages; and the King was very happy to sign that law. From that time forward the income from the former crown lands was set aside to pay for the dignity of the office of monarch -- such things as palaces, carriages, crowns, banquets, travel, etc.; but otherwise there was no longer a distinction between crown lands and government lands. The monarch and the government served all Hawaii's people without racial distinctions or set-asides. Native Hawaiians as a racial group had no special privileges or rights regarding land ownership or regulation.

After the monarchy was overthrown in 1893, the public lands (former crown and government combined) continued to be owned and operated by the government, and the income from those lands was used for the benefit of all the people regardless of race. Same land, different government with different laws and policies applying uniformly to all people regardless of race. U.S. President Grover Cleveland, a friend of ex-queen Lili'uokalani, spent the year 1893 trying

to undermine and destabilize the Provisional Government, including gunboat diplomacy to intimidate it during "Black Week" December 14, 1893 to January 11, 1894; but President Dole held firm.

A Constitutional Convention, including at least 6 delegates whose names show they were Native Hawaiian, produced a Constitution that was proclaimed in July of 1894. The Speaker of the House of Representatives of the Republic was John Kaulukou, a former royalist. The Republic asked the local consuls of all the nations having consulates in Hawaii to send copies of the new Constitution to their home governments around the world, requesting them to formally recognize the Republic as the rightful successor to the Kingdom. During the remainder of 1894 letters in 11 languages (most accompanied by English translations) were received from at least 19 nations on 4 continents personally signed by emperors, kings, queens, and presidents addressed to President Dole, formally recognizing the Republic of Hawaii. Perhaps the most politically significant letter of recognition was personally signed by Britain's Queen Victoria: significant because here was the reigning Queen of a powerful nation recognizing the legitimacy of a revolutionary government which had overthrown a fellow monarch; also significant because Queen Kapiolani and Princess Lili'uokalani had attended Queen Victoria's golden jubilee in London, and Victoria had also been godmother to Queen Emma's baby Prince Albert and had sent a crib to him (still on display in Emma's Summer Palace alongside Pali Highway). Photos of those letters and accompanying diplomatic letters and envelopes can be viewed on a website at <https://historymystery.kenconklin.org/recognition-of-the-republic-of-hawaii/>

These recognitions by the heads of Britain, France, Spain, Russia, China, Switzerland, and 13 other nations gave the Republic, under international law, the right to speak on behalf of the continuing independent nation of Hawaii, including the right to offer a Treaty of Annexation to the United States which included the ceding of Hawaii's public lands. Minorities (such as ethnic Hawaiians) might always disagree with any policy of any government, but they are legally bound

by the actions of their internationally recognized governments. Under terms of the Treaty, the U.S. agreed to pay the accumulated national debt of the Republic of Hawaii, most of which was debt left over from the monarchy to pay for Kalakaua's Palace and his trip around the world. That money was more than the real estate value of the ceded lands at that time. Thus Native Hawaiians, along with all other citizens of Hawaii, did indeed receive compensation for the ceded lands, contrary to the falsehood in the 1993 apology resolution. And at Statehood most of the ceded lands were returned to Hawaii except for national parks and military bases, from which we all benefit.

News of the international recognition of the Republic aroused a significant number of Hawaiian race-nationalists who realized they must take action or suffer permanent political loss. They attempted a counter-revolution led by mixed-race Robert Wilcox in January 1895. Men on both sides were killed. But the Republic maintained control with zero outside help. Guns, ammunition and hand grenades were found buried in Lili'uokalani's flower garden at her "Washington Place" home, and a search indoors revealed she had already signed documents appointing the cabinet ministers she had chosen to take office after her counterrevolution had succeeded. So she was placed on trial and found guilty of "misprision of treason"; i.e., conspiracy in the attempted counterrevolution. Throughout all these tumultuous events, the lands of Hawaii remained under control by the government for the benefit of everyone regardless of race.

The most important acknowledgment that the ceded lands belong to all Hawaii's people, without racial distinction, came in a court decision in 1910. Courses in "Hawaiian Studies" like to cover up this decision, so perhaps even some legislators are unaware of it.

In the only lawsuit ever brought by ex-queen Lili'uokalani against the U.S. Lili'uokalani demanded compensation from the U.S. for the crown lands, which she claimed had belonged to herself personally. The Court ruled that she had never been the owner of those lands, partly because of the 1865 Kingdom law discussed above. Furthermore, by claiming personal ownership of the crown lands and demanding compensation

only for herself, the ex-queen displayed her belief that so-called "Native Hawaiians" as a group were not the owners of those lands -- she could have named them as co-plaintiffs or they could have moved to intervene to be added as class-action complainants, but neither of those things occurred. According to Lili'uokalani, she was sole owner.

Full text of Lili'uokalani's complaint filed in 1909, and full text of the Court's decision filed in 1910, along with commentary, can be found on a webpage:

"Lili'uokalani Loses A Big One (The Crown Lands) -- Liliuokalani v. United States, 45 Ct. Cl. 418 (1910)" at <https://www.angelfire.com/hi2/hawaiiansovereignty/liliucrownlands.html>

The ex-queen lost the case. But in the process, many of the claims made today by the sovereignty activists were asserted by the ex-queen and rejected by the Court based on irrefutable evidence. After seeing all the evidence and hearing all the arguments on both sides, the Court of Claims became convinced that her claims had no merit. The decision itself is a valuable legal and historical document. It is important not only because it contains these arguments concerning the Crown Lands, but also because of the very important appendices included by the Court as part of the evidence. Some of the material in these appendices is difficult or impossible to find anywhere else, and decisively refutes claims raised by today's sovereignty activists on issues in addition to the Crown Lands. It is also interesting that she never sued the United States for the "illegal overthrow" or the "illegal annexation" to try to reverse those events or be compensated for them; she sued only for money for "her" Crown Lands. The manner in which she lost lays out the evidence and the arguments for both sides in a direct confrontation between the ex-Queen and the United States. Such a direct legal confrontation at such a high level over "sovereignty" issues was never repeated for 90 years, until the Rice v. Cayetano case. The decision of the Court of Claims (like the Supreme Court decision in Rice v. Cayetano) is very clear and convincing. For example, in the Lili'uokalani decision, the Court cited the Treaty of

Annexation both as evidence that the Court has jurisdiction to decide the case and as affirmation that the Treaty exists and is valid; and the Court provided full text of the Treaty of Annexation in an appendix which is included in the webpage.

3. The rule giving 20% of ceded land revenue to OHA is merely a statute passed by a previous session of the legislature, and can therefore be amended or rescinded at any moment by this legislature. Please put an end to it.

There is a long history of contentious negotiation, legislation, and litigation over the amount of money owed to OHA under the rule specifying 20% of ceded land revenue. The requirement to pay OHA 20% of ceded land revenue is statutory law enacted as Act 273, Session laws of 1980. It is not in the Statehood Admissions Act nor in the State Constitution. Therefore, this law can be amended by the legislature at any time to reduce the percentage; or the law can be rescinded entirely.

Act 273, Session laws of 1980 should be rescinded. OHA should be funded in the same manner as any other branch of the State government; i.e., by an appropriation included in the annual or biennial State budget, including a line-item listing of the purposes for which the money is to be spent. Then there would be no further conflict or litigation over how to calculate the 20%.

Here is the relevant language from section 5(f) of the statehood Admissions Act identifying the 5 purposes allowed for the use of ceded land revenues: "... for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible for the making of public improvements, and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes ..."

My dear legislators: notice something OHA does not tell you. There is NO REQUIREMENT THAT ANY MONEY FROM THE CEDED LANDS MUST BE SPENT FOR ANY PARTICULAR ONE OF THOSE 5 PURPOSES. Section 5(f) specifically says "Such lands, proceeds, and income shall be managed and disposed of FOR ONE OR MORE of the foregoing purposes.

For the first 20 years of statehood, 100% of ceded land revenue was given to the public schools, where 26% of the children are Native Hawaiians. Thus 26% of ceded land revenues went for the betterment of Native Hawaiians, without any need for race-specific earmarking.

So what about the remaining 4 purposes in addition to betterment of native Hawaiians? If OHA tells you that each of those 5 purposes gets a dedicated 1/5 (20%) of ceded land revenue, then the public school system plus UH should also be getting its own dedicated 20% portion; the development of low-income housing should be getting its 20% portion; the Department of Land and Natural Resources (especially the Parks Department) and the Highway Department should be getting its 20% portion; etc.

Repeal the 20% rule and fund OHA by ordinary budget appropriations in the same way as any other department of the State government.

If the legislature unwisely chooses to keep the requirement of a specific percentage of ceded land revenue to be paid to OHA, then the legislature should write into law that the percentage must be calculated on the base of NET INCOME AFTER EXPENSES rather than gross revenue. It costs a lot of money to construct roads and buildings, supply water and electricity, and pay salaries of staff who operate or maintain the facilities that generate revenue from the ceded lands. Those capital expenditures and operating expenses should be deducted from gross revenue to determine the net income to be used when applying the percentage to calculate how much money to pay to OHA. In many if not most cases, government lands and infrastructure operate at a loss because their purpose is to provide services rather

than to make a profit. That's why government imposes taxes in order to provide funding for its operations. Taxpayers pay for all capital investments and operating expenses whereby the ceded lands are enabled to produce revenue, so it is illegal and immoral for OHA to siphon off gross revenue while other land trust beneficiaries pay all the costs and receive none of the revenue.

Let's do a little arithmetic. OHA demands 20% of land revenues exclusively for the benefit of ethnic Hawaiians. And then, because ethnic Hawaiians are 20% of Hawaii's people, they will also receive an additional 20% of the remaining 80% of the land revenues, which is an additional 16%, for a total of 36% of land revenues going to only 20% of the people. Not to mention 20% of all the tax dollars.

For the first 20 years of statehood, 100% of ceded land revenue was given to the public schools, where 26% of the children are Native Hawaiians. Thus 26% of ceded land revenues went for the betterment of Native Hawaiians, without any need for race-specific earmarking. Remove racial entitlements, which are both unconstitutional and immoral. You have the power to rescind Act 273, Session laws of 1980. Please do so. And vote "NO" to defeat this bill.

HB-1358

Submitted on: 2/2/2025 9:34:34 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Megan Fox | Malama Kaua'i | Support | Written Testimony Only |

Comments:

OHA does important work to support our Hawaiian communities and deserves to receive their fair share of revenues. It's beyond time we make this right as a state. After decades of underpayment, an outside third-party expert is necessary to hold the state accountable and determine OHA's fair share of revenues. With the shift in federal funding supporting native issues even less than they already do, these state funds will be critical to ensuring our host culture receives some compensation and reparations.

HB-1358

Submitted on: 2/2/2025 12:00:22 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|--|---------------------------|---------------------------|
| Isaac "Paka" Harp | Hawaiian Nationals Regardless of Race | Support | Written Testimony Only |

Comments:

Aloha Chair and Members of the WAL Committee,

I FULLY SUPPORT HB1358, a long overdue measure to insure that the Office of Hawaiian Affairs receives their full 20% share of proceeds generated from Hawaiian Kingdom Government and Crown lands **unlawfully seized by the United States in 1898** and **unlawfully transferred to the State of Hawaii in 1959 under Section 5 (f) of the Hawaii Statehood Act.**

Please correct the language in the bill on page 2, lines 1 & 2 where it reads "Kingdom of Hawaii" to correctly read, "Hawaiian Kingdom."

Mahalo

HB-1358

Submitted on: 2/2/2025 1:04:37 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------|----------------------|--------------------|------------------------|
| Kelley Uyeoka | Nohopapa Hawaii, 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Kelley Uyeoka

Founder and Partner

Nohopapa Hawaii, LLC

HB-1358

Submitted on: 2/2/2025 1:26:55 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Cheryl Vasconcellos | Hana Health | Support | Written Testimony Only |

Comments:

Hana Health is located in one of the most isolated, rural areas in the state, primarily serving low income Native Hawaiians. Chronic underfunding shortchanges OHA's programs that could potentially benefit Native Hawaiians residing in the Hana District, especially those to improve health outcomes. We strongly encourage support for HB1358. Thank you.



**Ko'olauloa
HAWAIIAN CIVIC CLUB**

**P.O. Box 532
Hau'ula, Hawaii 96717**

February 2, 2025

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

WE support HB1358 for the following reasons:

- **Ensuring Transparency and Accountability:**

It has become evident that an independent third-party audit of the Public Land Trust Inventory System is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

- **Funding OHA's work:**

The Public Land Trust Working Group was established to hold the State of Hawai'i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

- **Fairness and Justice:**

Under the Hawai'i Admissions Act, the Hawai'i State Constitution, and Hawai'i State law, OHA is entitled to 20% of all revenues from the public land trust, however, OHA only receives a fraction of this amount. As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Raynae M. Fonoimoana

**Raynae M. Fonoimoana, President
Ko'olauloa Hawaiian Civic Club**

HB-1358

Submitted on: 2/2/2025 2:44:34 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|-----------------------|---------------------------|---------------------------|
| Hardy Spoehr | The Spoehr Foundation | Support | Written Testimony Only |

Comments:

Aloha Legislators

Thank you for the opportunity to support HB1358. It is time for the State of Hawai'i to live up to its legal obligations and responsibilities.

Hardy Spoehr

HB-1358

Submitted on: 2/3/2025 8:41:10 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Chelle C Pahinui | Naalehu Theatre | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

*Chelle Pahinui, ED
Naalehu Theatre*

HB-1358

Submitted on: 2/3/2025 9:12:17 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------------------|------------------|--------------------|-----------|
| Melinda Healani Sonoda-Pale | Ka Lahui Hawai'i | Support | In Person |

Comments:

TESTIMONY IN STRONG SUPPORT OF HB1358

Submitted by Ka Lāhui Hawai'i

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

Ka Lāhui Hawai'i, a **native Hawaiian sovereignty organization** dedicated to the self-determination and land rights of our people, submits this testimony in **strong support of HB1358**. This bill is a necessary and long-overdue measure to **bring transparency, accountability, and justice** to the management of the **Public Land Trust** and to ensure that the State of Hawai'i fulfills its trust obligations to our people.

HB1358 & the “Ceded Lands” Issue: A Legacy of Theft and Injustice

The lands known today as “**ceded lands**” are in-fact **stolen Hawaiian Kingdom lands** that were taken **without consent or compensation**. These **1.8 million acres of government and crown lands** were illegally seized following the **1893 overthrow of the Hawaiian Kingdom**, an act carried out **against the will of our people**. The **1993 Apology Resolution (Public Law 103-150)** formally acknowledged this theft, stating that **our people never relinquished our sovereignty or claims to our national lands**.

Despite this, the **State of Hawai'i continues to mismanage and exploit these lands**, failing to ensure that revenues generated from them are properly accounted for and distributed as required by law. Under the **Hawai'i Admission Act of 1959**, a portion of the income from these lands is **legally required to be used for the betterment of native Hawaiians**. However, for decades, the State has **underreported and withheld** these funds, depriving our people of the resources owed to us.

For **Kanaka Maoli, land is not just property—it is our identity, our well-being, and our survival**. As **Shawn Malia Kanāyiaupuni and Nolan Malone (2006)** state, “place is intertwined with identity and self-determination of today’s native Hawaiians in complex and intimate ways. At once the binding glue that holds native Hawaiians together and links them to a shared past, place is also a primary agent that has been used against them to fragment and

alienate”. The forced displacement of our people from our lands has led to economic struggles, the loss of cultural practices, and deep wounds to our collective identity.

Since the creation of the **Office of Hawaiian Affairs (OHA) in 1978**, the State has been **legally obligated** to provide OHA with **20% of all revenues generated from these lands**. However, **decades of mismanagement, lack of transparency, and intentional underreporting** have resulted in OHA and our people receiving **far less than what we are owed**.

How HB1358 Ensures Accountability and Fairness

- 1. Mandates a Full and Accurate Accounting of Public Land Trust Lands & Revenues**
 - Requires **all state and county agencies** managing stolen Hawaiian Kingdom lands to provide a **comprehensive inventory** of these lands and their revenues.
 - Corrects **longstanding discrepancies** in past reports, which have been **self-reported, unaudited, and incomplete**.
- 2. Provides Independent Third-Party Oversight**
 - Past financial reviews—such as OHA’s **2015-2016 study** estimating **\$78.9 million** as OHA’s rightful share—have **never been independently verified**.
 - This bill funds **third-party auditors and financial experts** to conduct a **thorough review** of land holdings and revenue sources to prevent continued underpayments.
- 3. Ensures OHA Receives its Full 20% Share**
 - The **State has been withholding funds** that should be used for housing, education, and cultural programs.
 - By ensuring **accurate financial tracking**, this bill **corrects decades of underfunding** and secures resources for **housing, education, and cultural programs (e.g., protecting iwi kūpuna)**.
- 4. Allocates \$1 Million for Staffing and Professional Services**
 - Provides OHA with resources to **hire staff and professional consultants** to complete the financial review and land inventory.
 - **Exempts OHA from Chapter 103D** (Hawai‘i’s Procurement Code) to allow for **faster hiring of experts** without bureaucratic delays.

Why HB1358 Must Pass

For too long, the State has failed to uphold its **legal and moral responsibility** to our people. **HB1358 is a necessary step toward justice, accountability, and the full implementation of the State’s trust obligations**.

Ka Lāhui Hawai‘i urges this committee to **pass HB1358 without amendments** to ensure that our people receive **our rightful share of resources from the lands that were stolen from our ancestors**.

Mahalo for your time and consideration.

Me ka ‘oia‘i‘o,

Healani Sonoda-Pale
Spokesperson, Ka Lāhui Hawai‘i

HB1358

He Mele komo a he mele aloha no na kupuna o ke au i hala Aloha mai kakou.

Aloha,

My name is Cindy Freitas and I'm a Native Hawaiian descended of the native inhabitants of Hawai'i prior to 1778 and born and raised in Hawai'i.

I am also a practitioner who still practice the cultural traditional customary practices that was instill in me by my grandparents at a young age from mauka (MOUNTAIN TO SEA) to makai in many areas.

I'm in SUPPORT of HB1358

This legislative appropriation appears to be a strategic move to support OHA's role in overseeing and advocating for the effective management of the Public Land Trust, with the goal of ensuring that these lands are used in a way that benefits the Native Hawaiian community. By funding the hiring of qualified staff, the purchase of necessary equipment, and the acquisition of expert services, this initiative should help strengthen the working group's capacity to address issues related to the trust, manage land assets effectively, and advocate for Native Hawaiian interests.

Mahalo,

_____/s/_____
Cindy Freitas

HB-1358

Submitted on: 2/1/2025 9:00:54 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Ikona Lee | 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 support of HB1358 for the following reasons:

Ensuring Transparency and Accountability:

HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA's work: The Public Land Trust Working Group was established to hold the State of Hawai'i accountable for its trust obligations to Native Hawaiians. Without full funding,

OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice:

This bill is not just about funding, it's also about fairness and justice. Under the Hawaii Admissions Act, the Hawaii State Constitution, and Hawai'i State law, OHA is entitled to 20% of all revenues from the public lands trust, however, OHA only receives a fraction of this amount. As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

HB-1358

Submitted on: 2/1/2025 11:09:54 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kasey Tabar | Individual | Support | Written Testimony Only |

Comments:

Strong support

HB-1358

Submitted on: 2/2/2025 9:08:30 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

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

Comments:

I OHAs position on HB1358.

HB-1358

Submitted on: 2/2/2025 9:17:20 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------------|--------------|--------------------|------------------------|
| Gerald Tariao Montano | 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 support of HB1358** for the following reasons:

I am not Native Hawaiian; however, I support the Native Hawaiian's right to care for the land and its people. Supporting this bill is in solidarity with honoring those rights.

Passing HB1358 is important because it:

-Ensures Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

-Funds OHA's work: The Public Land Trust Working Group was established to hold the State of Hawai'i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

-Promotes Fairness and Justice: This bill is not just about funding, it's also about fairness and justice. Under the Hawai'i Admissions Act, the Hawai'i State Constitution, and Hawai'i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Gerald Montano

358 Kanaloa Avenue, Kahului, HI 96732

HB-1358

Submitted on: 2/2/2025 9:34:17 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|--------------|--------------------|------------------------|
| P Hauoli'ipo Wright | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA's work: The Public Land Trust Working Group was established to hold the State of Hawai'i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it's also about fairness and justice. Under the Hawai'i Admissions Act, the Hawai'i State Constitution, and Hawai'i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

- Pauleen H. Wright

hauoli.ipo@gmail.com / 808.268.9974

HB-1358

Submitted on: 2/2/2025 9:37:00 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------------|--------------|--------------------|------------------------|
| Davrie Hoyle-Kamakahi | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Davrie Kalei Hoyle-Kamakahi
[shoylekamakahi@gmail.com]

HB-1358

Submitted on: 2/2/2025 9:38:13 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------------------------|--------------|--------------------|---------------------------|
| Jodie Tamie Tomonaga Kimura | Individual | Support | Written Testimony Only |

Comments:

Testimony in Support of HB 1358: Relating to the Public Land Trust Working Group

Dear Honorable Members of the Hawai`i House Committee,

I am writing to express my support for **HB 1358**, to provide \$1 million for an independent third-party audit to determine the full extent of revenues generated by public land trust lands and ensure the Office of Hawaiian Affairs (OHA) receives the 20% share of these funds to which it is legally entitled. OHA is currently underfunded which significantly impacts its ability to support programs and initiatives for Native Hawaiians.

The independent third-party audit will provide an unbiased and comprehensive assessment to:

1. Account for all ceded lands in the public land trust inventory.
2. Account for all revenues and proceeds generated from these public trust lands.
3. Determine OHA’s 20% share of these revenues as required by law.

HB1358 is critical for ensuring that OHA receives its fair share of revenues from the public land trust—revenues that directly support programs designed to benefit Native Hawaiians. These programs are vital for addressing the unique challenges faced by Native Hawaiians, including economic development, health care, education, and land stewardship.

I strongly urge this committee to pass HB 1358. By supporting this bill, you will take a necessary step toward fulfilling the state’s legal obligations, ensuring fairness, and supporting the well-being and future of Native Hawaiians.

Thank you for your time and consideration.

Sincerely,
Jodie Kimura 808-937-9536

HB-1358

Submitted on: 2/2/2025 9:38:24 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------|--------------|--------------------|------------------------|
| David Abraham | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

David Abraham

HB-1358

Submitted on: 2/2/2025 9:42:00 AM

Testimony for WAL on 2/4/2025 9:00:00 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Rik Masterson

Hilo HI

rikmasterson@hotmail.com

HB-1358

Submitted on: 2/2/2025 9:48:23 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------|--------------|--------------------|------------------------|
| Dawn Steavens | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s Work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Dawn Steavens

808-494-2536

House Committee on Water and Land

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

I am writing **in support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA's work: The Public Land Trust Working Group was established to hold the State of Hawai'i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it's also about fairness and justice. Under the Hawai'i Admissions Act, the Hawai'i State Constitution, and Hawai'i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

William L Kapaku Jr

OHA Beneficiary and DHHL Wait List

HB-1358

Submitted on: 2/2/2025 10:05:13 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------------|--------------|--------------------|------------------------|
| Jacqueline Beckman | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Jacqueline K. Beckman

808-450-8962 jackiebeckman808@gmail.com

HB-1358

Submitted on: 2/2/2025 10:10:14 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Theresa Hibbard | Individual | Support | Written Testimony Only |

Comments:

I am in full support of OHA receiving all of its benefits as stated in this bill. Please vote yes, thank you.

HB-1358

Submitted on: 2/2/2025 10:14:47 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Jeffrey Kinimaka | 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 support of HB1358 for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA's Work: The Public Land Trust Working Group was established to hold the State of Hawai'i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it's also about fairness and justice. Under the Hawai'i Admissions Act, the Hawai'i State Constitution, and Hawai'i State law, OHA is entitled to 20% of all revenues from the public land trust, however, OHA only receives a fraction of this amount. As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Jeffrey Kinimaka

8086996890

HB-1358

Submitted on: 2/2/2025 10:34:04 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Kamalani | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Kamalani Aka

1/31/2025

Testimony in Support of HB1358 – Relating to the Public Land Trust Working Group,

Aloha Chair and Members of the Committee, My name is Leilani Keli'ikipi, and I am submitting this testimony in strong support of HB1358. This bill is a critical step toward ensuring fairness and accountability in the management of Public Land Trust revenues, which rightfully belong to the Office of Hawaiian Affairs (OHA) for the betterment of Native Hawaiians.

For far too long, OHA has been underfunded—receiving only \$21.5 million annually, despite estimates indicating that the STATE owes nearly \$78.9 million a year. This chronic underfunding has directly impacted OHA's ability to support programs that uplift Native Hawaiian communities in areas such as Education, Housing, Economic development, and most importantly Cultural preservation amongst ALL Hawaiian islands.

HB1358 provides funding for an independent third-party audit, a necessary measure to:

- Accurately and truthfully account for ALL ceded lands in the Public Land Trust inventory.
- Determine faithful distribution of both revenues and proceeds generated from these ceded lands.
- Establish the rightful 20% share due to OHA, as mandated by law.

Under the Hawaii Admissions Act, the Hawai'i State Constitution, and State law, OHA is legally and rightfully entitled to 20% of all revenues from the Public Land Trust, which consists of former crown and government lands of the Hawaiian Kingdom. In 2022, the Legislature created a working group—including OHA representatives—to evaluate these revenues. The working group's unanimous recommendation for an independent audit underscores the urgent need for transparency and accountability in fulfilling this legal obligation.

This issue is not just about numbers—it is about justice, equity, and ensuring that Native Hawaiians receive the resources that are rightfully theirs. An independent audit is a necessary step to finally resolve the decades-long discrepancies in payments and to hold the STATE accountable to its legal and ethical responsibilities. Why is the STATE overseeing OHA funding when those funds originate from our ceded lands? This is a blatant disregard for ALL HAWAIIANS. Take Ka Makana Ali'i mall in Kapolei, O'ahu, for instance—it sits on ceded lands, meaning the revenue generated should be directed back to Hawaiians, not managed by the STATE.

I respectfully urge the Legislature to pass HB1358 and ensure that OHA receives its fair 20% share of Public Land Trust revenues.

Mahalo for your time, understanding, and consideration.

Me ka ha'aha'a,
Leilani K. Keli'ikipi

HB-1358

Submitted on: 2/2/2025 10:41:21 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| SEAN SPENCER | Individual | Support | Written Testimony Only |

Comments:

You continue to short change us on the public land trust revenue.

I support HB1358.

HB-1358

Submitted on: 2/2/2025 10:47:58 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Tanya Ahina | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Tanya Ahina

808-457-0540

tanyahina@gmail.com

HB-1358

Submitted on: 2/2/2025 12:17:38 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Luciano Minerbi | Individual | Support | Written Testimony Only |

Comments:

I am in full support with HB 1358 because it is half a century that we wait for a proper accounting and implementation of the Hawaii Constitution, the Constitutional Convention and subsequent pertinent legislation so as to ensure that the 20% of the ceded land revenue accrue to OHA per the betterment of Hawaiians for justice and transparency. However I feel that the State Procurement Code should be followed also in the expenditure of this appropriation.

Respectfully submitted as an individual.

Luciano Minerbi

HB-1358

Submitted on: 2/2/2025 1:04:22 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Gordon B. Lindsey | Individual | Support | Written Testimony Only |

Comments:

I am in support of HB1358 because the funding is needed now and not held back from what is due and owing.

HB-1358

Submitted on: 2/2/2025 1:18:09 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------------------|---------------------|---------------------------|------------------------|
| Lu Ann Mahiki Lankford-Faborito | Individual | Support | Written Testimony Only |

Comments:

Absolute strong support this is way overdue

HB-1358

Submitted on: 2/2/2025 1:19:45 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------------|----------------------------|---------------------------|------------------------|
| Mahikiliilii Lankford | makaha hawaiian civic club | Support | Written Testimony Only |

Comments:

absolutely strong support this measure is so overdue

HB-1358

Submitted on: 2/2/2025 1:24:49 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| shantee brown | Individual | Support | Written Testimony Only |

Comments:

i support HB1358. the state of hawai'i needs to comply with their own constitutional mandate to compensate native hawaiians for public use of their unceded lands.

HB-1358

Submitted on: 2/2/2025 1:41:02 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Harold Anthony Iaea | Individual | Support | Written Testimony Only |

Comments:

I strongly support this bill HB1358!!!

How can you call yourselves "lawmakers" when for YEARS, for DECADES, the Hawaii State Legislature has been breaking the law under the Hawaii Admissions Act, the Hawaii State Constitution AND state law!!!

"Lawmakers" as you call yourselves, have had no regard for the law or fulfilling the law by refusing to pay the TOTAL AMOUNT OWED AND DUE- \$78.9 MILLION!!!

Why do Hawaiians, the native people of this land, have to FIGHT for everything that is theirs???

For far too long and far too many generations have continued to FIGHT for what rightfully, what legally, what justly and what lawfully belongs to us!!!

I dare you to do what is PONO!!! What is RIGHT by the Hawaiian Admissions Act; by the Constitution and by State law!!!

IT IS TIME!!!

HB-1358

Submitted on: 2/2/2025 2:13:23 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------|--------------|--------------------|------------------------|
| Karen K Alamida | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Karen Alamida

alamidak001@hawaii.rr.com

Kaneohe, Hawaii 96744

HB-1358

Submitted on: 2/2/2025 5:25:17 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Martha Evans | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Martha Evans

anmevans@gmail.com

HB-1358

Submitted on: 2/2/2025 5:44:44 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|-------------------|
| Keoni DeFranco | Individual | Support | Remotely Via Zoom |

Comments:

I am writing to advocate for HB1358 and to highlight several reasons for its enactment:

This bill allocates funds to conduct an independent, third-party review of the Public Land Trust Inventory System. Such an audit is crucial for rectifying long-standing issues with inconsistent record-keeping, ensuring that OHA receives its legally mandated 20% share of trust revenues.

The Public Land Trust Working Group was formed to ensure the State of Hawai‘i fulfills its trust responsibilities to Native Hawaiians. Without adequate funding, OHA is hindered in its ability to meet statutory obligations aimed at improving Native Hawaiian living conditions and fostering community empowerment and economic progress. The audit funded by HB1358 is seen as a foundational step to secure OHA’s rightful resources.

Beyond financial support, this legislation addresses a critical issue of fairness. Despite guarantees under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and state law, OHA currently receives only a fraction of its entitled revenue from the public land trust. As both a beneficiary of OHA’s efforts and an engaged voter, I urge the committee to approve HB1358 to rectify this enduring injustice.

Mahalo.

HB-1358

Submitted on: 2/2/2025 6:05:00 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Theodora Furtado | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Theodora Furtado, 2115 Ala Wai Blvd., 96815

HB-1358

Submitted on: 2/2/2025 6:26:59 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------|--------------|--------------------|------------------------|
| Teleise Scanlan | 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 HB1358 because **transparency, accountability, and justice** are long overdue when it comes to the Public Land Trust and OHA’s rightful share of revenues.

For too long, there has been **inconsistent and incomplete accounting** of these trust funds. HB1358 takes a crucial step forward by funding an **independent third-party audit** of the Public Land Trust Inventory System. This isn’t just about numbers on a spreadsheet—it’s about ensuring that OHA receives the **full 20% of trust revenues** it is legally owed, as mandated by law.

Beyond the audit, **this is about the future of our lāhui**. OHA exists to uplift and empower Native Hawaiians, yet without full funding, its ability to serve our communities is severely hindered. The Public Land Trust Working Group has already determined that this audit is necessary to hold the State accountable and to **make OHA whole**. This is a fundamental issue of **fairness and justice**—the law is clear, yet OHA continues to receive only a fraction of what is due.

As an OHA beneficiary and a voter, I urge this committee to do what is right. **Pass HB1358 and ensure that OHA receives what is lawfully owed.**

Mahalo for your time and consideration.

Teleise Scanlan

HB-1358

Submitted on: 2/2/2025 8:33:46 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------|--------------|--------------------|------------------------|
| johnna rapozo | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA's work: The Public Land Trust Working Group was established to hold the State of Hawai'i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it's also about fairness and justice. Under the Hawai'i Admissions Act, the Hawai'i State Constitution, and Hawai'i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Johnna Ann Rapozo

808-220-3371

HB-1358

Submitted on: 2/2/2025 8:51:55 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Jodi Kauhi | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Jodi Kuuleialoha Kauhi
432 Todd Avenue Hilo Hawaii 96720

808 557-9901

jodik808@gmail.com

HB-1358

Submitted on: 2/3/2025 1:19:38 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Kekama | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Scott W. Kekama Amona

HB-1358

Submitted on: 2/3/2025 3:56:33 AM

Testimony for WAL on 2/4/2025 9:00:00 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.
Napua Froman

nfroman@hotmail.com

HB-1358

Submitted on: 2/3/2025 6:02:02 AM

Testimony for WAL on 2/4/2025 9:00:00 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 support of HB1358 for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA's work: The Public Land Trust Working Group was established to hold the State of Hawai'i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it's also about fairness and justice. Under the Hawai'i Admissions Act, the Hawai'i State Constitution, and Hawai'i State law, OHA is entitled to 20% of all revenues from the public land trust, however, OHA only receives a fraction of this amount. As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Brenten Kanoa Yamane
brentenyamane@gmail.com

HB-1358

Submitted on: 2/3/2025 6:23:22 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------|--------------|--------------------|------------------------|
| Mina H Elison | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Mina Elison

Minaelison@hotmail.com

HB-1358

Submitted on: 2/3/2025 6:42:36 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------|--------------|--------------------|------------------------|
| Rachael Carrell | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Rachael

HB-1358

Submitted on: 2/3/2025 6:56:19 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|------------------|--------------|--------------------|------------------------|
| mailani makainai | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by **law**.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount**. As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Me ke aloha,

Mailani Maka’ina’i

HB-1358

Submitted on: 2/3/2025 7:32:35 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-----------------|--------------|--------------------|------------------------|
| Lilinoe De Gruy | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Sincerely,

Lilinoe De Gruy

HB-1358

Submitted on: 2/3/2025 8:36:17 AM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| William W. Rems III | Individual | Support | Written Testimony Only |

Comments:

Hello,

I am writing in support of House Bill #1358. The Office of Hawaiian Affairs offers critical supports to the Native Hawaiian Community, and has been chronically underfunded by the state legislature.

Please work to pass this important legislation to ensure adequate funding for OHA and its beneficiaries!

Thank you!

-Trip Rems

February 3, 2025

Aloha e Chair Hashem, Vice Chair Lamosao, and House Committee members on Water and Land,

I support HB1358 to ensure transparency and accountability of funding for an independent 3rd-party audit of the Public Land Trust Inventory System. This is a necessary step to hold the State of Hawaii accountable to accurately and honestly pay OHA revenues owed for use of public land trust. For decades, only a fraction and not the full 20% of revenues from public land trust has been paid to OHA.

The concept of the “State of Hawaii” is just a label and an illusion that we have all bought into. Individual people such as yourself, Chair Hashem, Vice Chair Lamosao, and House Committee members, you are the speaking bodies and voices FOR or AGAINST what happens.

HB1358 will hold accountable an illusionary body (State of Hawaii) to rightfully and honestly pay revenues due to OHA for the use of Public Land trust. As an OHA beneficiary, I urge the committee to pass HB1358 to correct injustices happening to the native Hawaiian people for over a century.

Mahalo for your time.

Rhonda Kamai-Kekela

435-219-0576

Rube_haven@yahoo.com

HB 1358

To: HOUSE COMMITTEE ON WATER & LAND For hearing Tuesday February 4, 2025 Re: HB1358 RELATING TO THE PUBLIC LAND TRUST WORKING GROUP. Appropriates moneys to the Office of Hawaiian Affairs to facilitate the hiring of necessary staff and the purchase of equipment and professional services on behalf of the public land trust working group
TESTIMONY IN OPPOSITION

Issue – HB 1358: “RELATING TO THE PUBLIC LAND TRUST WORKING GROUP. Appropriates moneys to the Office of Hawaiian Affairs to facilitate the hiring of necessary staff and the purchase of equipment and professional services on behalf of the public land trust working group”.

Position - Strong Opposition: This proposed legislation **HB 1358** is Unconstitutional. The Legislature must conduct an audit of OHA and its Constitutional standing before any appropriation of public funding is made.

The United States has rejected all attempts to accept the Kanaka Maoli (Native Hawaiian or native Hawaiian) as indigenous to the Islands of Hawaii. The Kanaka Maoli arrived from Polynesia between 1219 A.D. and 1266 A.D. which could make them the first visitors and inhabitants of the Hawaiian Islands, but not indigenous. Attempts made through the “Akaka Legislation”, all which has failed, beginning on September 27, 2000, with the introduction of S 2899, “To express a policy of the United States regarding the United States' relationship with ‘Native Hawaiians’, and for other purposes.”

To begin, the U.S. Senate Committee on Foreign Relations held a formal hearing beginning on December 27, 1893, through February 13, 1894, on the Hawaiian Revolution. The Senate Committee submitted Report No. 227 on February 26, 1894, to the Senate and House, which was received, debated on the floor for some four days, and accepted. Also, by a Senate and House joint resolution, approved funding and printing of 6,000 copies of the Report for distribution. The Report found that the United States military was not involved or complicit in the January 14 - 17, 1893, overthrow of the Queen by the Hawaii Provisional Government with a vote of nine to zero. And, by a five to four vote cleared both Commissioners John L. Stevens and James H. Blount of complicity.

The U. S. Supreme Court decided on February 23, 2000, in Rice v. Cayetano: “The Hawaiian Constitution limits the right to vote for nine trustees chosen in a statewide election. The trustees compose the governing authority of a state agency known as the Office of Hawaiian Affairs, or OHA. The agency administers programs designed for the benefit of two subclasses of ‘Hawaiian citizenry’, ‘Hawaiians’ and ‘native Hawaiians.’ State law defines ‘native Hawaiians’ as descendants of not less than one-half part of the races inhabiting the Islands before 1778, and ‘Hawaiians’ – a larger class that includes ‘native Hawaiians’ – as descendants of the peoples inhabiting the Hawaiian Islands in 1778.” Both “Hawaiians” and “native Hawaiians” are the subclass of the Hawaiian citizenry of every race or ethnicity.

The State of Hawaii has had the one large class of “Hawaiian citizenry”, inclusive of all racial ethnicity, from its first 1840 Kingdom Constitution of Hawaii, through the July 4, 1894, Republic of Hawaii’s Constitution, and the current State of Hawaii’s Constitution. The Republic of Hawaii’s Constitution reads: “Article 17. - Citizenship. Section 1. All persons born or naturalized in the Hawaiian Islands, and subject to the jurisdiction of the Republic are citizens thereof,” as presented in writing and is the foundation of the Multi-ethnic State of Hawaii.

The “Akaka Legislation” rejection caused its supporters to change their efforts for recognition from Congress to a Policy Directive through the Department of Interior. They first used the Hawaii State legislature to establish a Native Hawaiian election process through Act 195, a “Hawaiian Sovereignty” legislation signed into Law on July 6, 2011. The Kanaka Maoli group, in conformance to Act 195, initiated their plan to conduct an illegal “racial” Constitutional Convention to develop a Kanaka Maoli Constitution. On December 2, 2015, the United States Supreme Court ended the efforts of the Kanaka Maoli to establish their Constitution and form a separate Kanaka Maoli Government. The U.S. Supreme Court decision is a significant victory for all citizens of Hawaii, and is the first step towards ending the state's wasteful and divisive nation-building effort.

In addition, the United States Supreme Court on March 31, 2009, decided in the State of Hawaii et al. v. the Office of Hawaiian Affairs et al. that all Ceded Lands returned to the State of Hawaii upon Statehood in 1959 belong to the State of Hawaii is absolute Fee. The Ceded Lands have never been transferred to the Hawaiian Homes Commission, and all Ceded Lands leased by the Hawaiian Homes Commission to native Hawaiians is owned by the State of Hawaii. Also, the March 31, 2009, decision defanged the 1993 Apology Resolution PL 103-150 and rejected all of the thirty-seven Whereas clauses of the Resolution.

Recently, by a 6-3 ruling on June 28, 2024, the U.S. Supreme Court overturned the Chevron deference framework taking away the power of the Administration to establish Law through Regulations. This U.S Supreme Court’s decision removes the authority from the Department of Interior to recognize the “Kanaka Maoli” or (Native Hawaiian and native Hawaiian) as indigenous to the Islands of Hawaii, and returns the decision to Congress, as written in our Constitution.

James Isamu Kuroiwa, Jr.
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HB-1358

Submitted on: 2/3/2025 2:41:08 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

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

Comments:

Please support this bill and pass out of your committee. The funds requested by this bill are necessary to facilitate the hiring of necessary staff and the purchase of equipment and professional services on behalf of the public land trust working group to carry out the purposes of Act 226.

Failure to provide the funding may adversely impact upon the work of the Public Land Trust working group, thus delaying informed decisions on the calculation of the Office of Hawaiian Affairs' pro rata share of income and proceeds from the public land trust, and could lead to suits for failure of the state to carry out its obligation to provide the OHA with the proper pro rata share to enable it to carry out its mission as mandated by the Hawai'i State Constitution.

HB-1358

Submitted on: 2/3/2025 3:24:18 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|--------------|--------------|--------------------|------------------------|
| Rae Leong | 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 support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo,

Rae Leong

rleong04@yahoo.com

(808)284-2211

45-505 Lolii St. Kaneohe, HI 96744

HB-1358

Submitted on: 2/3/2025 3:30:20 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|------------------------------------|---------------------|---------------------------|---------------------------|
| Kimmer "Nahonu" Horsen Bighorse | Individual | Support | Written Testimony Only |

Comments:

I support SB1358 because OHA is authorized its 20% of all revenues required by law.

- Under the Hawai'i Admissions Act, the Hawai'i State Constitution, and state law, OHA is legally entitled to 20% of all revenues from the public land trust.
- The public land trust is comprised of former crown and government lands of the Hawaiian Kingdom.
- In 2022, the Legislature created a working group to inventory public lands and determine OHA's 20% share.
- The working group - which includes OHA representatives - unanimously recommended an independent third-party audit.
- After decades of underpayment, an outside third-party expert is necessary to hold the state accountable and determine OHA's fair share of revenues.

Mahalo!

Kimmer Nahonu Bighorse

HB-1358

Submitted on: 2/3/2025 7:46:26 PM

Testimony for WAL on 2/4/2025 9:00:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|-------------------------|--------------|--------------------|------------------------|
| Mavis Oliveira-Medeiros | Individual | Support | Written Testimony Only |

Comments:

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

My name is Mavis Oliveira-Medeiros and I am writing **in support of HB1358** for the following reasons:

Ensuring Transparency and Accountability: HB1358 provides funding for an independent third-party audit of the Public Land Trust Inventory System. This is a necessary step to correct decades of incomplete or inconsistent accounting practices and to ensure that OHA receives its full 20% share of trust revenues as required by law.

Funding OHA’s work: The Public Land Trust Working Group was established to hold the State of Hawai‘i accountable for its trust obligations to Native Hawaiians. Without full funding, OHA cannot fulfill its legal mandates to improve the conditions of Native Hawaiians and advance community empowerment and economic development. The working group determined this audit is a necessary first step to making OHA whole.

Fairness and Justice: This bill is not just about funding, it’s also about fairness and justice. Under the Hawai‘i Admissions Act, the Hawai‘i State Constitution, and Hawai‘i State law, OHA is entitled to 20% of all revenues from the public land trust, however, **OHA only receives a fraction of this amount.** As an OHA beneficiary and a voter, I urge the committee to pass HB1358 to help right this wrong.

Mahalo for the opportunity to testify.

Mavis Oliveira-Medeiros

Earle A.K. Medeiros

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