



Hawai'i State Senate
Committee on Hawaiian Affairs

SCR26 – Supporting the Native Hawaiian Intellectual Property Working Group's
Request for Resources and Timeline Extension for FY2026 – 2027

RE: Strong support of SCR26

April 2, 2026

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

The Hawaiian Council writes in **strong support of SCR26**, which requests continued support for the Native Hawaiian Intellectual Property Working Group.

As a non-profit Native Hawaiian organization, Hawaiian Council recognizes the urgent need to protect 'ike, cultural practices, and traditional knowledge. Native Hawaiian intellectual property is not simply a resource, but an ancestral inheritance that carries deep cultural, spiritual, and communal significance. Ensuring their protection is essential to preserving the integrity of Native Hawaiian identity for future generations.

The misuse and unauthorized commercialization of Native Hawaiian cultural expressions continues to pose a serious concern. Without appropriate safeguards, 'ike kupuna and other cultural assets remain vulnerable to exploitation, often without the consent or benefit of Native Hawaiian communities. Addressing these challenges requires thoughtful, community-driven solutions grounded in 'ike and cultural values.

The Native Hawaiian Intellectual Property Working Group plays a critical role in advancing this work. Its efforts to engage stakeholders, explore legal frameworks, and develop meaningful recommendations are complex and require both time and adequate resources. Support for the working group will allow for more comprehensive community consultation and ensure that resulting policies are informed, effective, and culturally appropriate.

SCR26 represents an important step toward fulfilling the State's responsibility to protect Native Hawaiian rights and cultural resources. Supporting this measure will help ensure that Native Hawaiian voices remain at the center of decisions impacting their cultural heritage.

Mahalo for the opportunity to provide testimony in support of this measure. Hawaiian Council respectfully urges the House to **PASS SCR26**.

Me ke aloha,

Madelyn McKeague

Director of Advocacy, Hawaiian Council

HAWAIIANS ADVANCING HAWAI'I

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April 2, 2026

TESTIMONY OF THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS
To the Senate Committee on Hawaiian Affairs
In Support of

**SCR26/SR23 - SUPPORTING THE NATIVE HAWAIIAN INTELLECTUAL PROPERTY
WORKING GROUP'S REQUEST FOR RESOURCES AND TIMELINE EXTENSION FOR
FISCAL YEAR 2026-2027.**

Aloha Chair Richards, Vice Chair Lamosao, and members of the committee:

The Association of Hawaiian Civic Clubs submits its testimony in **support** of SCR26/SR23 Supporting the Native Hawaiian Intellectual Property Working Group's Request for Resources and Timeline Extension for Fiscal Year 2026-2027.

The Association has a long-standing history of advocating for the protection of Native Hawaiian intellectual property based in 'Ike Kūpuna, including advocating for the establishment of the Native Hawaiian Intellectual Property Working Group. Since its formation, the working group has become increasingly aware of the scope and complexity of identifying risks to traditional, culturally grounded knowledge, particularly as such traditional 'ike is increasingly used in commercial and public contexts.

Providing the working group with an additional year and appropriate resources will allow it to conduct meaningful consultation with Native Hawaiian communities and complete as comprehensive a review as possible of the risks to 'ike kūpuna and other culturally grounded knowledge. This additional time will help ensure the development of thoughtful policy and legislative recommendations to guide the State in protecting Native Hawaiian knowledge and cultural expressions. These recommendations will help inform the legal framework needed to assist the State in protecting Native Hawaiian intellectual property.

Supporting the continued work of the Native Hawaiian Intellectual Property Working Group will support efforts to advance the State's constitutionally required responsibility to protect and preserve the rights, culture, and intellectual property of Native Hawaiians.

Founded by Prince Kūhiō in 1918, the Hawaiian Civic Club movement is the oldest Native Hawaiian community-based advocacy movement. The Association of Hawaiian Civic Clubs is a not-for-profit confederation of 60 individual and autonomous Hawaiian Civic Clubs and 3,500 members located across Hawai'i and across the continental United States.

The Association urges passage of SCR26/SR23. Mahalo nui loa for your consideration.



**TESTIMONY IN SUPPORT OF
SENATE CONCURRENT RESOLUTION 26 AND SENATE RESOLUTION 23
SUPPORTING THE NATIVE HAWAIIAN INTELLECTUAL PROPERTY WORKING
GROUP'S REQUEST FOR RESOURCES AND TIMELINE EXTENSION FOR FISCAL YEAR
2026-2027**

Ke Kōmike ‘Aha Kenekoa o ke Kuleana Hawai‘i
(Senate Committee on Hawaiian Affairs)

Ke Kapitala ‘o Hawai‘i
(Hawai‘i State Capitol)

Apelila 2, 2026

1:00PM

Lumi 224

Aloha e Chair Richards, Vice Chair Lamosao, and Senate Members of the Committee on Hawaiian Affairs:

Mahalo for hearing this resolution. The Office of Hawaiian Affairs (OHA) **SUPPORTS SCR26/SR23** which requests an extension of resources and timeline for fiscal year 2026-2027 for the Native Hawaiian Intellectual Property Working Group (Working Group).

Since the Working Group was established, following the collective support and will of this legislative body in 2023, OHA has participated as a member of this Working Group. This Working Group has been tasked to create a report on the policies and legislation needed to better protect Native Hawaiian culture and traditional knowledge. The Working Group has successfully convened and established membership with one vacancy remaining. The Working Group also elected its chair and co-chair: Kumu Hula Vicky Holt-Takamine, Executive Director of the PA‘I Foundation and Makalika Naholowa‘a, Executive Director of the Native Hawaiian Legal Corporation. The leaders of the Working Group are world renowned for their expertise in Hawaiian cultural knowledge and Native Hawaiian Rights/Intellectual Property Law respectively. The Working Group is undoubtedly well-positioned under their leadership to fulfill its charge given the appropriate time and resources.

While the Working Group is committed to continuing this important work, more time and resources are needed to fulfill its mandate at the scale and in the manner demanded by the importance of this kuleana. Across the pae ‘āina, there is an increasing desire to leverage ‘ike kūpuna in various forms and sectors by Native Hawaiians. At the same time, there is also an increasing need to protect against exploitation of Native

Hawaiian cultural intellectual property, traditional cultural expressions, and genetic resources by individuals who lack connection to the community and are simply seeking profit. These competing needs, and the intersection with complex legal and economic systems, are issues that require careful time, consideration, community input, and expert analysis before well-informed and meaningful recommendations can be made.

Adopting this resolution will provide needed support to the Working Group to continue its important work. While resources are needed to continue the work of the Working Group, OHA notes that there is no appropriation request in this resolution.

Accordingly, we urge the Committee to **PASS** SCR26/SR23.

Mahalo for the opportunity to testify on this measure.

SCR-26

Submitted on: 3/30/2026 1:59:17 PM

Testimony for HWN on 4/2/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elaine SanJose	Testifying for Kahua O Kakou Corporation	Support	Written Testimony Only

Comments:

Aloha mai kākou (Hello everyone),

My name is Elaine Poipe Keali‘iwahāmanā Makaio SanJose and I am testifying on behalf of Senate Bill SCR26, SR23. I am totally a Supporter of this unique constitutional mandated Senate Bill that is under Article XII, Section 7, Hawai‘i State Constitution to protect and preserve our rights as a Native Hawaiian, also known as, a Kānaka Māoli, that includes our cultural traditional rights, making the preservation of Native Hawaiian Intellectual property a responsibility of the State; and the Native Hawaiian Intellectual Property Working Group that was established by H.C.R. No. 108, H.D.1, S D.1 (2023), to address the complexities of protecting Native Hawaiian Intellectual Property, with a composition that included representatives from the respected Native Hawaiian organizations, that included the Office of Hawaiian Affairs, State Foundation on Culture and the Arts, Native Hawaiian Legal Corporation, Ka Huli Ao Center for Excellence in Native Hawaiian Law, Kāhuli Leo Le‘a, ‘Ihikapalaumaewa Foundation, Kawaihuelani Center for Hawaiian Language, and Association of Hawaiian Civic Clubs in the duties set forth.

I believe that as a People of Native Hawaiian Ancestry, we should be given this very important task and duties to conduct the many cultural aspirations, insights, and concerns that are aligned with the United States Government and the State of Hawai‘i Government's commitment to ensuring reconciliation and the justice for Native Hawaiian peoples by actively supporting self-determination and control over all of it's cultural assets that includes the \$5,600,000.00 in gross domestic products derived by our Kānaka Māoli (Native Hawaiian) Peoples who have created these Hawai‘i Industries, cultural authentication and respect to a greater economic stability, community resilience and cultural vibrancy, all of which are essential to the well-being of our Kānaka Māoli (Native Hawaiian) communities.

As a registered Office of Hawaiian Affairs Beneficiary, I humbly ask out of respect that the Kānaka Māoli (Native Hawaiian) Intellectual Property Working Group be given the mission and complexity of their work, which requires sufficient time and resources to ensure through and meaningful outcomes for the Kānaka Māoli (Native Hawaiian) community to continue it's establishment and work. Mahalo nui loa (Thank very much) for your time and consideration.

Me ke aloha pumehana (With sincere love),

O.H.A. Beneficiary

Elaine Poipe(Phoebe) Keali‘iwahāmanā Makaio SanJose

Kahua ‘O Kākou, Corp.

Email: kahuaokakou@gmail.com

Hawai‘i State Capitol
Room 202
State of Hawai‘i

RE: Strong Support of SCR 26 / SR 23

1 ‘Apelila, 2026

Aloha mai, e Luna Noho Richards, Hope Luna Noho Lamosao, a me nā Lālā o ka Senate
Hawaiian Affairs Committee:

HCR 114 / HR 106 was successfully passed unamended in the House. Therefore, I submit this testimony in strong support of SCR 26 / SR 23 to extend resources and provide time for the Native Hawaiian Intellectual Property Working Group (“Working Group”) to continue its work through fiscal year 2026-2027.

I am the kumu hula nui of Hālau Hula ‘o Ka Malama Mahilani (Maui, O‘ahu, Japan); a Leo Kāhoa Steering Committee Member of the international coalition of kumu hula, Huamakahikina; the Vice President of the ‘Ihikapalaumāewa Foundation; and, I serve as a member of the Native Hawaiian Intellectual Property Working Group. The original resolution calls for the formation of the Working Group as reflected the Legislature's commitment to the protection and care of Native Hawaiian culture. These resolutions ask that the Legislature reaffirm that commitment by supporting the Working Group with the time and resources essential for its success.

To echo the support offered by the Native Hawaiian Legal Corporation, “The Working Group was asked to report to the Legislature with findings and policy recommendations that will enable the State to better safeguard Native Hawaiian intellectual property. Native Hawaiian intellectual property is an evolving term of art within the broader domain of Indigenous cultural property. It is frequently used to refer to the intangible dimensions of the Native Hawaiian culture, including the knowledge, practices, expressions, language, traditions, and ways of knowing that are distinctive aspects of what makes Native Hawaiians a unique people . . . due to the devastating Maui wildfires [of 2023] that rightfully redirected community attention and government resources. When the group was able to convene in June 2024, it was allocated no resources to support the research, community engagement, and analysis that the Legislature's request requires.”

In our initial data-gathering efforts as the Working Group, it became blatantly clear that substantial abuse of Native Hawaiian Intellectual Property is occurring at a magnitude much larger than what was first suspected. As such, effective recommendations and solutions will require a complex comprehensive assessment. In parallel undertakings in other jurisdictions, investment of significant time and resources have been necessary. Although the Working Group is not requesting such scale at the moment, the Legislature should be cognizant that without adequate resourcing, the Working Group will be constrained in its ability to adequately address the issues at hand, as well as provide recommendations for long-term solutions.

Because the Working Group is tasked with representing Kānaka Maoli and the Community, and as a member of the Working Group, I ask that you support SCR 26 / SR 23 to extend resources and provide time for the Native Hawaiian Intellectual Property Working Group (“Working Group”) to continue its work through fiscal year 2026-2027.

Me ka ‘oia‘i‘o,

Kumu Hula Cody Pueo Pata
Hālau Hula ‘o Ka Malama Mahilani

SCR-26

Submitted on: 3/30/2026 1:42:45 PM

Testimony for HWN on 4/2/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Honokaupu Jr	Testifying for Ho'omakaukau	Comments	Written Testimony Only

Comments:

In the modern world, my culture has been ripped, yanked, pulled, banned from America. I am very poorly unsatisfied with the texts has been said on Pg.2 line 12. How could you say my culture is selling Hawaii for your pleasures. I didn't agree to that, who agreed to that?. We natives knows what's best for our State. It's never the government, never. I know in my convictions I feel really disrespected by the Hawaii government... I'm not voting. I'm fighting for my kingdom.

SCR-26

Submitted on: 3/30/2026 2:31:15 PM

Testimony for HWN on 4/2/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elena Savaiinaea Farden	Individual	Support	Written Testimony Only

Comments:

**TESTIMONY IN STRONG SUPPORT OF SCR 26 / SR 23
RELATING TO NATIVE HAWAIIAN INTELLECTUAL PROPERTY**

Chair Senator Herbert M. "Tim" Richards, III, Vice Chair Senator Rachele Lamosao, and Members of the Committee,

Aloha mai kākou,

My name is Elena Savaiinaea Farden, and I am providing testimony as a representative of the Association of Hawaiian Civic Clubs and a member of the Native Hawaiian Intellectual Property Working Group. I am in **STRONG SUPPORT of SCR 26 / SR 23**, which supports the Working Group’s request for additional resources and a timeline extension through Fiscal Year 2026–2027.

As recognized in this resolution, the State of Hawai‘i carries a constitutional kuleana under Article XII, Section 7 to protect and preserve the rights of Native Hawaiians, including our cultural and traditional knowledge. Native Hawaiian intellectual property is not abstract—it is the living expression of our ‘ike kūpuna, our mo‘omeheu, and our relationship to ‘āina. It is the foundation of who we are as a people.

Yet today, our ‘ike, our designs, our language, our stories, and even our genealogies are too often extracted, commodified, and misappropriated without consent, context, or benefit to our lāhui. This is not only a legal gap—it is a profound imbalance of power.

The work of this Working Group is essential because it seeks to correct that imbalance through solutions grounded in community, culture, and kuleana. As the resolution notes, this work requires **culturally appropriate community consultation** to ensure that any protections reflect the collective aspirations, insights, and concerns of Native Hawaiians . This work cannot be rushed—it must be done with intention, trust, and care.

At the same time, Native Hawaiian intellectual property is not only cultural—it is a significant driver of Hawai‘i’s economy. According to the State Department of Business, Economic Development and Tourism, Hawai‘i’s creative industries generate over **\$5.6 billion in GDP annually—representing more than 5% of the State’s total economy**. This value is deeply rooted in Native Hawaiian culture, ‘ike, and identity.

And yet, Native Hawaiians remain largely unprotected in how that value is used, shared, and monetized.

Native Hawaiian intellectual property is not just cultural—it is:

- **Intellectual wealth:** the knowledge systems that have sustained our people for generations
- **Cultural wealth:** the practices, language, and ‘ike that define our identity
- **Social wealth:** the relationships and ‘ike-sharing that bind our communities
- **Environmental wealth:** the ‘ike of ‘āina stewardship that ensures abundance for future generations

When these forms of wealth are protected, our lāhui thrives. When they are not, we risk continued extraction without reciprocity, and loss without restoration.

This resolution also affirms that indigenous communities who retain control over their cultural resources experience greater economic stability, resilience, and cultural vibrancy. Supporting this Working Group is therefore not only a matter of cultural preservation—it is a pathway toward long-term sustainability and equity for Hawai‘i.

SCR 26 / SR 23 is a necessary step forward. It ensures that the Working Group has the **time, resources, and trust** needed to engage our communities meaningfully and to develop solutions that are grounded in ‘ike kūpuna and responsive to contemporary realities.

Protecting Native Hawaiian intellectual property is not just about preventing misuse—it is about restoring balance, returning authority, and ensuring that the ‘ike of our kūpuna continues to sustain our people and our Hawai‘i for all into the future.

I respectfully urge this body TO PASS this resolution and to continue advancing policies that uphold Native Hawaiian intellectual property as a matter of justice, equity, and the perpetuation of our lāhui.

Mahalo nui for the opportunity to testify in strong support.

SCR-26

Submitted on: 3/30/2026 3:10:48 PM

Testimony for HWN on 4/2/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry, Support

23 SR SUPPORTING THE NATIVE HAWAIIAN INTELLECTUAL PROPERTY WORKING GROUP'S REQUEST FOR RESOURCES AND TIMELINE EXTENSION FOR FISCAL YEAR 2026-2027.

MEMBER OF THE WAI'ANAE HAWAIIAN CIVIC CLUB