WAIMEA HAWAIIAN HOMESTEADERS' ASSOCIATION

WAIMEA NUI — HAWAIʻI

November 7, 2026

The Honorable Brian Schatz
722 Hart Senate Office Building
Washington, DC 20510

RE: S. 5653 — BAAJA: Native Lands, Environmental Protection, and Meaningful Consultation

Dear Senator Schatz:

On behalf of the Waimea Nui Hawaiian homestead community, I write to express our concerns regarding S. 5653, the Bipartisan American Affordability and Jobs Act (BAAJA), particularly its proposed changes to federal environmental protections, historic preservation, and consultation with Native peoples.

We stand in solidarity with our Native American brothers and sisters who have raised concerns about this legislation. Their efforts to protect ancestral lands, cultural resources, and the rights of Native peoples are concerns we share as Native Hawaiians.

Our community recognizes the importance of improving federal permitting processes. For more than a decade, Waimea Nui has worked to develop infrastructure on Hawaiian Home Lands, including roads, water systems, telecommunications, and community facilities. We understand firsthand the challenges of navigating environmental reviews, permitting requirements, and construction.

We support responsible development and recognize that permitting procedures can be improved. However, improvements in efficiency should not come at the expense of meaningful consultation, environmental protections, or the preservation of Native cultural resources.

For Native peoples, the land is more than a place to build. It is our ancestral inheritance, our cultural identity, and our responsibility to future generations. As Native Hawaiians, our kuleana to the ʻāina requires us to protect its natural and cultural resources while creating opportunities for our beneficiaries.

The federal government has recognized its special relationship and responsibilities involving Native Hawaiian communities through the Hawaiian Homes Commission Act, Joint Secretarial Order 3403, and established Native Hawaiian consultation policies. These authorities provide important context when Congress considers changes that may affect Hawaiian Home Lands.

Senator Schatz, we understand from your public statements that you have been working on amendments to BAAJA concerning tribal historic preservation. We recognize your attention to these concerns and would welcome clarification regarding the amendments you have supported and how they address the interests of Native American tribes and Native Hawaiian communities.

We are particularly interested in understanding whether the Department of Hawaiian Home Lands, the Hawaiian Homes Commission, Hawaiian homestead associations, and other Native Hawaiian organizations have been consulted during the development of this legislation.

We also seek clarification concerning how the proposed amendments would preserve existing protections under the National Historic Preservation Act, particularly Section 106, and ensure that Native Hawaiian organizations retain meaningful opportunities to participate in federal decisions affecting culturally significant lands and resources.

Waimea Nui is closely following congressional action affecting Native peoples, their lands, and the federal government's responsibilities toward them. We believe that decisions involving these protections should be informed by the voices of the Native communities whose lands and cultural resources may be affected.

We recognize your longstanding work on Native Hawaiian issues and value a constructive relationship with your office. We also believe that meaningful representation includes ensuring that Native Hawaiian homestead communities have an opportunity to be heard when Congress considers changes to federal protections affecting our ʻāina.

Our community has demonstrated that responsible development and environmental stewardship can proceed together. We believe that federal permitting reform should preserve that balance.

We respectfully request your response concerning the consultation undertaken, the amendments you have supported, and the protections that will remain in place for Native American tribes, Native Hawaiian organizations, and Hawaiian Home Lands.

Mahalo for your consideration and your continued service to Hawaiʻi.

Mahalo Nui,

Michael Hodson

Michael Hodson
President
Waimea Hawaiian Homesteaders' Association
Waimea Nui, Hawaiʻi