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Assistant Secretary John Berry
c/o Document Management Group
Department of the Interior
1849 C Street, NW, Mailstop-7229
Washington, DC 20240

Re: Draft Report: "From Mauka to Makai: The River of Justice Must Flow Freely"

Dear Assistant Secretary Berry:

I write this letter to express my support for the above-referenced draft report. I have become interested in Hawaiian history and native Hawaiian affairs as a result of a number of visits to Hawai'i over the past several years. Prior to my first visit in 1996, I had extremely limited knowledge of these matters. My guess is that most mainlanders have a similar lack of knowledge. It is, therefore, extremely important for the Departments of Interior and Justice to do all that they can to publicize the draft report and the ongoing reconciliation process.

Recommendation 1 of the draft report is especially pertinent in light of the unfortunate *Rice v. Cayetano* decision earlier this year. There seems to be no legitimate reason for not recognizing Native Hawaiians as a distinct community, similar to the recognition given to Native American tribes. Without recognition of a Native Hawaiian governing body similar to Native American tribes, all other efforts to promote the welfare of Native Hawaiians appear to be vulnerable to the reasoning expressed by the Court in *Rice*. Accordingly, Recommendation 1 strikes me as being the key to the entire reconciliation process; I agree with the recommendation that immediate attention ought to be given to obtaining appropriate Federal legislation acknowledging the three points set forth in the draft report.

Recommendations 2, 3 and 4 also seem entirely appropriate, and consistent with Recommendation 1.

Recommendation 5 seems the second most important of the five

recommendations. Past societal general wrongs are difficult to resolve via case by case litigation. Such wrongs must, however, be recognized (as they were in the Apology Act), with appropriate compensation. The draft report, in my opinion, properly suggests that the Federal government should expend adequate resources to promote the interests of Native Hawaiians to amount to meaningful reconciliation. In addition to the general issue of sovereignty, addressed in Recommendation 1, it appears to be entirely appropriate to expend Federal resources to address the issues of cultural preservation and rejuvenation, health and welfare, economics and housing, and education, all as you have noted in the "Current Status and Major Issues" section of your report. Of course the final form of any programs created to address these issues must depend, in part, on the ultimate outcome of Recommendation 1. Nevertheless, some form of ongoing monetary support and/or other Federal assistance must take place, and discussion of this topic should not await the ultimate resolution of Recommendation 1.

In short, I commend your efforts in preparing the draft report. Please continue your work on behalf of the Native Hawaiians so that, in fact, someday the river of justice will run freely.

Very truly yours,

PAUL G. DODDS

P.S. The draft report suggest that there is an e-mail list for people who have submitted comments vis e-mail. Accordingly, I am sending this letter both by surface and electronic mail, and I request that you add me to the e-mail list. Thank you.