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DEPARTMENT OF INTERIOR
BUREAU OF INDIAN AFFAIRS

TRIBAL CONSULTATION
ADVANCED NOTICE OF PROPOSED RULE MAKING
PROCESS FOR REESTABLISHING A GOVERNMENT-TO-GOVERNMENT
RELATIONSHIP WITH THE NATIVE HAWAIIAN COMMUNITY

Taken at 10200 Quil Ceda Boulevard
Marysville, Washington

DATE: Friday, August 1, 2014

REPORTED BY: Kristin M. Vickery, CCR, CLR 3125

1 MARYSVILLE, WASHINGTON; FRIDAY, AUGUST 1, 2014

2 9:04 A.M.

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4 MR. BEETSO: Good morning, everyone. If we could,
5 I would like to ask everyone to take their seats. If you
6 haven't had a chance to do so, I would ask you to please
7 sign the sign-in sheet. There's a sign-in sheet at the
8 front table, and there's also a packet of materials that
9 we'll be discussing this morning a front table as well.

10 My name is Derrick Beetso. I'm a counselor to
11 Assistant Secretary Kevin Washburn in Indian Affairs. The
12 is initially scheduled as tribal consultation which is
13 mandated by the Department of Interior to have discussions
14 about policies that may or may not have an effect on Indians
15 in the United States.

16 So Executive Order 13175 requires the Department
17 of Interior to facilitate any tribes that become policy may
18 or may not affect Indian tribes. So those -- the purpose of
19 this morning's meeting -- I know we have a lot of folks
20 outside of the federally recognized Indian community. We
21 have a lot of Native Hawaiians here. And we have spoken
22 with tribal leadership, and so the meeting is open for
23 everyone in the room. So I just wanted to make that known
24 on the record.

25 We have a court reporter here today. She'll be

1 transcribing everything that's said today. So later on when
2 we move into the comment phase of this morning's session,
3 please be sure to speak clearly. State your name before
4 every statement that way she can have it down for the
5 record. And the transcripts will be available later.

6 So this morning we're here to discuss of and
7 Advanced Notice of Proposed Rule Making. We wanted to start
8 by asking Vice Chair Deborah Parker from the Tulalip Tribe
9 to give us a welcome this morning.

10 DEBORAH PARKER: (Native language) Deborah Parker,
11 Board of Directors for the Tulalip Tribe. Good morning,
12 friends and relatives. We welcome you here to dxwlilap.
13 That's our traditional name, and the name comes from
14 landlock bay.

15 And I am -- my indigenous name here is (native
16 language) and that's my grandmother's name seven generations
17 back. And so on behalf of my family and on behalf of our
18 tribe and our nation, we welcome each and every one of you
19 here today. And we pray -- we pray that wherever you come
20 from that you enjoy your stay here and that you have safe
21 travels back.

22 We welcome my good friend here, Derrick Beetso. I
23 know he's a hard worker for Indian Country, and we're very
24 proud that you're here today and that it's being hosted in
25 our traditional lands here.

1 I was talking to Derrick about the sensitive issue
2 of recognition and who you are. And I've always been taught
3 who you are is where you come from, is -- is you -- they say
4 home is where your heart is. But to me it's wherever you
5 carry yourself. It's how you carry yourself. It's your
6 language. It's your whole being.

7 We talk about the fabric of life and how it's
8 woven together. And that's each and every one of you, each
9 and every one of us, and even this morning how we all come
10 together today to share our words. And I just hope and pray
11 for each one of you that you share your own truth with they
12 government. They need to hear your truth.

13 You may not all agree, and that's healthy. That's
14 how -- that's how we grow together, that's how we learn. On
15 council there's seven council members. And my first year of
16 council, I was the only female, so you can really feel sorry
17 for me. It took a lot of patience for me to work with my
18 male counterparts, but we did it and we worked together.
19 And now there's three females and four males on the board.
20 And it's always interesting on how we come together with
21 different generations and male/female, the belief, our own
22 traditions within our home and how we work together.

23 So it's an exciting time to learn and grow. Each
24 of you carries a beautiful spirit within you, and I just
25 hope and pray that today you -- as my mother would say, you

1 put it on the table, and you speak your own truth. And
2 that's how we're going to move forward with our own truth.
3 Don't hold back. Someone may -- even if someone thinks
4 you're right or wrong, that doesn't matter. That's your
5 truth. Be in your own element today. And so I'm grateful
6 that these consultations are here because it's important to
7 listen to our people.

8 Then you've got to sort through all of it. And
9 that's something each and every day tribal leaders, our
10 leaders of the country, and across the nation and across the
11 world that's what we have to do, is we have to sort through
12 all of the energy, all of the words, to come up with the
13 right decision.

14 And so for me, I hope and pray that -- that you
15 continue to that aloha spirit. We have some of our tribal
16 members here who are of Tulalip and Hawaiian ancestry so we
17 really honor those families here today. They bring us a lot
18 of aloha. They bring their traditions from here and they
19 bring that love and that feeling of ohana, that feeling of
20 love to us.

21 And so they really -- they really add to the
22 fabric and to our -- not just -- not just only to our
23 history, but who we are today. So today we're much a
24 blended family, and so I'm very grateful for this day today
25 and for each and every one of you. Again, it's -- I know

1 these meetings can be intense. They can be -- people have
2 different beliefs on where they stand. But I truly believe
3 that if you just respect each other in that way and continue
4 those traditional teachings that we have that we'll find
5 that common ground.

6 And so that's my prayer for you today, that's the
7 medicine that my grandmother has taught is me that love and
8 respect and we approach everything from the doorway in to
9 the doorway out we respect each other in that way. So,
10 again, much love to each and every one of you on your
11 travels and your day today.

12 We -- Tulalip Tribes, we'd like to come visit you,
13 and I think leadership needs to start. So if you hold a
14 consultation there, I'd like a personal invite. But
15 anyways, just once again, much love and welcome, and we hope
16 you enjoy your stay here and visit us any time. We're a
17 great casino. Thank you.

18 MR. BEETSO: Thank you, Vice Chair.

19 So good morning, everybody. We'd like to thank
20 you the Tulalip Tribe for hosting this morning's session.
21 It's a very special place. I came in yesterday. It's just
22 amazing. It's a beautiful area. It's my first time here,
23 so thank you, Tulalip Tribes.

24 So I wanted to start out by giving everybody an
25 introduction of the federal team here. Since this is a

1 federal consultations, I wanted you guys to know who the
2 federal officials are here. I'll actually introduce myself.
3 My name is Derrick. I'm counselor to Assistant Secretary
4 Washburn. And I'll let Jennifer introduce herself.

5 MS. ROMERO: Good morning, everyone. I'm Jennifer
6 Romero. I'm a senior adviser to Secretary Jewell at the
7 Department of the Interior.

8 MR. BEETSO: I know out front, if you guys signed
9 in, you met the wonderful Annette Romero. She's in our
10 Department of Regulatory Affairs. And we have Craig Dorsett
11 around here as well too. Craig Dorsett's in the Office of
12 Policy Management and Budget. So those are the federal
13 folks this morning. I know we have a trial leader from
14 Puyallup. Would you like to introduce yourself, sir?

15 BILL STERUD: Thank you.

16 Thanks again for the Tulalips and their beautiful
17 place and allowing people to come here and visit. My name
18 is Sterud. I'm the chairman of the Puyallup Indan Tribe.
19 We're out down there by Tacoma, Washington. I have some
20 Hawaiian friends, and I was just over in Hawaii like last
21 week visiting some of my Hawaiian friends.

22 And the concern that my Hawaiian friends was that
23 these hearings taking place and why are the Indian tribes
24 having comment into your internal personal tribal world.
25 Well, I'm here to say that we do not have a place in your

1 internal tribal world and that you have some very important
2 questions that you have to ask. You have some important
3 things you have to say. Indian tribes over here don't have
4 any input into that process. I'm just saying that for the
5 record. This is your world; this is your fight; this isn't
6 the tribal over on the mainland's fight. We'll support what
7 you come up with, guaranteed, but this is your fight. And I
8 just want you people to hear that I want to Interior to hear
9 it as well, that this is your fight, this is your government
10 and this is your world. Thank you.

11 MR. BEETSO: Thank you, Chair.

12 So with that statement, I guess so this is -- you
13 know, I'm here on behalf of Indian Affairs. We've been
14 working, you know, as federal team on this matter. And just
15 a little bit of background behind why Indian Affairs is
16 involved.

17 And you know, the short of it is when the -- when
18 the concept of acknowledging the government-to-government
19 relationship with the peoples was brought up and the
20 Department of Interior Indian Affairs was -- you know, we've
21 been doing this since the 1930s. So I kind of see our
22 involvement in this matter as more like a technical
23 assistance involvement. It's definitely not trying to swoop
24 Native Hawaiian's under the umbrella of Indian Affairs. But
25 it's more when we look at this issue, Indian Affairs has a

1 long history with the Indian Organization Act, Oklahoma
2 Indian Welfare Act, Alaska amendments to the IRA, the
3 federal acknowledgment process, all of those different types
4 of ways that tribes come into being, we have reaffirmation
5 processes that we go through for tribes that were
6 administratively left off the acknowledgment list. It was
7 kind of mistake by the Department of Interior. So we have a
8 lot of analysis that we go through to acknowledge that
9 government-to-government relationship.

10 So I think when this initiative was set forth I
11 think the thought that was since Indian Affairs has dealt so
12 much with acknowledging that government-to-government
13 relationship that we should be kind of at the table. And
14 the consultations, I see them more tribes being able to give
15 their input as to what works from processes that they've
16 been through.

17 We have a lot of only tribes that have been
18 acknowledged through the federal acknowledgment process. We
19 have several that have been acknowledged through
20 reaffirmation. A lot of tribes are IRA tribes. A lot of
21 tribes in Alaska were organized under the Alaska Amendments
22 to the IRA. And so just their history of it -- it's not --
23 we're going through -- right now we're also doing separate
24 rule making for federal acknowledgment process. And in that
25 rule-making process, that's -- that's for continental United

1 States folks that are petitioning for federal
2 acknowledgment.

3 And so if the thought was to swoop Native
4 Hawaiians into Indian Affairs, then we would have probably
5 lumped it within that federal acknowledgment process, but
6 this is separate and distinct and that's something that
7 you're here today. That's not the federal acknowledgment
8 process it's not the reorganization process.

9 When you look at those two processes, they might
10 have components of theirs that might assist in any type of
11 potential framework that we might be looking at future in
12 the future that addresses Native Hawaiians.

13 So with that, I wanted to turn it over to Jennifer
14 to give a little bit of background, and you know, we
15 initially framed this presentation for tribal leaders in
16 case, you know, there's a historical, I guess, information
17 that needed to be told to tribal leaders for them to
18 understand why we're here today and why we're talking about
19 federal acknowledgment possibly for the Native Hawaiian
20 community. So that's why you see, Brief discussions on
21 Native Hawaiian history.

22 So I'll turn it over to Jennifer. I think she's
23 going to kind of abbreviate that portion of the
24 presentation, but...

25 Jennifer Romero.

1 MS. ROMERO: Thanks, Derrick. Good morning,
2 again, to all of you. Thank you so much for being here.
3 And on behalf of the Department of Interior and Secretary
4 Jewell, we welcome you and thanks again for taking time out
5 of your schedules to come and listen.

6 Before I begin the overview of the Advanced Notice
7 of Proposed Rule Making, let me give just a little bit of
8 brief background on Native Hawaiian affairs. Native
9 Hawaiians, like Native Americans and Alaska Natives on the
10 mainland are distinct indigenous who lived and exercised
11 sovereignty over their lands centuries before European
12 contact and the formation of a federal government.

13 Native Hawaiians continue to maintain their
14 national identity as distinct people with a unique language,
15 history, culture, and ancestral land base. Yet despite
16 these attributes, they're the only indigenous people of the
17 United States that do not currently have a
18 government-to-government relationship with the federal
19 government. So no federal recognition -- no federal
20 regulations currently exist for recognizing a Native
21 Hawaiian government.

22 So with that, let me tell you what I'm here to do
23 today. I will be giving you an understanding of how the
24 Advanced Notice of Proposed Rule Making -- and I'll
25 abbreviate that to ANPRM -- how the ANPRM was developed and

1 why. I'll also briefly go over the five questions that
2 we've asked the Native Hawaiian community and other
3 stakeholders in the ANPRM.

4 Let me begin with a little bit of background on
5 the development of the ANPRM. When was this document
6 released? And I believe you have in your materials the five
7 questions as well as some more information on the proposed
8 rule making. But on July 18 Secretary Jewell announced a
9 first step to consider reestablishing a
10 government-to-government relationship with the Native
11 Hawaiian community and the United States.

12 The ANPRM was posted in the Federal Register
13 shortly thereafter. And after the publication, the federal
14 team of Interior and Justice officials, including myself,
15 and embarked on a nearly three-week journey to the Hawaiian
16 Islands.

17 We conducted 15 meetings on all major Islands in
18 Hawaii. We collected over 45 hours of oral testimony during
19 these community meetings -- but in addition to those
20 meetings we also had smaller community meetings, smaller
21 stakeholder meetings in between the larger once. We
22 collected written submission testimony based on the ANPRM
23 and also heard directly from some small community
24 organizations.

25 Those organizations -- and we did meet informally.

1 These were not on the record. It was strictly talk story
2 with these organizations which included the Office of
3 Hawaiian Affairs, the Department of Hawaiian Homelands,
4 homestead communities, rural societies, the Ali'i Trust in
5 settings really just like this one. It was an open forum.

6 And we at the Department of Interior felt that it
7 was critically important that we hear directly from the
8 community and we have a robust dialogue with the Native
9 Hawaiian community and that we really heard from the people
10 directly. So that was -- that was our goal. We set out to
11 have these public meetings, 15 of them, throughout the
12 islands, but we always wanted to meet directly in the
13 community to talk story and to really understand people's
14 feelings about the ANPRM.

15 So that was -- that's the timing of the ANPRM.
16 And let me talk about why we undertook this process. So a
17 lot of the questions we got and the feedback we got in these
18 smaller community meetings had to do with why are we here,
19 who asked us to undertake this process, so let me flesh that
20 out a little bit.

21 The ANPRM responds to requests from both the
22 Hawaiian Congressional community and -- the Native Hawaiian
23 community, rather, and Hawaiian Congressional delegation,
24 your Native Hawaiian's elected political leaders and then
25 the local and at the national level for the Department of

1 Interior to consider developing an administrative process to
2 create an option for the Native Hawaiian community
3 reestablish a government-to-government relationship with the
4 United States.

5 The process really builds on the 1993 policy
6 resolution. In case you're unfamiliar with that, in 1993
7 the United States Congress formally apologized for its role
8 in the overthrow the Hawaiian Kingdom and acknowledged that
9 throw was illegal. In 1993, once that resolution was
10 passed, it kicked off a reconciliation process.

11 And in the year 2000 -- or rather in 1999 a
12 another federal team of Interior and Justice officials set
13 out and went to Hawaii on a much smaller scale and had
14 meetings with the Native Hawaiian community. And those
15 meetings really centered on issues close to the Native
16 Hawaiian community: Education, employment, healthcare.
17 These -- these types of issues that Native Hawaiian
18 community really felt was important to self-determination
19 and self-governance of their community.

20 And as a result of those meetings that happened in
21 1999, a year later a report came out. It's called the
22 reconciliation report. And that report gave, as its top
23 recommendation, its highest priority, its recommendation to
24 the United States was that the Native Hawaiian community be
25 given the opportunity to reestablish and reorganize and

1 petition the United States for federal recognition.

2 So based on those two critical moments in time, we
3 at the Department of Interior hearing from local and
4 national leaders over the past few decades decided to lay
5 the groundwork for the ANPRM and this important undertaking.

6 So that's sort of the who of what's behind the
7 ANPRM and why we were asked to undertake this process. So
8 let me, then, now address the why.

9 Why was the ANPRM proposed? The United States --
10 excuse me -- the United States has a special and
11 political -- political relationship with the Native Hawaiian
12 community based over 150 statutes conferring benefits on the
13 Native Hawaiian community. Specifically Congress has
14 established Native Hawaiian programs in the area of
15 healthcare, education, loans, and employment. And two very
16 prominent examples of these benefits codified in statute is
17 the Native Hawaiian Healthcare Improvement Act and the
18 Native Hawaiian Education Act. The United States has also
19 enacted a statute to preserve Native Hawaiian culture,
20 Native Hawaiian language and historical sites.

21 So as I said before, the ANPRM is really proposed
22 to give Native Hawaiians the option of strengthening
23 self-determination and their self-governance by
24 reestablishing government-to-government relationship, but
25 really another -- another key reason is to better implement

1 these federal benefits that the Native Hawaiian community
2 already has.

3 So as I said before, Native Hawaiians are the only
4 indigenous population in the United States and the largest
5 one that does not have a government-to-government
6 relationship with the United States, but it does have a
7 special and political relationship already with the United
8 States. So with that let me talk the ANPRM and what does it
9 do.

10 The ANPRM asking five threshold questions. The
11 first question is the big one: Should the Secretary propose
12 an administrative rule to reestablish a
13 government-to-government relationship with the Native
14 Hawaiian community? If the answer is no, then there's
15 really no need to consider any of the other questions. But
16 that is really the big question here. Does the Native
17 Hawaiian community -- would they like to reengage? Would
18 they like to reestablish, reorganize as a formal government
19 and petition for the United States for acknowledgment?

20 Again, as I said, if the Native Hawaiian community
21 prefers the status quo, then the Department of Interior will
22 take no action. But if the answer is yes, then the next two
23 questions concern facilitation of a reorganized government.

24 The second question asks, really: Should the
25 United States facilitate? Should it have a role in the

1 assisting the Native Hawaiian community in reestablishing
2 the government? If the answer is yes, then what process
3 should the United States use in facilitating the
4 reestablishment of this government? We're asking your
5 opinion. We're asking for your expertise and your thoughts
6 on the process. Those are second and third questions.

7 The final two questions consider federal
8 recognition. The Question No. 4, should the Secretary wait
9 for the community, with the assistance of the State of
10 Hawaii, to complete its nation building that's already
11 underway and rely on that reorganization process? So if the
12 answer is yes to No. 4, then the final question is: How
13 should the Secretary acknowledge this new government once
14 formed and go on to establish a government-to-government
15 relationship with the Native Hawaiian community?

16 So those are the five questions. There are other
17 questions in the ANPRM that are causing a bit of confusion.
18 Some people say, you know, these are five threshold
19 questions, but there's actually 19. Well, yeah. But the
20 five threshold questions are threshold questions. The
21 remaining 19 questions are really there to assist commenters
22 on -- on thinking through these questions and maybe coming
23 up with ideas on how to address the five questions.

24 So you'll see in -- later in the ANPRM towards the
25 end these other questions that really are ment to flesh out

1 and assist. And they're not additional questions. So just
2 wanted to make that clear they're just the five questions
3 that we're asking.

4 So let me conclude by talking a little bit about
5 what the ANPRM does concern and what it does not concern. I
6 think this is really important for the community to
7 understand.

8 The ANPRM does not concern four things: No. 1, it
9 does not concern international law. Nothing in the ANPRM
10 would alter fundamental political and trust relationship
11 between the Native Hawaiian community and the United States
12 that's been established by Congress and codified through
13 those 150 statutes that I mentioned earlier. So it does not
14 concern international law.

15 The second thing it does not concern is
16 membership. Presumably a Native Hawaiian government, once
17 formed, would exercise its sovereign prerogative. And
18 operating under the constitution or other governing document
19 could define its membership criteria. There is a seminal
20 case on this matter with respect to Indian tribal
21 membership, and it's called Santa Clara v. Martinez. And in
22 that decision the United States Supreme Court determined
23 that membership in an tribe is an internal matter. So the
24 United States does not have a role in defining membership.
25 So the ANPRM has nothing to do with membership.

1 The third thing the ANPRM does not concern is
2 land. The ANPRM does not address land whatsoever. Any
3 federal rule that results would not have any direct impact
4 on the status of Hawaiian homelands. There's a separate
5 statute that concerns Hawaiian homelands, and we are not --
6 the ANPRM process does not concern that particular issue.

7 The last thing that this ANPRM does not concern is
8 reparations and compensation for past wrongs. The 1993
9 policy resolution preserved these claims, but the ANPRM does
10 not address them.

11 So let me end my presentation by emphasizing that
12 there's been a lot of hard work that's come that we really
13 that -- the Native Hawaiian community, the Native Hawaiian
14 Congressional, the Hawaiian Congressional delegation, the
15 local leaders, the state legislature did a lot of hard work
16 in getting this to point.

17 It's only been 21 years since the Native Hawaiian
18 community has had a voice in steering a path towards
19 self-determination. The 21-year mark is really a nod to the
20 1993 Apology Act. That's really when we feel that the
21 reconciliation process the between the United States and
22 Native Hawaiian community was kicked off. And the there's
23 been so many things that have happened during those little
24 over two decades. But so far these important building
25 blocks -- the apology resolution, the reconciliation report,

1 and the federal recognition legislation that was proposed by
2 former Senator Akaka -- these efforts were important, but
3 ultimately the legislative effort for federal recognition
4 for Native Hawaiian community failed.

5 When Senator Akaka retired, no other Hawaiian has
6 taken up the mantle and introduced similar federal
7 recognition. There's a host of reasons why legislation on
8 that -- that particular path is -- is something that may not
9 be prudent at this time because of the, frankly, toxic
10 political environment that we're in right now. But we feel
11 that it is important -- I know that the Obama administration
12 feels strongly in its -- in its commitment to attempt to
13 carry forward the -- to fruition the goals that were set in
14 motion by Senator Akaka and the other Hawaiian Congressional
15 delegation and their leaders to work towards giving the
16 Hawaiian community an option to pursue self-determination
17 and self-governance in their lifetimes.

18 But let me just underscore that this effort is
19 ultimately the community's decision, this decision on how
20 and whether to move forward towards self-determination and
21 self-governance. The United States is simply here to
22 facilitate and support that choice.

23 So the -- so the comment the deadline on the ANPRM
24 is August 19. We would encourage you to submit written
25 comments at regulations.gov. The information is up on the

1 screen here. You can also mail your comments in directly to
2 the Office of Secretary by United States mail or if you have
3 your comments here with you today, I'm happy to take that
4 back to DC with me.

5 I think that's all I have. Should we open it up?

6 MR. BEETSO: Yeah. Thank you, Jennifer.

7 So just real quick before we open it up to
8 comments or statements, I just want to remind everybody we
9 have a court reporter here. So before you make your
10 statement or ask you question, please state your name
11 clearly for the record so we can have an accurate record of
12 discussion of what went on this morning.

13 So we have a lot of people here which is great.
14 We're going to have a lot of comments this morning. We're
15 going to work through a lot of items that we just discussed
16 here. So before we start, I just want to say if everybody
17 could be respectful, that we have a lot of people in the
18 room, so we want to get through and make sure everybody has
19 a chance to comment first before we go second comments by
20 individuals and so please try to limit your comments between
21 three and five minutes, I guess. I guess, at this point,
22 we'll open it up. We really want to hear from you guys.

23 So is there anybody in room that would like to
24 make the first statement?

25 DANIEL KAOPUIKI III: Thank you.

1 My name IS Daniel Kaopuiki III known throughout
2 the Pacific Northwest as Uncle Danny. I am ethnic Hawaiian,
3 born and raised on the Island of Hawaii. My -- to response
4 to your Question 1: Should the Secretary of DOI advise the
5 administrative rule? I'd say yes, definitely yes.

6 I appreciate the fact that for the years that we
7 have been trying to gain recognition, that with the Hawaii
8 legislature's act 195 and now with you what you're offering,
9 that the door for me is open. And the thing I want to make
10 sure is that we don't close it on ourselves.

11 Question 2 was, What role should DOI play in this?
12 And my thing to you is that -- that advise, assist, make
13 recommendations. We may not be Native Americans, but you
14 have gone through the process of helping Native Americans
15 create a self-government. And I think it its time that we
16 kind of said, Hey, let's learn from the mistakes, take
17 advantage of the things that work. And this is to me,
18 again, where DOI needs to step into the matter.

19 For me the most critical, I think, I ask of DOI is
20 that you -- we have a notorious representation among Native
21 Hawaiians to be kind of not timely. And my thing would
22 be -- I would say to DOI, from me, the most critical thing
23 you can do is to create a realistic date/time frame where
24 things can be done. Otherwise, we're going to be meeting
25 again five years from now. So my thing, again, that would

1 be, again, I think the one function, especially -- for the
2 Hawaiian community, I think that the critical thing right
3 now is creating a role, identifying those of us who are
4 qualified to be in the process of creating the
5 self-government.

6 As to eligibility, I've heard pros and cons going
7 to HH, to Hawaiian Homes Act of 1927 which creates some
8 criterion for who are Native Hawaiians.

9 Act 195 by the State of Hawaii creates more
10 criterion about who Hawaiians are. Again, I think the
11 criterion is there and I think -- but you know, for all the
12 advice and recommendation that DOI makes, I think, the
13 ultimate thing is that eventually the decision has to be
14 ours. What process we use to create this government, what
15 process we use to identify qualified Hawaiians should be
16 ours, not feds.

17 Question 17 -- and I think kind of asks about your
18 role and the working together to create this -- the
19 constitution and the government. And I think the question
20 kind of boiled down to: Should it be what Hawaiian
21 communities say in Hawaii and working through DOI. My thing
22 is the one thing I really would like to be sure we don't do
23 is get caught up the federal process. We have such a
24 divisive Congress that we would never get any place. So my
25 recommendation would be, certainly, that DOI be involved in

1 that process.

2 I think Question 18 was whether you should have
3 approval/disapproval authority, and I think you should. If
4 you're going to be responsible for setting up the process, I
5 think, eventually, you should have the authority of to
6 approve/disapprove actions, recommendations that are made.
7 Ultimately, though, there should be a caveat that the
8 decision-making is not yours but ours.

9 I think, in conclusion, again, I appreciate
10 everybody coming here. And I know that it's complex and
11 complicated process. It's not going to be done tomorrow.
12 And there a lot of pros, a lot of cons. I understand that
13 some of your reactions back in Hawaii were not the most
14 positive, but I think, again, most of us really are looking
15 forward to a self-governance system. And I appreciate,
16 again, the fact that you're opening this up to all of us and
17 to the Hawaiian community. But, again, eventually I say
18 DOI, Go ahead and make recommendations; you've done this;
19 you've seen how it works, how it doesn't work with the
20 Native American things. And we don't need to reinvent the
21 wheel. To make recommendations on how you think it could
22 work for us but -- again, eventually, let us make that
23 decision.

24 Again my name is Daniel Kaopuiki III, Seattle,
25 been away from Hawaii for 40 years, so I have kind of

1 different perception of -- I am concerned mostly about our
2 people, especially the elders. I want to make sure, again,
3 that we are given every possible benefit that others enjoy.

4 Thank you very much.

5 MR. BEETSO: Thank you.

6 ULULANI ROBBINS: (Native language) Ululani
7 Robbins. I'm pretty sure the Department of Interior
8 representative does not have a certified interpreter to
9 interpret what I just said. But we do not answer to
10 Department of Interior or the Department of Justice. You
11 really have no jurisdiction over us, the Hawaiian nationals
12 nor the Hawaiian Kingdom. We only answer to Queen
13 Lili'ukalani.

14 If you were genuinely interested in the
15 nation-to-nation relationship, Secretary of State John Kerry
16 would be the sole person to represent the United States. Do
17 not insult Native intelligence using the same talking points
18 used to enslave our black cousins as well as our indigenous
19 cousins.

20 My concern is that the elders and the (native
21 language) which is the grandchildren will be enslaved from
22 birth until they're elders.

23 With -- I am in real state, and I work with real
24 estate with tribal members as well. Their lands are held in
25 trust. They are not private property and that's not what I

1 want for Hawaiians nor especially for Hawaiian children.

2 That's a lifetime of slavery.

3 The Council of Native Hawaiian advancement, the
4 Department of Hawaiian Homelands, the Office of Hawaiian
5 Affairs, they do not speak for us. We speak for ourselves.
6 We speak for (native language) nor do they have jurisdiction
7 over us.

8 The United States has no say in what happens with
9 the Hawaiian kingdom and their Hawaiian nationals, this
10 includes the (native language) that's my number one concern
11 is the (native language). Once they're enslaved like our
12 indigenous cousins, there's no turning back. And most of
13 the Hawaiians that I know do not have enough money for legal
14 representation nor to retain an attorney. And I know
15 Derrick's here, and he graduated from UH Law School but most
16 Hawaiians I know are unable to afford an attorney, to retain
17 an attorney to fight this.

18 So strongly urge other to people here to
19 reconsider because once the (native language) are on this
20 path, they will not be able to break free. Look at our
21 indigenous cousins, Puyallup, the children, that's not what
22 I want.

23 So we do not answer to the Department of Interior.
24 But for me personally, no to fed rec. It will wreck our
25 (native language) and as Uncle Danny has said, he's

1 concerned with the (native language). Well, what about the
2 (native language) and the (native language). The (native
3 language) are the -- the youth, the young kinds are our
4 future. I do not want the them to be enslaved.

5 And I think you had made a comment that it's not
6 about the lands. It has everything to do about the land.
7 I'm a land expert. What the Akaka bill tried to do, the
8 Democrats actually wanted it to pass through. Fortunately
9 this time the Republicans were right. They have shut it
10 down repeatedly, and I hope they continue to do that because
11 once you lose your land, we will lose our roots. So I'm
12 glad for that, you know, occurrence between the Democrats
13 and the Republicans.

14 And another point that you had mentioned that is
15 about, it's not going to -- it has nothing do with
16 reparations. We don't want reparations. We want to be left
17 alone. That's the point. We, clearly -- at the first
18 meeting on June 23, I don't think you were in attendance
19 there because I don't recall you.

20 MS. ROMERO: I was there.

21 UNIDENTIFIED SPEAKER: Yeah. On June 23 the
22 Department of Justice and Department of Interior "bread and
23 circuses" nearly 95 percent to 97 percent of those 143
24 people who testified told the panel no. They have
25 repeatedly said no. The people of Hilo overwhelmingly [sic]

1 majority 95 percent plus said no, in Maui as well, as well
2 as Molokai, because some people were fortunately videotaping
3 as evidence that the majority have said no.

4 And I hope you is respect that and be mindful of
5 Hawaiians. Just leave us alone and we can resolve our own
6 problems. We're very, very capable of resolving our own
7 problems. Mahalo.

8 SAMUEL DWYER POKALA LONG: (native language).
9 Good morning, everyone. Samuel Dwyer Pokala Long. The
10 Hawaiian spelling is P-O-K-A-L-A.

11 I'm here today -- first of all, I wanted to thank
12 the Tulalip nation for hosting this important event. Very
13 appreciative of having this time to speak. And also welcome
14 to DOI here to Washington State.

15 I'm here today to speak in opposition of federal
16 recognition and the question -- the answer to the first
17 question is no, so therefore I'm not going to go with the
18 other questions.

19 All right. And also I'm here to represent my
20 movement for Aloha No Ka Aina. The organization director is
21 Dr. Jonathan Osorio.

22 To start off my prepared statement, we're the U.S.
23 today under its own domestic laws rather than international
24 law, government-to-government relationship with kanaka moali
25 Native Hawaiians it would be violating, once again, the

1 sovereignty of the Hawaiian kingdom which has never been
2 legally obliterated in so much as the U.S. has never
3 conquered us. The Kingdom resisted takeover using
4 diplomatic not military means. No one executed a valid
5 treaty of annexation with us which either one of which was
6 recorded in the 1898 for an annexation to be valid under
7 international law.

8 The U.S. has no legal authority over our nation
9 and no right to incorporate us a its native people. Since
10 1893 the U.S. has perpetuated numerous crimes against our
11 people including a determinative role in the overthrow of
12 Queen Lili'ukalani's lawful constitutional government, the
13 rapid appropriation of lands, waters, and other resources;
14 the attempted erasure of our history, language, and our
15 culture. The strangling of our diplomatic relationship with
16 the other nations of the world.

17 These actions violated our rightful existence
18 under international law in the 1890s and now violate our
19 collective right of self-determination and individual human
20 rights?

21 Setting up rules for a federal relationship
22 with a Native government entity would be the latest item in
23 a long list of violations and demonstrate the U.S.
24 government's utter unwillingness to take responsibility for
25 the crimes against our nation.

1 What the U.S. government ought to between now
2 the restoration of our full independence is to officially
3 recognize the interim trust relationship with the kanaka
4 moali in so much as they close our land resources thus
5 depriving us of their benefits.

6 Indeed, the United Nation imposes this
7 international trust relationship on countries like the U.S
8 that hold territories which are denied self-right to
9 determination or prevent from governing themselves. As we
10 are not at this moment able to exercise our sovereignty in
11 our own country, the U.S. must ensure that the Hawaiian
12 people do not lose the rights and prerogatives, however
13 inadequate, that have been garnered by Hawaiians since the
14 American takeover.

15 In other words, the U.S. shouldn't -- should
16 inflict no more harm as the Hawaiian nation continues to
17 unify and strengthen itself. The U.S. may also be bound by
18 some domestic laws, specifically the 1993 Apology Resolution
19 in which the U.S. recognized its complicity in the loss of
20 our government while committing itself to an unspecified
21 process of is reconciliation. The imposition of the status
22 of a claimed state under kanaka moali is another aggression
23 and not reconciliation.

24 Consequently, no federal agent should
25 cooperate with state initiatives like Act 195, roll call

1 that would limit the Hawaiian nation's effort to restore
2 it's government.

3 Finally, the U.S. needs to understand that an
4 increasing number of people believe that restoration of our
5 independent government is not only viable and reasonable but
6 inevitable. This makes a political climate, the future of
7 Hawaii, very different and somewhat more precarious than in
8 1959 when Congress declared Hawaii a state or even in 1993
9 when tens of thousands of Hawaiians were seeking limited
10 self-government.

11 The Department of Interior and the State of
12 Hawaii should not attempt to influence or interfere with the
13 nation-building that has been ongoing among kanakas for the
14 last 30 years. The good will and aloha shown by Hawaiian
15 activists will quickly sour if either the U.S. or the State
16 of Hawaii uses tactics to divide and alienate our people
17 from one another.

18 We believe the Hawaiian Sovereignty movement
19 can and will produce a peaceful and just resolution of
20 political and legal problems created by the U.S. if it is
21 not prevented from growing at its own pace and according to
22 its own ideals. We do not want just any government body.
23 We want the restoration of our independent government, and
24 we deserve nothing less than that.

25 Through our patience and our nonviolent

1 persistence, we are earning the faith of those who inhabit
2 these islands alongside us, and we will not disenfranchise
3 others nor deprive them of their rights. We do insist,
4 however, claiming our rights as a sovereign people and on
5 the U.S. and state policymakers keeping their hands off of
6 our efforts. This does not mean that the U.S. does not owe
7 reparations to the Hawaiian nation for its use of our
8 national lands, waters for its own benefit and security.

9 Between June 23 and July 8 the U.S.
10 Department of Interior held 15 hearings in Hawaii state
11 seeking input from kanaka moali on possible rule change in
12 federal law that would allow for a government-to-government
13 relationship with Native Hawaiians.

14 Throughout these packed hearings, you
15 witnessed an outpouring of love of patriotism as testimony
16 after testimony rejected the proposed rule change, rejecting
17 federal recognition and reaffirming over and over that the
18 Hawaiian -- the Kingdom of Hawaii still exists as a subject
19 of international law. And it is through international law
20 that we expect to move forward to restore justice to our
21 people, lands, and government.

22 The passion, love, and acknowledgment at
23 these hearings was awe-inspiring and had touched a new era
24 of unified dedication to justice amongst our people.

25 We call on the Department of Interior and

1 the Obama administration to move forward under the
2 principles of democracy, heed the voice of the people of
3 Hawaii and cease any further support for U.S. federal
4 recognition of Native Hawaiians despite whatever these
5 particular individuals who claim to represent our people may
6 say or are pushing on the contrary.

7 After weeks of oral and written testimony in
8 nearly unanimous opposition to federal recognition, the only
9 moral action for the Office of Hawaiian Affairs to take is
10 to add -- abandon Act 195. But we learned that OHA is
11 indeed proceeding with the status quo providing that they do
12 not represent the concern and hopes of the Hawaiian
13 community.

14 The Department of Interior should not assist
15 the Native Hawaiian reorganizing our government of
16 facilitate the establishment of a government-to-government
17 relationship. The Department of Interior also should not be
18 involved, itself, in support with current state of Hawaii
19 driven efforts to establish a government entity. We base
20 our position upon the following principles:

21 One, we believe the nation building cannot be
22 initiated, controlled, or monitored by the occupying state
23 or state representative of a nation or local level.

24 Two, we believe that any nation-building
25 effort must start with us. The (native language) kanaka

1 larger Hawaiian community from the bottom up, not top down.

2 Three, we believe the terms of reconciliation
3 must be set by those who have been injured, not by the
4 offending party.

5 Four, we believe the cause and conditions
6 granting the United States sovereign immunity and
7 indemnification upholds ultimate power with the U.S. and
8 prohibits true reconciliation.

9 We reject and condemn any offers or models
10 that do not uphold these principles and the legal problems
11 created by the U.S. if we are not [sic] prevented from
12 growing at our pace and according to our own ideals.

13 In closing, I just wanted to acknowledge and
14 thank everyone for being here today. The Department of
15 Interior hearings -- these hearings not matter what side of
16 issue you took, under international law today stand here as
17 the movement for a (native language).

18 Our message to the (native language) is to
19 remain steadfast, heed the call of the queen, and (native
20 language). We call on the (native language) organize your
21 families, your neighborhoods, and your (native language), to
22 hold your own public dialogues and educational forums,
23 continue to have full faith in yourselves and in your
24 communities and in your (native language). We'll continue
25 to speak for ourselves in a clear, educated, and unified

1 voice.

2 We know who we are. We are kanaka moali. We
3 are Hawaiian nationals. We are not Americans. The U.S. has
4 no legal authority over our nation and we will continue to
5 challenge them to prove otherwise. Again, thanks for the
6 Tulalip nations for having this meeting on native lands.
7 Aloha.

8 MR. BEETSO: Thank you.

9 I just wanted to touch on a couple of things. The
10 comment was made earlier about land being taken into trust.
11 And I want to reiterate what Jennifer said is, this process
12 that we're asking questions about would, down the road,
13 conceivably create a government-to-government relationship
14 with Native Hawaiians. That doesn't necessarily mean the
15 Native Hawaiians will be lumped in like American Indians.
16 So the regulations that allow the Secretary to take land
17 into trust for Indian tribes, we don't see that
18 automatically applying to a government-to-government
19 relationship.

20 I know there's been some debate, you know, about
21 private property versus trust land property. Even and
22 that's, you know, even within the Indian community that's
23 back and forth between which process is preferred.

24 I just want to clarify that any type of rule that
25 we're considering or we would consider would not

1 automatically incorporate that Indian tribes have.

2 UNIDENTIFIED SPEAKER: We don't want to go down
3 that path. That's why we're adamantly saying no. It is all
4 about the land. The same talking points used to facilitate
5 our Black cousins (inaudible) and our indigenous cousins,
6 it's the same talking points that I'm hearing from the
7 Department of Interior. We're shutting it down. We're
8 saying now.

9 MR. BEETSO: Okay. I just wanted to clarify that.
10 One does not equal the other. And also --

11 UNIDENTIFIED SPEAKER: Of course, but it's
12 always -- when American -- everything the American
13 government touches, they destroy. It's always about the
14 land.

15 I don't -- I have been in real estate for ten
16 years, real estate and real estate law. It's always about
17 the land. You displace the native people, you displace
18 their (native language). We're not going to stand for that.

19 With all due respect to tribes, the Puyallup, as
20 well as to Tulalip, we don't want that. We have evolved to
21 relearn from our indigenous cousins. We have learned a lot.

22 I have friends who are members of this tribe as
23 well as Puyallup. I have learned a lot from what they say.
24 It's about the land. We're not willing to lose our roots,
25 that's why we're saying no. Absolutely not.

1 MR. BEETSO: Okay. Thank you.

2 And I also want to state that we're the Department
3 of Interior, so the questions that we ask are only within
4 the scope of the Department of Interior. We understand it's
5 an emotional issue. There are a lot of different
6 perspectives, some that incorporate international law.

7 To the degree that you can, please try to, you
8 know, state your comments within a framework of the
9 Department of Interior's jurisdiction. We have no say in
10 what Secretary of State or what the State Department would
11 do in this instance. And so when we hear those comments,
12 it's not within the scope of the Department of Interior. So
13 I just want to clarify that.

14 And also I wanted to clarify that if you have
15 long, written statements, please submit them to the
16 regulations.gov, but just today, for the purposes of the
17 discussion, please try to summarize your written statements,
18 if you have them, you know, get your top points and
19 summarize them so that we can make sure that everybody has a
20 chance to comment.

21 So right now in the queue, we have right up here
22 and then right here. Sound good?

23 UNIDENTIFIED SPEAKER: How do you establish the
24 queue?

25 MR. BEETSO: They ask. They raise their hands.

1 UNIDENTIFIED SPEAKER: It's on the list, one, two,
2 three, four, five, six, seven. The list. Pardon me. I --
3 that's what I thought the list was for, was the queue.

4 MR. BEETSO: I was just asking if anybody.

5 UNIDENTIFIED SPEAKER: The list doesn't establish
6 it --

7 MR. BEETSO: I will establish it right now. If
8 you raise your hand and you haven't made a comment, then
9 answer -- I'll try to get you the mike in the order that
10 hands are raised. Once everybody's had an initial comment,
11 then we'll go to second comments. Okay? So right now, we
12 have.

13 UNIDENTIFIED SPEAKER: Actually, Trustee would
14 like to give the folks the opportunity to speak.

15 MR. BEETSO: We'll go here, here, and then here.
16 So one, two, three. Okay.

17 KAILANI KAPUA (PHONETIC): Aloha (native
18 language). Good morning. Mahalo for coming together,
19 creating a forum to bring people together. My name is
20 Kailani Kapua (phonetic) and I am a kana moali. I'm a
21 Native Hawaiian and not by that legal definition but under
22 the definition of the Kingdom of Hawaii which continues to
23 exist. It is currently occupied by the United States which
24 is illegal under international law, under U.S. law, and
25 under Hawaiian kingdom law.

1 I am here because as a kanaka moali it is my
2 (native language) it is my responsibility to speak out
3 against this forum. This is not the appropriate forum. The
4 appropriate forum would be the Department of State and would
5 be between the nation and another nation which is the
6 Kingdom of Hawaii. So this is an improper forum. So I do
7 not agree to make any comments on the questions because I
8 don't want to be interpolated into this framework which is
9 corrupt and immoral, just on foundation of it.

10 And we have to ask the question: Why are we being
11 called to provide commentary with the Department of the
12 Interior and not the Department of State. That presumes
13 that the burden should be on us as kanaka moali, but the
14 burden actually should be on the United States. Can the
15 United States prove that the kingdom does not exist? And if
16 you cannot, then -- then why are we even here? Why are we
17 wasting U.S. tax dollars to provide this kind of forum when
18 it's improper?

19 And also I think it's important for kanaka moali
20 living on Turtle Island or the continental U.S. to speak out
21 not only against the U.S. occupation in Hawaii but
22 militarism in general across the globe and how it's being
23 used to dispossess native people in other parts of the
24 world. And so I'm here to speak out, speak in opposition to
25 continuing militarism and continue military built up.

1 And I also want to acknowledge my elders, Uncle
2 Danny in the front, Uncle Stan. I see a lot of my elders.
3 My dad served in the U.S. military for many years, so that's
4 the reason why I'm ended up here. He didn't have employment
5 opportunities back home so he joined the military. Next
6 thing you know, you ended up here in Washington State.

7 But I grew up in (native language) Oahu which is
8 known for being a very impoverished area in Hawaii. And I
9 watched my grandma and I watched my auntie and my uncles
10 work so hard to put food on the table. Okay? And struggled
11 to make rent or paid the mortgage and to pay for all the
12 food to feed the ohana, to feed the family. And they had
13 very limited resources. Their land had been taken away from
14 them. And they inherited that legacy. They inherited that
15 real politic -- there's a real politic here. There are real
16 pressing issues. It's not just an ethical concern, but
17 there are real everyday issues that kanaka moali are having
18 to endure not, as the case may be.

19 I'm here to speak out against the continuing U.S.
20 occupation of Hawaii, and I'm also here to speak in support
21 of my elders who didn't have the opportunity to question the
22 illegal occupation of the U.S., who were brainwashed in many
23 ways to join U.S. empire building projects across the world.

24 I'm here to give to voice to that as a (native
25 language) as (native language) myself. And I want to teach

1 my students at the University of Washington about the real
2 history and what it means to be a real American patriot
3 would mean that they would support the deoccupation of
4 Hawaii. And so mahalo.

5 MR. BEETSO: Thank you.

6 MARY ALICE KAILUANI MILHAM: My name is Mary Alice
7 Kaiulani Milham. I'm a kanaka moali and a resident of
8 Portland, Oregon, board of Kekikui Foundation and a member
9 of Kalei Maile Ali'i Hawaiian Civic Club of Honolulu.

10 I want to thank the Tulalip for hosting this
11 meeting and for their great generosity to the Hawaiian
12 people of Pacific Northwest. Our foundation has been
13 blessed with support from the Tulalip. That's been very
14 welcomed.

15 Hawaiians living on the continent have
16 historically not been eligible for benefits that come from
17 the Office of Hawaiian Affairs. Many of the programs,
18 grants from Ali'i Trusts are not available to Hawaiians
19 here. So we really appreciate this part of the Native
20 Americans of this area. And I think that's probably the
21 case throughout the continent is that we've had -- as
22 Hawaiians, we've had great support from Native American
23 people.

24 And I want to thank you folks also for having this
25 meeting and just the opportunity for us to share our

1 thoughts about the future of our people and our lands.

2 But my response to the questions is no. Others
3 have already talked about historical reasons why the
4 sovereignty of our nation that endures. But the reason I
5 want to -- that I want to share is that it would simply be
6 unsustainable for the process of federal recognition and the
7 proposed government-to-government relationship, for our
8 people and our lands and our waters.

9 Clearly, we Hawaiians are not Native Americans.
10 America is 2500 or so miles away from our islands, but we
11 are very much like Native Americans. Our connections with
12 our lands is profound. Chief Seattle was one of the Native
13 people that really spoke out eloquently about the
14 interconnectedness of all things and understood, and Native
15 American people understand these things very, very well.

16 And then we're also very different from Native
17 Americans for the fact that we are island people. And our
18 island dwelling makes it especially unsustainable for us to
19 continue the current relationship with the United States of
20 America because that relationship -- the existing
21 relationship has caused great devastation to our home.

22 Some of you probably heard that Hawaii is the
23 extinction capital of the world. The only lands that the
24 federal government has agreed to turn over to our people is
25 the island Kahoolawe which was used since the Second World

1 War for bombing practice. And it's been a little over ten
2 years of clean-up effort there and \$400 million. It's just
3 10 percent cleaned up now.

4 Other examples that Makua Valley a place where
5 there are 40 endangered species has been subjected to live
6 fire training, and people who live there were evicted. They
7 even put a target on a church and blew it up. And there
8 have been -- as a result of the training going on, there
9 have been 250 fires.

10 There are other parts of our islands also
11 Pohakuloa where depleted uranium which is very questionable
12 about the impacts is used.

13 There are ongoing disturbances -- because we are
14 island people, our ancestors are buried all throughout the
15 island and there are ongoing disturbances of our ancestors'
16 graves under the current relationship. I don't know of
17 anywhere else in United States where it's okay to go and dig
18 up people's ancestors all the time.

19 RIMPAC, biannual, I think it is, every couple of
20 years the United States hosts military exercises off our
21 waters, invites all of these other countries to come and do
22 their war games, sinking ships, torpedoes, the whole -- you
23 know, you can imagine what's involved there. So -- and you
24 can imagine the impact to our marine life, our fisheries.
25 But I saw photo the other day of a whole bunch of dead fish

1 washed up on a beach in Hawaii during the RIMPAC exercises
2 which are concluding today. I think they had -- this time
3 22 nations, 55 vessels, 200 aircraft, and 25,000 personnel
4 practicing war in our waters.

5 Under the current relationship with the
6 United States, Hawaii is considered ground zero for GMO test
7 fields, so our once productive islands that fed over a
8 million people by themselves and now has to import
9 90 percent or more of their food. And if there was an
10 interruption of our food supplies due to a natural disaster
11 or war or something, we would be out of food in three days.

12 And now our agricultural lands are used for
13 GMO experimental field tests and that involves -- because we
14 have such a wonderful year-round growing season and
15 isolation and everything else that they've chosen the
16 Hawaiian Islands to be the world center, all the biotech
17 companies are there.

18 When they grow GMO crops, they dump tons and
19 tons of pesticides, restricted-use pesticides included, that
20 have been found to cause birth defects of children where
21 they're spraying these pesticides right next to schools.
22 That's -- that's so horrendous to know that that permanent
23 damage is going to be done to our lands, our waters.
24 Everything that comes down in those pesticides goes into our
25 land, goes into our waters, and affects everything.

1 The Jones Act, under our relationship with
2 the United States of American, we're subjected to the Jones
3 Act of Hawaii which means that everything that's imported
4 from -- I believe, it's Asia but it might be other parts of
5 world, but instead of coming directly to Hawaii, it has to
6 go to the West Coast of America and then back. So it now
7 did 5,000 miles as mandated by the United States government
8 laws. And then the prices of what Hawaiians pay for things
9 that are imported like oil -- just oil alone, they are
10 paying \$4,000 a year for that extra transportation. Every
11 Hawaiian.

12 And our sacred mountain Mauna Kea is
13 completely overrun with observatories and telescopes and
14 there's plans for more telescopes. And it's -- it would be
15 like someone, I guess, putting antennas or something over
16 Notre Dame or some other sacred place that the world
17 recognizes but not ours. Under the current system, it's not
18 recognized as a sacred place and that continues.

19 And one final point -- no. I'm not going
20 to -- so I can't see that if federal recognition or
21 government-to-government relationship with the United States
22 of America would be good for Hawaiians because history has
23 shown us that the United States of America is not taking
24 care of our islands. We need to take care of our islands.
25 And I think we island-dwelling people, who evolved on these

1 islands for thousands of years, know best how to take care
2 of islands.

3 This is -- America is, you know, sea to
4 shining sea, right? I mean, they took the whole continent,
5 essentially, of North America. And that was the -- that's
6 the mentality. That was the mentality. And I think it kind
7 of still is. You know, that -- that frontier mentality
8 where there's always more.

9 There's not always more when you're an island
10 people. And I don't think it's sustainable and I'm very
11 much opposed to anything but our total independence for our
12 Hawaiian people, and our lands and future depends on it.

13 MR. BEETSO: So just a quick point. I know you're
14 next, and I do have a couple of other folks here, here, and
15 then here in the back. And we'll do three at a time.

16 You bring up a good point about the State -- the
17 Office of Hawaiian Affairs and the benefits not being
18 available for folks on the continental U.S. And I just
19 wanted to say from my perspective, I'm a tribal person. I'm
20 Navajo from the Navajo nation. And I didn't always live on
21 a reservation. And I lived in Maryland when I was younger.
22 I lived in Los Angeles when I was younger, but my tribal
23 citizenship always went with me.

24 You know, even right now I can apply for absentee
25 ballots to vote, the education assistance when I go to

1 school, and just, you know, the framework for having
2 self-governing entity that has a government-to-government
3 relationship almost broadens the scope of that.

4 And I just want to make that point is that right
5 now the Office of Hawaiian Affairs is embedded within the
6 State. It's a State entity, and so there's limitations on,
7 you know, the types of benefits they can provide to folks on
8 the mainland. You know, I just want to make that point
9 about, you know, the government-to-government relationship
10 and the, you know, from my perspective. Okay.

11 MAILE UNO-BATURA: (native language). My name is
12 Maile (native language) Uno-Batura. And I come from the
13 (native language) ohana. I see my auntie back there, and I
14 see a lot of people I love and respect in this room. And so
15 I also just want to say thank you to Department of Interior
16 for hosting this, because I can't imagine this is easy to do
17 and I respect that. And I really want to just -- I'll make
18 it brief.

19 I (inaudible) I don't have no written speech or
20 nothing, but I just wanted to be here to represent my ohana
21 who is actually divided on this completely. So we don't
22 even agree, and that's just part of life, right? And so
23 what we're going to have today -- and I'm sure through all
24 these meetings -- is people who don't agree. But this is an
25 option, and I think it's not -- it's imperfect maybe right

1 now but that's the whole point of collecting these comments.

2 And so I just wanted to be a representative voice
3 for that and say, you know, our family, when we go back to
4 Hana, because that's where we're from, they say, Oh, you're
5 going back to America. Have fun in America. And it's funny
6 because, you know, a lot of them believe that. It is very
7 divided.

8 I think that the thing that we all agree on that
9 is common ground for our ohana is that we love our family
10 and we love our culture. And we want what's best, so
11 whatever that is, whenever shape that takes, whatever form
12 it goes, just (native language) it (native language) it.

13 I don't -- any of this business about being so
14 divided that we cannot agree, it's we have to get it all out
15 there and that's why I appreciate all the different points
16 of views. And that's why I think that I'm supportive of
17 recognition because I think that we do need this for our
18 (native language).

19 You know, I see my dad, a hundred percent
20 Hawaiian. You're right. It is extinction. These guys are
21 going to be (native language) and then I have my daughter,
22 and they'll have kids and then what's for them? We've got
23 to think about all those points, very good points brought up
24 today. But I support it because I do think that it will
25 move us forward.

1 If we have input on it like we're doing today, I
2 think we can make it right. And if we stand up and have a
3 voice, we can make it right. I have full confidence in our
4 people, full confidence in aloha. It's brief. I just
5 wanted to say that but mahalo.

6 MR. BEETSO: Thank you.

7 I just wanted to follow-up on a point that she
8 said, is that us at Interior see this whole process as an
9 option. You know, it's not -- so the difference between a
10 statute and a regulation is that the statute, you know, a
11 lot of tribes get recognized through a statute. And that's
12 Congress acting saying this is an Indian tribe and -- but by
13 statute, you know, Congress has acted to recognize that
14 tribe.

15 A regulation can sit on the books for years and
16 not be used. You know, so what we're presenting is like an
17 opportunity that when and if Native Hawaiians decide that
18 they want to exercise this opportunity, they can do that.
19 You know, but it's not forcing anything on the Native
20 Hawaiians. It's just there. It's like -- it's been
21 described in Hawaii as a door, you know, a door for the
22 future.

23 As Jennifer said earlier, we have a small window
24 in time right now where we have a president that's
25 supportive. You know, this administration has been

1 supportive of this initiative. And we don't know what the
2 future is going to hold. We don't know who's going to be
3 elected next, and we don't know if they're going to be
4 supportive, if this is going to be a priority for them.
5 And -- but whatever we can accomplish during this
6 administration, if it's setting up an option or a door that
7 never gets used, at least it's there. That's kind of how we
8 see.

9 The question was asked, you know, why are we here?
10 Well, this is the Department of Interior acting. We're
11 stepping forward, and we're trying to act and ask questions
12 about how the best way to move forward with this initiative
13 is. If State Department steps forward and they act, that's
14 a different -- that's a different situation, you know, but
15 we're here and we're representing Secretary Jewell for the
16 Department of Interior. And these are just questions that
17 we're asking.

18 And also I want to emphasize that there's nothing
19 written at this point. The Advanced Notice of Proposed
20 Rulemaking is an optional front-end part to the rule-making
21 process. So usually an agency will draft a rule and they'll
22 put it out and they'll ask for comments on that rule. It
23 will be a draft rule. But we haven't even drafted a rule
24 yet. So these are really just questions, scoping questions.
25 And I just wanted to reiterate that.

1 And we'll go ahead and move down the line.

2 HERBERT AKAMU KAI: I got two minutes. I'm going
3 to read. Normally among First Peoples it's oratory (native
4 language). Funny thing is I'm Hawaiian but I got -- I went
5 to school Durango, Colorado, so I got to sleep, live in,
6 rest in (native language) and you remind me so much of my
7 brother back there, my Navajo brother.

8 As a visitor, please pardon my tribal protocol
9 omission. I'm not versed in your cultures, so sorry for
10 making mistakes. Aloha. Raise my hands. I raise my hands
11 to all elders, brothers and sisters of First Peoples around
12 the world.

13 To consolidated tribes of Tulalip, thank you.
14 Thank you for this opportunity to come and (native language)
15 your land, to sit with you in Indian Country here in this
16 fine house. If it's not in (native language) in the museum,
17 at least it's in this fine house that former resident Sam
18 Askew is the manager. We'll -- all of them.

19 I raise my hands to the canoe families of past.
20 Twenty-one years and to the paddle to Bella Bella, 2014.
21 Frank Brown started this 21 years ago. He is my mentor in
22 justice, in native justice. Those of you from the Pacific
23 Northwest you understand what Frank Brown went through when
24 he went off in isolation.

25 Kanaka moali, sovereignty. To my Suquamish

1 friends -- Suquamish, I live in Poulsbo, Washington. The
2 Suquamish Tribe is five miles from where I live. They have
3 been guiding me for nine years in several governance. I sat
4 on the committee when they did the consultation,
5 government-to-government with the military beyond that.

6 Also, I raised my hand to the recorder [sic]
7 because without her, we're going to have difficulty going
8 forward.

9 My brothers and sisters in Indian Country, we are
10 not here for your assets. We are here for our rights, land
11 rights, native culture rights, indigenous peoples' rights
12 which America at first did not agree to back in I forgot
13 when. I'm 71, but I forget when. But finally it got
14 approved.

15 My brothers and sisters of First Nations, I
16 appreciate your encouragement as we Hawaiians continue our
17 journey on several governance. I praise that you're
18 examples to the world's indigenous peoples. You really are
19 because, look, how many tribes are in the Department of
20 Interior? Over 200. Each of you is a independent nation.
21 I raise my hands to you.

22 It is important, however, to let the Hawaiian
23 community work this out. Our brother from Puyallup says
24 we're leaving you alone. That's your battle. Thank you.

25 I am Herbert Akamu Kai, Jr. I'm 50 percent

1 Hawaiian blood, 50 percent Chinese blood. I'm over the
2 hill. I am an awardee of Hawaiian homes because I don't
3 have ohana to pass it on, descendants. I don't have
4 successorship. Good topic. Think about it. And so I pass
5 it off to my brother who's 50 percent.

6 So I think I speak with wisdom. Besides, my
7 grandfather was the one who helped those in Kailua Kona
8 following the Kuleana Act, write the deeds in Hawaiian and
9 insert subject to Native rights. So my brother from Kona,
10 he understands what we're talking about. There was a time
11 the Hawaiians couldn't -- but irregardless.

12 I'm a '61 Kamehameha school's alumni, active
13 member of Moku'aina A Wakinekona Hawaiian Civic Club soon to
14 be also member of Kuhio Hilo.

15 I advocate getting the Hawaiians per HHAC 1920 to
16 Hawaiian homes lands first and foremost. See, the way it
17 worked.

18 To the Department of Interior, U.S. federal
19 administrative oversight of Native Hawaiians and 200-plus
20 Native Americans, Native American tribes. I raise my hands
21 that you are concerned and arranged this meeting in Indian
22 Country. This is right. DOI and DOJ -- DOJ is the
23 mediator -- bringing us together under one roof, united but
24 still separated.

25 To Director Sally Jewell of Renton, Washington,

1 one time president CEO of REI, one of the best co-op
2 companies in America can get people to work together.
3 Anyway, to Director Sally Jewell of Renton, I thank you for
4 the five threshold questions, June 2014 and then the
5 follow-up 19 which came later.

6 I know that President Obama 2009 Executive Order
7 13175 directed DOI to promulgate the rules, rules for
8 consultation. And DOI would like to get its job on the
9 books before former Hawaii resident President Obama retires.

10 I say DOI should channel energy and talent to the
11 actions recommended in DOI-IG audit -- you know, the book
12 from Mauka to Makai, the other book the Hawaiian homes DOI
13 report task force -- I've forgotten in 1998 -- before more
14 federal and state regulations take our assets. And our
15 beneficiaries of Hawaiian Homes Act 1921, like me, go
16 (native language).

17 I would prefer to explore and keep all options
18 open. You know, like read John Osorio's Dismembering Lahui;
19 Native Indigenous Rights by Melody MacKenzie; Who Owns the
20 Crown Lands of Hawaii by John Van Dyke; Gavan Daws, Shoal of
21 Time; Keanu Sai, Awaiting International Court Decisions;
22 Mililani Trask, former OHA secretary; your local Hawaiian
23 civic club; check you Hawaii tax maps; Bureau of Conveyance
24 land title transfers. Get smart, Hawaii. Thank you.

25 GABRIEL MAKONANI REYES-GOMEZ: Aloha, everybody.

1 My name is Gabriel Makonani Reyes-Gomez. I am born and
2 raised (native language). Nice to meet you all. Aloha.
3 (native language) over here.

4 First of all, I would say mahalo to the Tulalip
5 Tribes and also to the indigenous people of the continent
6 here. This is your peoples' land. Thank you for welcoming
7 us. Thank you, too, for taking down our words for it's a
8 real hard job you have because we all speak kind of angry at
9 any time. But mahalo, yeah.

10 So a couple things I would like to address -- or
11 want to address. Sorry. Change in and out of proper
12 English and Pidgin because when you're around family that's
13 all.

14 I guess, first, I would like to address is this
15 meeting here. Today we came here to learn about this
16 process and to discuss it. Yet, when you came in here, you
17 presented the way we talk about this, the talking points,
18 five talking questions, although there are 19, and although
19 the other half of those 19 are supposed to help us influence
20 our decisions and help us speak out about our feelings,
21 influence those things. We didn't discuss any of those
22 things. We didn't discuss any of those other 19 questions
23 on there. A lot of which you told us not to talk about in
24 the beginning.

25 It talks about Hawaiian the role. It talks about

1 the Hawaiian lands. It talks about all those things, but
2 we're not supposed to talk about that. I think it's hard to
3 have faith in DOI and the processes that are going on now if
4 it's confusing, if the meetings that we come to are
5 confusing. And while I don't agree with federal
6 recognition, I do admire what is being done now here.

7 And I do ask that if we are gonna have meetings
8 like this, there's much more preparation to be had because
9 this is almost a slap in the face to our people, not on the
10 behalf of you guys, by all means, thank you for being here.
11 You know, thank you for being respectful and trying to speak
12 on your guys' behalf because honestly you've had a longer
13 relationship with the United States than we have.

14 I've been blessed. The minimal I've been up here,
15 blessed to hear a lot of testimony from various nations all
16 across -- all across over 566 -- oh, no -- 566 right now
17 federally recognized nations, yet somehow none of us really
18 learn about them. Federal recognition is supposed open up a
19 door. To what? Nothing.

20 Whether the people of the country, the branch, you
21 know, that is extended, the Department of Interior, when are
22 you going to tell the rest of country about those 566
23 federally tribes? I'm 27. This is 2014. I don't know any
24 of them. More and more I learn. And the more I come up
25 here, the many learn your own citizens don't even know about

1 them. And so that's why we are afraid and that's why we
2 respond variously. Some of us want federal recognition.
3 Some of us don't want federal recognition. But it's
4 confusing. And for us to have any kind of trust in you or
5 any process like this, we need to be honest. Be honest. I
6 know we have good intentions but be honest.

7 Obama administration, I can understand there's
8 some people that, like, really do want to help the -- the
9 Hawaiian people but, for real, he was born and raised in
10 Hawaii; doesn't speak up about it; eighth President to visit
11 a tribe. How long this country exist already? I cannot
12 take that serious. And for that I say no.

13 And because I say no, according to the way we set
14 this up, that means the other questions somehow go out the
15 window because we didn't prepare to come up with a plan. If
16 I say no to that, then that I have to shut up or all of
17 sudden my words don't mean anything because I didn't speak
18 in the proper form that you would actually listen to us?

19 And I understand you guys' job is hard because
20 after this you've going to take plenty words what we said,
21 pull it down to about a page, or couple pages, and then
22 report that to your boss, yeah?

23 So that's really all I have to say. Mahalo to
24 everybody here. Hopefully we can continue through this and
25 if there's a second day, maybe we can address some of other

1 questions and concerns that we have. Mahalo to you and
2 mahalo to everybody else.

3 MS. ROMERO: I'd like to respond to the
4 gentleman's comment. Thank you for that.

5 The 19 questions, we answer this is a confusing
6 process. The 19 questions are really there as guideposts.
7 As you know, the Department of Interior is the lead agency
8 on Native Americans and Alaska Native and other indigenous
9 communities in the United States.

10 There are over 200 years of expertise at the
11 agency. When we were devising the ANPRM, we merely were
12 brainstorming about how can we assist the Native Hawaiian
13 community and others who are interested in this process and
14 get them into thinking about how they can have a role and a
15 leading role in developing their own government.

16 And those are real just guidepost questions, and
17 you point is well taken, sir, about how I said that the
18 ANPRM isn't about some things but those questions relate to
19 precisely those things. It's really about nation building.
20 And land, yes, it is important to nation building, but the
21 ANPRM would not affect the status of Hawaiian homelands. So
22 that's really my point there.

23 And I'll also like to address the fact that the
24 Obama administration, it is -- President Obama is a son of
25 Hawaii. It was the -- it took so much hard work and

1 determination for us to get here, but we wouldn't be here
2 without his full support. He is the first president in our
3 history to be the friendliest president towards indigenous
4 rights and Native American, Alaska Native sovereignty
5 principles in our nation's history. We have to start
6 somewhere, and President Obama is doing that.

7 I come from Santa Clara Pueblo. My nation is
8 north of Santa Fe, New Mexico, and we're a very, very small
9 tribe. We've had a government-to-government relationship
10 with the United States officially since 1934. And that's
11 the date of the Indian Reorganization Act.

12 My elders tell me that the process of
13 reestablishing a government-to-government relationship or
14 establishing one at that time was so fractious, people
15 couldn't decide. Families were torn apart. People we -- we
16 talk a kiva. We talk a small little house, and we hash
17 things out. And it was very, very difficult for my elders
18 to decide to enter into that, to take that step, to move
19 forward in order to have a government-to-government
20 relationship.

21 And in a lot of ways, that's the reason why I'm
22 here. That's the reason why my culture has been preserved
23 and my language exists and my children will be able to
24 participate in my traditions is because my tribe has been
25 able to exercise their sovereignty and have a seat at the

1 table with the United States over negotiating with the
2 respect to the disposition of land and natural resources,
3 with the preservation of languages, using federal funds to
4 get the job done, to preserve our culture, and to make sure
5 that my community stays intact for the next seven
6 generations and the next seven generations and on and on.

7 So I really thank you for your words. And I hear
8 a lot of passion, and I respect that. And I think Derrick
9 and I both have a personal stake in listening to these -- to
10 these stories that you have. So again, thank you.

11 JEAN RASON: My name Jean Rason I may look very
12 haole, but I am Hawaiian. I'm five generations Kamehameha
13 schools. My ancestors were chiefs of (native language) the
14 Big Island and Hana (phonetic) is part of (native language).
15 Family of mine, Hana.

16 Okay. I never prepare because -- because I let it
17 come from ancestors that day. Today I've heard you talking
18 about Mauna Kea. Mauna Kea most sacred mountain in the
19 entire Pacific. And during the time of our ancient chiefs
20 about the 6,000-foot level if you were not born from the
21 right families and you crossed that line, you were killed.
22 Each pool on the mountain had different classes of kahunas,
23 and they would kill you.

24 Enough on Mauna Kea because the depleted uranium
25 is right. I sat on the Mauna Kea advisory board for almost

1 seven years. And depending on who the base commander is,
2 things change.

3 Okay. You also mentioned the pesticides and all
4 the chemicals they've dumped on us. And because of that,
5 okay, yes, Agent Orange used -- before we were in Vietnam
6 90 percent of it Monsanto used on the Island of Kauai. The
7 rest of it was on the Island of Oahu. And guess what? To
8 this day, they have not disclosed every area that they used
9 Agent Orange. So we've had kids playing in (native
10 language) and they get sick and nobody knows why. A lot of
11 my really close friends from a (native language) family in
12 (native language) we see have the church over there on the
13 (inaudible) side of the highway. He was a Vietnam vet. He
14 died about four years ago from Agent Orange that he
15 contracted fighting wars for this country.

16 Okay. Now, and before I go far off the track.
17 Another part Hawaiian Homelands, do you know when Prince
18 Kuhio -- even though he's a representative technically
19 doesn't have a vote, but he made the initial offerings -- do
20 you know what original offering for Hawaii Homeland was, the
21 quota? 1/32. But do you know why?

22 It is because in the early 1500s right off from
23 the place where my mother and aunts and my family were born
24 in (native language) a Spanish ship sank. It got caught in
25 a Kona storm. Worst weather in the Pacific for the Hawaiian

1 Islands. Hurricanes, that's like somebody going (makes
2 noise) compared to a Kona storm. They can last for months.

3 And in that particular time, three Spanish ships
4 got wrecked in the Kona storm. One of them and probably two
5 because on the story and who told the story they appeared --
6 I mean, two weeks later after the storm had subsided off the
7 (native language) and the beach over there is called (native
8 language) because two descendants of the captain crawled
9 ashore a little boy and a little girl. And that's why in
10 Kona for ones that know (native language) people from south
11 Kona (native language) red hair and green eyes because those
12 ships belong to Cortez who was a (native language) and they
13 were redheads not black hair. Okay.

14 Because of all these things, what happened to this
15 1/32 that Prince Kuhio wanted. No. The federal government
16 U.S. Congress made it 50 percent, immediately creating
17 another separate class of Hawaiians. It doesn't matter. We
18 are Hawaiians. Whether you have one drop or you're
19 100 percent, our (native language) our ancestors as far back
20 as they can go to (native language) are Hawaiian. It will
21 never change. Okay.

22 Now, I wanted to address -- mahalo for having us
23 here. Navajo, my first cousin spent 40 years -- and she's
24 still there as medical -- she married a Navajo. She went
25 there to be a medical tech. And she stayed there and she's

1 still on the reservation to this day. I just saw her at a
2 family reunion. Her husband died shortly after, but she's
3 been there for over 40 years now and she loves it.

4 My half bothers, five half brothers born on
5 Montana reservation for the Assiniboine. So another Native
6 Peoples contact. My two oldest sons are descendants of the
7 Trail of Tears Indians, the Cree and the Choctaw that walked
8 2,000 miles to Oklahoma and most of them died. So yes,
9 I'm -- I feel for all of you because you're in the same
10 predicament.

11 But now the difference and only because of what
12 happened to the -- what the United States did to us they
13 committed the -- what's the word? -- on the day that our
14 Queen was forced to leave the throne when 120 or so Marine
15 and Navy marched up with howitzers and field pieces and
16 rifles in front of her palace to remove her from office, and
17 in order to not break a law and create a reason for a war
18 and a reason to -- for them to physically take over, she
19 acquiesced and said, I will let -- wait for it to be settled
20 by the United States government.

21 Well, have they settled it yet? (native language)
22 and this is why we're all here now. We're coming back to
23 this same thing. And again, we're beating the same (native
24 language) what is going on?

25 We know who we are. We know what belongs to us.

1 In 1959 my mom raised us that -- you know, now the using the
2 word "no grumble" but I grew up with no vote no grumble.
3 She said, You have to go and vote any time that election is.
4 If you don't vote -- she didn't use it -- the no vote, no
5 grumble, the latest -- but that basically was it. 1959, the
6 very morning, I got up in the morning and I went, Mom, how
7 come you're not going down to vote?

8 And you know what her answer was? Very simple.
9 There's nothing on the ballot for me. They didn't offer us
10 any choice then.

11 But not even, you know, because now the new
12 generation, they don't even know what happened in 1959. So
13 very simple things. And like I said this was -- this is my
14 (native language) and my ancestors speaking. Nothing
15 prepared. I just listen to notes, and I knew what I had to
16 say. In fact, as I came this morning, I wasn't even going
17 to speak. I was just going to listen, and then, you know,
18 (native language) with whoever was here and let it go at
19 that, but these were important and it had to be done. Okay.
20 Mahalo.

21 GEORGE KAWANOE: Aloha. My name is George
22 Kawano. I've been living in Washington State for, I guess,
23 over 20-something years. But anyway, I would like to give
24 my mahalo to the Tulalip tribe and thank you for hosting
25 this gathering today. I would also thank the DOI for what

1 you're doing today. I really appreciate it. I am Hawaiian.
2 Okay. (native language) born on the island, raised on the
3 island, and then I left over 40 years ago. I've never been
4 back since, except just on small occasions. All right.

5 One thing I recall after I graduated from high
6 school. I went to work with my dad. He was a construction
7 worker. And we were going home to (native language) one
8 day, and my auntie was on the road holding a sign,
9 protesting the building of Luie (phonetic) Valley. And my
10 dad said, Look at Auntie. What the hell she is doing? She
11 don't know what she doing. And we when home, right.

12 Couple days later, he told me, You know what, your
13 Auntie only was backing us up. You know, and my dad never
14 spoke too much. He was kind of quiet, but I always admired.
15 I only had one hero my whole life, that was my dad.

16 Anyway, on behalf of my father and my children and
17 for Hawaiian benefits, issues that we're losing, I say, yes,
18 to federal recognition. Although I agree with sovereignty,
19 as long as we keep fighting for sovereignty and we don't
20 protect the rights we have remaining, we are going to lose
21 it. We're going lose it, period.

22 So you want to fight for sovereignty, fine. I'll
23 back you all the way. I am an old soldier. I'll go with
24 you. But on the same regard, we need to protect whatever we
25 have left before it's gone. I appreciate being enlightened

1 by what happened in the past, but what I care about is what
2 we have now, what's remaining for my children, and my
3 (native language) the rest of our nation. That's what I
4 care about. Okay.

5 When we need to fix it. And like Uncle Danny
6 said, all he's asking is let us determine it, right. But in
7 your regard, we need to move as quickly as you can to get
8 this done, okay.

9 Again, I appreciate you coming over. I appreciate
10 everybody else's comments. Mahalo to all. And I'd also
11 like to bless this meeting and bless the Tulalip Tribe. And
12 after this all over, let's go back home safely. Mahalo to
13 everyone.

14 MR. BEETSO: Thank you.

15 REIDAR SMITH: Aloha (native language). My name
16 is Reidar Henry Reinhart (phonetic) Kuipo (phonetic) Smith.
17 I want to talk to you before I start. I want to ask Akula
18 (phonetic) or what or whatever spiritual people that you
19 believe in to bless us in this meeting. And I want to
20 welcome a discussion from anybody here, no matter the sands
21 of your birth. And I want to hear or help all of you in the
22 sound of my voice to listen to what I have to say.

23 I've three things -- well, before I do that, I
24 want to mahalo the people that held this meeting for us
25 Hawaiians to discuss our future.

1 There's three things I want to talk to you about.
2 First, what we Hawaiians were; second, what we are now; and
3 third, what can we do for our future. What is the decision
4 we have to make.

5 First, what were we? When Kamehameha conquered
6 all the islands, he really established a sovereign nation.
7 Now, thank you to all the Native American tribes, but that's
8 a different political situation than yours. We love and we
9 thank you for your support, but we had a different political
10 situation.

11 What is a sovereign nation? There's three things:
12 You have a fixed border. You have a definite population
13 identified. And you have international recognition.

14 That Hawaiian Nation had all three. It had a
15 fixed boarder, island chain from Big Island all the way to
16 Midway including Palmyra and Johnson island to the south,
17 that's our border.

18 International recognition, 39 nations, including
19 the United States of America recognized us as a sovereign
20 nation.

21 Third, we had a definite population. Were they
22 all indigenous? No. To -- one of them is my ancestor,
23 Issac Davis. He was Hawaiian. He didn't have koko. The
24 way a lot of you say you have to be Hawaiian, you have to
25 have the blood. No. Kamehameha said, No. They're

1 Hawaiian.

2 After Kamehameha died things got changed. But
3 then Kamehameha the Third came along, and he did something
4 that was different. Kamehameha the First was an absolute
5 monarch. Everything he said was law. He made every
6 decision. When Kamehameha the Third came up, he did --
7 formed a constitutional monarchy. If you go and read that
8 constitution, it's great. It's almost the same as the
9 United States of America. All right. And it included other
10 howleys. Nobody -- some of them, no Hawaiian blood, but
11 they were included; they were Hawaiians. All right.

12 Now, we're coming to the last part. Actually
13 Kalakaua signed the Bayonet Constitution that reduced the
14 power of the (native language) when it came and gave it to
15 the legislature. So when Lili'ukalani came back and tried
16 to reestablish the power of King, she was, quote,
17 overthrown. By who? Primarily American businessmen that
18 were elected to the legislature. All right.

19 I call that regime change. That it's not
20 overthrow. Overthrow implies you're gone, that political is
21 no longer there. But if it's regime change, you are under
22 international law because you have relationship to other
23 nations and an adjudication for what happened is in the
24 international court not the Supreme Court of United States.

25 I read the preliminary things you put out for us

1 and you tell the truth mostly, but not the whole truth. You
2 said in the paper that the Republic of Hawaii ceded lands to
3 the United States. Well, the who the hell was the Republic
4 of Hawaii? Who voted them in charge of Hawaii? Did any of
5 your ancestors vote? They declared themselves the ownership
6 of Hawaii.

7 Well, that's funny because that same illegal
8 government asked the United States to be annexed as a
9 territory. That's the truth. And for four years the
10 Republic -- the United States said no, for four years. But
11 then the Spanish- American war came up. And from that
12 conflict the United States says, We need a coaling station
13 because we're fighting in the Philippines and you can't sail
14 all the way to Philippines from the West Coast. So by voice
15 vote of Congress, they accepted the annexation.

16 Now, there's a question: Was that a legal
17 acceptance? You had one legal recognized international
18 country annex another. Well, is there a dispute who
19 adjudicates that? It's not the U.S. Supreme Court. It's
20 the world court. Okay.

21 Now, let me talk about that overthrow. In the
22 paper you provided, it starts to define who we are as
23 Hawaiians. We have a problem. The ceded lands wasn't owned
24 by that Republic. They belonged -- they were really owned
25 by the Crown, whoever was King. They had government lands

1 that was supposed to be for the people of Hawaii. Well, who
2 was the people of Hawaii? It was kanaka moali, other
3 citizens or subjects of the monarchy. All right.

4 Now what? Is that the only ones? What about all
5 the tourists that came in? What about the other people that
6 flowed into Hawaii? They were what? Under 20,000 people?
7 Most of them subjects of the monarchy. So products of the
8 ceded land should go to them. But what about the rest of
9 the people coming in from the United States? They move and
10 live in Hawaii. Do they get their benefits of the ceded
11 land? That's what the court said. All right.

12 Now, let's look at that. What are we going to do
13 about that? There was something else that came about. When
14 they wanted to define who the Native Hawaiians were, pass a
15 law, federal law from the United States, 50 percent blood
16 quantum. Look around. Who has 50 percent blood quantum in
17 here? But guess what? None of my children, none of
18 grandchildren are Hawaiian by that definition. All right.

19 So what are we going to do about it? We have
20 to form some government to make our claims to identify who
21 Hawaiians are. Now, you have a problem here because a lot
22 of people say, You can have the koko. And I say, No. I
23 say, Any person that was a subject of the monarchy is
24 eligible to be part of this new Hawaiian nation we want to
25 form.

1 So in answer to your question, I say no. And
2 I don't want to be part of any Department of Interior to
3 help us write a constitution. We can do it ourselves. We
4 did it before, twice -- three times actually. We can do it.
5 We don't need your help.

6 Another thing, warning to those of you who
7 are going to be part of that organization that's proposing
8 to be a nation, a Hawaiian nation. It's not native nation.
9 It's Hawaiian nation because of the way I just told you.
10 You are open to -- people are eligible if they are
11 descendants of anyone, no matter what the koko is, that
12 descended from one of the subjects of the monarchy.

13 So again, in answer to DOI, no. We don't
14 need your help. We need to form our own government with our
15 own people and decide. Now, when that nation forms, they
16 can write their own constitution. They have to determine
17 who is Hawaiian.

18 Because if you go to that koko then you're
19 back to becoming a Native Hawaiian again. And in that case,
20 you should ask the DOI for help because it -- look at the
21 paper they sent out. They're there to help Native Hawaiians
22 forms their government. Keyword is native. What's the
23 definition? 50 percent blood, koko. Well, wait a minute.
24 They've gone through the process before, and the process is
25 not race, blood. It's whoever you decide is part of your

1 nation. Isn't that right? And if you do that, if you
2 insist on the koko in the blood you might as well go the way
3 they're recommending. But whoever forms our government, you
4 have to decide. Which way do you want to go?

5 Now, let's get back to reconciliation. No
6 ands, ifs, or buts. We have to reconcile with the United
7 States. You have to. Don't bring in any anything else.
8 The military, and the GMO, don't worry about that's beyond
9 your pay grade. Let's talk about Hawaiian nation and your
10 relationship to the United States of America.

11 If we form our government. I want them to
12 first ask -- I want government-to-government relationship,
13 but I want government-to-government relationship between us
14 and the State of Hawaii. Why? Because they control the
15 ceded lands. They are the trustees. What are you doing
16 with the ceded lands? Where is the income that's flowing
17 from that? Does it belong to everybody in Hawaii or to our
18 Hawaiian nation.

19 Secondly, what about the ocean between the
20 Big Island all the way up to Midway. If we owned almost
21 half of land, which is the ceded land and the government
22 land, shouldn't we own half of the ocean? That's rule. Who
23 owns the ocean? The United States of America, not the State
24 of Hawaii. So you have to have some reconciliation there.
25 How do you do that? You have to form your own government

1 and follow the court procedures. That's the way you have to
2 go, and it's going to be long and hard because we don't even
3 agree on among ourselves out here much less when you get a
4 bunch of them back together in Hawaii. But that's what has
5 to be done.

6 So I leave that to all of you to ponder.
7 Think about. You can go back to the sands of your birth or
8 wherever you come from. And I hope you have the support of
9 (native language) in making your decisions. Mahalo.

10 STANLEY DAHLIN: Mahalo to the consolidated tribes
11 Tulalip for hosting us and mahalo to the panel of the DOI.
12 I watched many of the testimony on video, and I know it
13 calls upon all your powers of patience and aloha to be
14 listening all of my cohorts.

15 I look to my fraternal side to my
16 great-grandmother (native language) from (native language)
17 for my culture roots as a Hawaiian. I come from the (native
18 language) on the island of Oahu. My name is Stanley Charles
19 Dahlin. I came today only to (native language) to listen,
20 but I'm called to (native language) to speak. I'm really a
21 realist, and I follow the -- the sovereignty and movements
22 for many, many years like Maile said, there is division in
23 my ohana, my older brother.

24 It's been the Hawaiian kingdom movement since 20
25 years. He's listened a controller, I think, for the

1 secretary of treasury for that kingdom. He's near death,
2 and nothing has happened. We haven't had our sovereignty.
3 As a realist, I know that we have to take every door or have
4 every door opened, not close doors and not move forward.
5 And so to the first question, absolutely yes. I -- we
6 should -- we should allow the facilitation to take place,
7 whether we take it or not is immaterial. I'd much rather
8 have that door open and have the choice whether to walk
9 through it than not have it and have it closed and never
10 approach it.

11 Like I said, I followed the sovereignty movement
12 for many, many years. Listened to tons and tons of
13 presentations of how we can move forward (native language)
14 but we haven't. And until we have some -- some opportunity
15 there, that's going to be the big -- the incentive for us as
16 a (native language) to come together and do something. But
17 if we continue to have a kingdom movement Akaka bill or
18 whatever model that we have, we're never going to move
19 forward. And so I do support that.

20 I think that Act 195 in the state of Hawaii is
21 giving us a possible solution, but you can (inaudible) at
22 least it sets up a roll, so we know who we have. My (native
23 language) in Georgia and Montana, they're all over it, but
24 they still claim cultural ties to Hawaii. And I want them
25 on the rolls and I want them to have a voice and I want them

1 to have that option of choosing what kind of government,
2 what constitution, what kind of decision -- decision of what
3 makes a Hawaiian. We need that process, and we need them to
4 do that. I want them to remain culturally tied to Hawaii.

5 And so in summary, I will have a more detailed
6 comment that supports the DOI facilitation on it, but I
7 certainly have lots of caveats on the guidance that you can
8 follow in the facilitation process. Mahalo.

9 MR. BEETSO: Thank you.

10 KAWIKA VILLA: Aloha. My name is Kawika Villa. I
11 live on Oahu currently. I wasn't able to make any of
12 hearings on Oahu. I'm traveling here for business, and I
13 was happy to hear that a hearing was going to be -- or a
14 meeting or whatever was going to be arranged while I was in
15 Washington.

16 It's difficult for me to -- I'm one of the people
17 it's difficult for me to make a decision. I don't know, you
18 know. I hear what a lot of people are saying about
19 different things and -- and for me I'm just -- not -- either
20 way.

21 I'm not too familiar with what kingdomhood [sic]
22 is except for the fact that when I drive around the island I
23 might see some -- some (native language) up around and when
24 I have talked to some of the people who have been there, I
25 got people telling me that they supposed to be king, you

1 know. I cannot get behind that. You're not my king, man.

2 And when it comes to these meetings that we've had
3 on Oahu, I mean, you can see that if you -- you can go
4 online and watch the hearings at different Web sites online.
5 But you see that there are hundreds of people who showed up.
6 And, you know, like right now, I see people going over the
7 three minutes or the five minutes or whatever. And they're
8 being allowed to because we're in a smaller forum.

9 But back there it was two minutes, and they were
10 trying to get people to stop after two minutes. It's
11 because there was a lot of people that wanted to talk, and
12 we have to respect the time of the -- of the people on the
13 DOI. But to me, the meetings were setup already in a
14 culturally insensitive way in a sense where you're limiting
15 people to how long they can express their opinions on this
16 topic, and that's not how it would have been done.

17 I don't believe that that's how it was done when
18 Grover Cleveland sent his people down and they came to the
19 decision that Native Hawaiians did not want to be annexed to
20 the U.S. and that they should remain a kingdom. And if that
21 President couldn't get it done, then I have a hard time
22 believing even Obama can get it done.

23 I feel like the hearings were held from June to
24 August. And now on August 19, all decisions have to be
25 made. I don't feel like that's enough time. There -- as

1 people have mentioned there are many atrocities that have
2 been committed against Native Hawaiians that are unsettled
3 (native language) and all that stuff. I feel like, in this
4 process, we're being told that you can ask us permission of
5 whether you can determine your own self-governance. You can
6 ask us permission is what I feel like this process is about.

7 And I understand the people who are strong in
8 (native language) movement saying, I'm not going to ask you
9 nothing. I feel that sense too. I don't feel like I've
10 really got to ask you whether I can be Hawaiian or not. I
11 don't feel like I've got to sign up for a roll call so that
12 somebody can tell me that I'm Hawaiian.

13 I feel like -- I don't feel like even if I moved
14 somewhere out of the country to the United -- to Germany or
15 whatever it was, I can still be Hawaiian. You cannot tell
16 me when and where I can be Hawaiian.

17 And I especially agree with blood quantum that
18 it -- it only divides Hawaiians, and that is not conducive
19 to us moving forward. There's so many different opinions
20 and groups that even to make a decision on this right now is
21 untimely because we haven't come together to decide what it
22 is that we want for ourselves as a whole. And that process
23 is going to take a long time.

24 I hear (native language) back on Oahu saying that
25 they want to see a decision in their lifetime. And that

1 would be great, but I don't believe I would see a decision
2 in my lifetime, you know. It's been talked about OHA and
3 OHA is a State agency and, you know, even their benefits
4 don't reach the people, the natives or kanaka on the
5 continent or elsewhere in -- but in Hawaii. But their
6 benefits don't reach but their decisions reach, you know.
7 The rules that they create, those reach, but their benefits
8 don't reach.

9 I think, you know, we've had a problem in finding
10 the kanaka that are -- would be really good leaders. And
11 I'm unaware of who those kanaka are in my generation, in
12 their 30s. I'm unaware of who they are. I don't know who
13 it is going to be after us. I think that's important for us
14 to find out who those people are because I don't agree with
15 a lot of things that OHA is doing right now and how they're
16 representing the Native Hawaiians.

17 You know, I want benefits that currently exist for
18 Native Hawaiians to continue, but it's difficult for me to
19 answer yes to the question because of how the question is
20 being proposed to me. It's difficult for me to say, yes, I
21 would like you to grant me permission to determine who I am
22 and who my son will be and who his children will be. I find
23 difficulty in that. And I feel like I would fight to
24 preserve whatever those benefits are anyway whether we exist
25 as a nation within a nation or whether we maintain who we

1 are right now or whether we became our own sovereign people.
2 I would fight for those benefits either way, no matter what.
3 The federal status of the U.S. is on Native Hawaiians.

4 But I think one -- one thing I'm appreciative of
5 for the DOI and all of this is that it has caused me to
6 learn and think more. And I think that's what it's doing
7 for a lot of Hawaiians. And I hope that's what it's doing
8 for younger Hawaiians, because this really is something
9 that's going to affect us for long time.

10 And the topic of land, how this doesn't address
11 land, is again, inherent problem in the whole -- is inherent
12 problem in the whole process because land is everything to
13 us. If we're not talking about land, then what are we
14 talking about? If we're not talking about who's going to
15 control the land, then we're not resolving anything at that
16 point. The land means everything.

17 You know, when I talk to my friends that are Irish
18 or English or whatever they are, they cannot understand the
19 concept of having love for my land (native language)
20 they're, like, my family's from Ireland, but I don't know
21 anything about it. You know, I can trace my ancestry to a
22 plant, you know. If I go by the (native language) I came
23 from the ground. So it's tough to have these discussions
24 with people who don't understand a mindset, to me. And,
25 therefore, I feel like there's more education that needs to

1 happen on both ends in order for us to even approach this
2 topic that we're discussing right now.

3 I don't have an answer for this, and probably
4 won't have an answer by August 19th, but I don't feel like I
5 need to give an answer. Thanks.

6 MR. BEETSO: So I appreciate all the input. I
7 think we're having a really good discussion here and I just
8 wanted to say, like, when we were putting this together,
9 this is our best effort to try to reach out and ask
10 questions first and to get responses.

11 So, you know, you mentioned if it doesn't involve
12 land, then what is it doing? You know, what we would urge
13 you to do is in the written comments give us suggestions,
14 you know. We're asking so instead of framing a question, if
15 you guys have ideas or thoughts about, you know, anything
16 put it an affirmative statement and say you guys you should
17 do this, you guys should do that because we don't know
18 everything. I meant, there was a team of us at the federal
19 government that, you know, there's like maybe or eight or
20 nine people drafting this and it took forever just to get
21 anything out the door. You know, so we realize there's time
22 constraints.

23 I just want to say we appreciate the discussion
24 and, you know, I'm just happy to hear everybody speak their
25 mind.

1 KAWIKA VILLA: If I have to give a comment on or
2 suggestion, my suggestion about what to do with the land, my
3 simple suggestion is give it back. Give it back to them.

4 PAUL GUMAPAC: Testing. Oh. It worked. Hello.
5 My name is Paul Gumapac. And actually everyone says
6 beautiful things. When this woman came up here fighting for
7 sovereignty, a lot of strong power there. I love that.
8 That's awesome. And the fact we can discuss what steps to
9 take.

10 (Native language) was right when she said (native
11 language) just go forward and we haven't -- Uncle Danny said
12 we haven't closed that door yet. Take an option. Take a
13 choice. We want the benefits of OHA, you know, (inaudible)
14 the housing for the land. We applied. I cannot even pass
15 it on to my wife. That blood quantum, if you guys can go to
16 Congress and force them bring it down to 1/32 you've already
17 fought in our favor, put Hawaiians on the lands. That's
18 what we want, right?

19 So when you guys are in the government, Department
20 of Interior, I would vote yes to start the process. I'm not
21 against sovereignty. I'm for sovereignty. You can fight on
22 both angles. It doesn't stop us from moving forward as a
23 people. Okay.

24 So you take this thing. You say, Okay. It's a
25 good vehicle. We have all good vehicles. It's just not

1 being operated properly OHA is not a bad vehicle. It can be
2 worked. It's just that they're too -- what's the word? --
3 no, don't go there. That's strong. They're conservative.
4 We want them to be super liberal. If you have Hawaiian
5 descendancy [sic], you deserve a home. You deserve to be
6 put on that land. We're the descendants.

7 And the bothers -- Reidar said, Who's to say koko
8 is enough? That's true. There's fact that it says Native
9 Hawaiian. It could be a political trick. Like he said,
10 Hawaiian nation. All those in their hearts who love Hawaii
11 who want to learn the language, the border, the culture.
12 That's us.

13 And you cannot shut out the sovereignty guys, the
14 movement guys. We can move as a two-prong force. Let them
15 both go. I say, let's move like Maile said (native
16 language).

17 We all want the benefits. Where's the money going
18 to come from? We're all afraid of change, but that's not
19 really change. It's transformation. Give the right people
20 the right chance to get in right places.

21 Our state government is an entity, right. If we
22 could tell these guys who are in state, I'm a Democrat, I'm
23 a Republican. BS. Stop. We're Hawaiian nationals. No one
24 asked them, can you step in us, for us to be our proxies
25 talk government to government.

1 Now, I know you said either yes or no. Anything
2 after that is an opinion. I will say yes to open the door.
3 You never shut a door because could you always go, I like
4 this door. I like being American, but I also love being
5 Hawaiian. That's who I am.

6 If I see my flag -- I brought my flag here. I
7 said, this is me. I like Hawaii. I like America. I like
8 football, baseball, whatever, but I am Hawaiian. You know,
9 whether I have blood quantity or not, the attitude that you
10 love the place you at, you allegiance yourself, the land,
11 the songs, the stories. Everything that we are, we're
12 Hawaii.

13 So this two-prong attack is you take what they
14 have at the Department of Interior, go to Congress, please
15 bring that quantity down. If you can prove for those who
16 are home, 1/32 like Prince Kuhio said. Why not? You guys
17 have power. Go get the legislators to change that blood
18 quantum, bring it down, put Hawaiians on the land. Isn't
19 that what you want? That -- a part -- a portion of
20 governing, that's a two-prong attack. You have a vehicle,
21 an entity, and a need to be moved in the right way.

22 Anyway, I'm babbling. Aloha.

23 SHELLEY ROBERTS: My name is Shelley Roberts. I
24 am -- well my husband is Hawaiian, my husband of the past
25 five years. And so I've been brought into the culture

1 through him. I've worked the past 35 years in Indian
2 Country as paralegal and as the executive assistant to the
3 chairman of a tribe north of here.

4 I have gone through all the issues with
5 enrollment, with government, with sovereignty. I understand
6 your distress with this. I agree with this gentleman here
7 that, yes, you need to vote yes on the administrative rule
8 and keep that door open, and then you can work within
9 yourselves to establish what it is you want to do.

10 I do not agree that they only give you two months
11 to make your decisions. I don't agree with you that you
12 need to respect the time of the Department of Interior.
13 They need to respect your time.

14 I believe that not only should they have done the
15 meetings in Hawaii, they should do them in every single
16 state in the mainland and give the notice to all Hawaiians
17 to come together and hear this and comment. The only way I
18 was able to find about this was working for a tribal leader
19 and getting a notice that went to tribal leader for tribal
20 leader consultation on a Hawaii issue.

21 That's all I have to say.

22 MS. ROMERO: Thank you.

23 KU'ULEI KAWANOE: Aloha. My name is Ku'ulei
24 Kawanoe. And I am Hawaiian from Hawaii, born and raised. I
25 am with my husband, moved through military, and ended up

1 being in the military and ended up here in Washington. I
2 have family in Hawaii. And my concerns are for my family
3 and also my (native language) and also my (native language).
4 Okay.

5 You know, we're getting old and I feel a lot of
6 (native language) say I want to go home, I want to go home.
7 But they have no place. Okay. I am for that because I
8 wanted to reach people who are in the continental United
9 States. I want them to be able to go home to Hawaii like we
10 want to go home, but we have no place. Okay.

11 So I am for recognition. I want to reach
12 everybody. I want my (native language) to know, yes, I am
13 Hawaiian. I can go to Hawaii. I am part of Hawaii. They
14 are always reaching out to me. Okay. I have a
15 granddaughter that when she was young she felt out of place
16 going to school. She said, I'm going home because I know
17 King Kamehameha loves me. That, I will never forget. She
18 know where she's from. Okay.

19 They're opening a door for us. We need to go. We
20 need to move on. We need to move forward. My family, my
21 ancestors, they are on that petition. They signed it. They
22 fought their battles. I have a (native language) who went
23 to jail because he stood with the Queen. I am so very proud
24 of him. I want him to be proud of me. We need to move
25 because we're not going to move anywhere by keep fighting

1 and fighting. Let's get into the government. Let's setup
2 our government and we rule ourselves. We make our own
3 rules. We want to change the blood quantum to 1/32, then
4 let us make the rule that change it. And we're not going to
5 make the rules if we just stand here and say, No, no. Shut
6 the door. That is the only opening we have, and we need to
7 take it. Time is of essence.

8 We've never had a President to support as we have
9 now. 2016 he's going to be out. So it is important that we
10 move fast. It is important that we go ahead, move forward.
11 It may not happen in my generations, but I want my (native
12 language) to it have it. I want them to have it.

13 So I ask that, hey, you look around, read things
14 up, read your histories, and yes, this is what happened.
15 And we cannot have it all that way it used to, but let's
16 move forward and try and get what we can get and establish
17 our own government for us to protect our interests. Okay.
18 Protect our interest take care of the Hawaiian people.

19 Thank you. And I thank you all for being here and
20 bringing this meeting to us.

21 ELI YIM: My name is Eli Yim. I'm Native
22 Hawaiian. I live up here in Seattle now with my wife and
23 children. And first I want to start and say mahalo to the
24 Tulalip for hosting today and giving this opportunity to
25 meet with one another and speak. And I also want to thank

1 the DOI for hosting the meeting here today.

2 I think it was in the opening comments that
3 Ms. Romero talked about the -- the toxic political
4 environment that we are in now. And I think she was
5 referring to the Obama administration and the toxic
6 environment that exists between Democrats and Republicans.
7 And it's funny because I see the toxic political environment
8 as one between insiders and outsiders and empowered people
9 and disempowered people. And I think those are the
10 dichotomies that indigenous people are very familiar with.
11 And so what I'm hearing and what I've read of -- of "the
12 who" and "the why" behind the proposed rule-making is just
13 not satisfactory for me.

14 You know, whether, you know, we talk about the
15 Hawaiian Congressional delegation. I see it is as the
16 Hawaii Congressional delegation. The OHA trustees, these
17 are people that are voted on solely and elected into offices
18 solely by current residents of Hawaii. So I don't have a
19 voice in that, in those people and their place in office.

20 And the refrain I'm hearing, I think, historically
21 is the same that we've always heard, right, trust us, we
22 know what's best for you, or you know, we have a small
23 window in time here. You know, it's an old sales tactic,
24 right, that if you walk out the door the deal may not be
25 here anymore, you know.

1 And so, you know, as a community, we can't risk
2 everything just to claim something, right. We can't -- you
3 know, who -- has -- we want to (native language) something
4 but for what, right. Who has something to lose here? And
5 the answer is Native Hawaiians. Who has something to gain?
6 To me answer my answer right now, based on what I've seen
7 and heard and read is, you know, people who are positioning
8 themselves politically to gain, you know, but not the
9 people. And what exactly is there for the people to gain?
10 We don't know. Okay.

11 So, you know, I'm skeptical about it. You know, I
12 have nothing but love for people on both sides of the issue,
13 you know, people who love Hawaii and who carry Hawaii in
14 their hearts, you know. I -- this is empowering for me just
15 to be in a room people who share that love.

16 But a valid claim is a valid claim. A valid claim
17 now will be a valid claim ten years from now. And I know
18 people don't want to hear that, but I don't believe that we
19 should adhere to someone else's process or someone else's
20 timeline just for the sake of expediency. I'm not saying
21 don't risk to move forward. But I am saying if we're the
22 only ones bearing the disproportionate risk, that we better
23 make sure that it's right. And so I say (native language)
24 no to all five questions.

25 MICHAEL ALVAREZ: Hello. My name is Michael

1 Alvarez. I'm -- first of all, I want to acknowledge the
2 indigenous people on whose ancestral lands we are now
3 visitors and, yes, thank you. I hope you don't mind if I
4 sit. I wasn't planning to speak and it's easier for me to
5 read my chicken scratch if I sit.

6 I am a citizen of the United States. I'm here as
7 a member of the general public, and I'm here -- I'm sad to
8 say -- as a citizen of an occupier nation. As a nonNative
9 Hawaiian, ultimately, I will defer to what the majority of
10 Native Hawaiians say about this issue.

11 But based on the research I've done and the
12 comments I've heard what I've been learning and that's on
13 ongoing process, the learning process, I would answer the
14 first threshold question in the negative, no, because
15 there's an ongoing illegal occupation of the Hawaiian
16 kingdom by the United States.

17 So the proper discussion is not about
18 reestablishing the government-to-government relationship.
19 And that's more accurately stated as government within a
20 government relationship. Government to government is kind
21 of a sneaky phrase. It seems like there's parity where
22 there's a conversation among equals.

23 The proper discussion is about reestablishing a
24 nation-to-nation relationship. And, of course, the proper
25 parties on the behalf of the U.S. for this conversation

1 would be Secretary of State, not the Secretary of Interior.

2 All of these arguments have been laid out
3 brilliantly by Native Hawaiian scholars and activists. I
4 don't need to go over them. Native Hawaiians can obviously
5 speak for themselves and they do so brilliantly and
6 passionately, intelligently.

7 And so my message to my government is we need to
8 listen to them but not in this forum not from this
9 framework, not as a master listens to the grievance of a
10 slave, not as a king listens to the grievances of its
11 subjects. As an equal listens to an equal. We need to
12 listen as one nation listens to another nation.

13 If we listen -- for example, I used to think that
14 the U.S. had legally annexed Hawaii. I always knew that it
15 was an immoral overthrow, but something can be immoral and
16 yet legal. But again doing research I've come to realize
17 that's wrong. To use the analogy that noted Hawaiian
18 scholars, the U.S. is claiming to have adopted Hawaii. But
19 they can't produce the adoption papers.

20 I used to also think that things have been this
21 way so for so long that it's just impractical to go back,
22 why look backward. It's not a realist's position. Again, I
23 was disabused of this notion just by listening to Native
24 Hawaiians. It's easier than you might think.

25 So let's not disregard these truths, these

1 statements about the illegal occupation. Let's not brush
2 them aside as saying -- by saying they're not within the
3 scope of this framework. Well let's fix the framework.
4 Report to your superiors and tell them, Hey, we weren't the
5 proper arm of government to be having this conversation.

6 There's been a lot of talk about doors also.
7 Well, you do not merely open a door for someone without
8 expecting to herd them through it. That's what this feels
9 like, a railroading that door's not be closed. That door is
10 a settlement. That's what the U.S. wants, so they're not --
11 that door is never going to be closed. It's their way out.
12 They have tough burden to meet. The U.S., we can't meet
13 that burden. We can't produce those adoption papers.

14 Mahalo. Thank you.

15 MS. ROMERO: I want to address a couple of things.
16 Just let me just underscore, government is a powerful thing.
17 What does it mean to have a government-to-government
18 relationship? And maybe this is going to be helpful to
19 flush this concept out.

20 The United States has a relationship, a
21 government-to-government relationship with 566 tribes in the
22 United States. We've heard a lot of feedback from folks
23 both from the mainland as well as in the islands. Well,
24 what does that means for us a community? What does it mean
25 to organize as a government?

1 Well, my response is it means to a lot because
2 gives a community, if they organize as a government, power.
3 It gives them a power to have a seat at table on equal
4 footing with the United States to negotiate over very
5 important things. What are those things? The disposition
6 of lands, the disposition of natural resources, things that
7 are important to the inherent nature of the native born
8 community.

9 Right now, the native born community, they are not
10 organized as a government, so they don't have that seat at
11 the table. They don't even have the option of taking a seat
12 at to talk the United States about these very, very
13 important issues. Issue that are so very critical to -- to
14 essence of the Native Hawaiian community. I'm not saying
15 that because I know. I'm saying that because this is what
16 I've learned from the community of going out the islands,
17 hearing the individuals speak their truths and talk about
18 how -- why that is so very important to them.

19 So I -- I just really feel like it's important to
20 get it out there and to talk about how forming as a
21 government doesn't mean you're giving up anything. In fact,
22 when my tribe formed as a government, it had a
23 government-to-government relationship with the United
24 States. It didn't mean that we ceased to exist as a people.
25 We were just better organized, and we were -- had seat at

1 the table to negotiate over our lands.

2 So I'm not saying that that makes it right. I'm
3 just saying that it's important to recognize that it's --
4 it's a -- being a government is a powerful thing. It can be
5 a tool in order to exercise self-governance and
6 self-determination over the things that are important to the
7 Native Hawaiian community.

8 The other -- the gentleman that spoke before, that
9 spoke before the last speaker talked about timing and that
10 Native Hawaiians should -- why should they be the ones
11 bearing the risk? The Department of Interior is not forcing
12 anything on the Native Hawaiian community. We're simply
13 presenting options.

14 It's our understanding that Native Hawaiians have
15 been seeking to organize as a government for a very long
16 time. It is -- at this moment in time, it's this critical
17 juncture in -- during the Obama administration that we've
18 even come to point where we can have this conversation with
19 the Native Hawaiian community. Before now, there's been no
20 dialogue. And I think that it's incumbent on us -- and I'm
21 speaking as a federal official of the Obama
22 administration -- that we present the option to the
23 community because that's all it is.

24 And if the option is promulgated and a rule is
25 proposed, it will be on the books until a Native Hawaiian

1 government, whatever that looks like, because it's going to
2 be steered by the community -- the United States won't have
3 a role -- whatever government is formed can then knock on
4 the door, just knock on it. Right now you can't even
5 knock --

6 UNIDENTIFIED SPEAKER: That's problem.

7 MS. ROMERO: We're not herding anybody through any
8 door. It's simply an option.

9 UNIDENTIFIED SPEAKER: That's the problem. We're
10 asking for a seat at the table, but we own the table. We
11 asking if we should walk through the door, but that's
12 building --

13 UNIDENTIFIED SPEAKER: If we de-occupy, everything
14 you said holds true and then some.

15 MS. ROMERO: So this is a path. There are many
16 paths that can be taken. It's not for the United States to
17 determine what path the Native community -- Native Hawaiian
18 community want to go down. It's just one path of perhaps
19 many paths.

20 UNIDENTIFIED SPEAKER: Why is there no mention of
21 land? I mean, if you have this government entity, what --
22 why should we believe that it's just not gonna continue on?
23 Say, for example, the Department of Hawaiian Homelands now
24 only has 200,000 acres to allot to Native Hawaiians who are
25 determined to be Native Hawaiians under the 50 percent

1 quantum.

2 Initially when that Act was passed, right, Prince
3 Kuhio was trying to get it to -- was trying to allot 800,000
4 acres, right, but then when they went to Congress then that
5 was reduced 200,000 acres, right. So what do we have --
6 like Auntie said, she wants to have a place back home,
7 right, as native Hawaiians or Hawaiians subject -- as
8 Hawaiian nationals, you know, want to have access to land,
9 but why should we believe that we actually have access to
10 (native language) to land and that we can afford housing and
11 all of these things based on what you're telling us?

12 It just sounds like, well, there's the 200,000
13 acres that is governed by the Department of Hawaiian
14 Homelands. What about the 800,000 acres? What about the
15 1.8 million acres of Crown land, right? You're not even
16 mentioning anything about this in -- in the, you know -- in
17 kind of how you structuring this. So well -- I don't like
18 the nods either because it feels like you're interpolating.

19 MS. ROMERO: I'm saying I understand.

20 UNIDENTIFIED SPEAKER: You speak really eloquently
21 and lovely and nice, and you give really nice smiles, you
22 know. And you're convincing a lot of Hawaiians in the
23 audience that, you know, we are your friends, you know. But
24 it's kind of like, you know, somebody getting you to do
25 drugs for the first time. You know, it's like, you know,

1 Come, you're going to love it. It's going to be great. You
2 know, but then when you take it, you end up (native
3 language) you know, or you have a really bad trip or
4 something like that that's what it -- you know, it's, like,
5 really problematic.

6 I meant, the whole framework, it's not a lovely,
7 like, you know, we're going to have a seat at the table.
8 You're going to have parity with the U.S. government. You
9 know, I think it's great that your people of 1934 was able
10 to establish, you know, at seat at the table. But we have
11 our own table. That's what we're trying to establish.
12 We're trying to get kanakas to understand. We have a table
13 and it's made out of koa. You know, this, like, junk kind
14 Ikea pine, you know, or petrified wood but it's actually
15 koa.

16 So why are you trying to ask for permission, when
17 you are already have the power? You already have the
18 (native language). So why are abdicating that (native
19 language) to an institution or to a framework that really
20 wants you to disappear. They want you to disappear
21 vis-à-vis blood quantum, the 50 percent blood quantum. As
22 Uncle was saying you never had to have blood quantum in
23 order to be determined Hawaiian, you know.

24 So why are you abdicating your own (native
25 language) for an institution that really wants you to

1 disappear? You know, they want you to concede to U.S. rule
2 so they can say all claims are closed. Hawaiians have made
3 their decision. You know, what, there's no problem now. We
4 can just do what we want. (inaudible) that means it's going
5 to be continuing -- occupation of the (native language) the
6 same hardships. It's going to be the prison industrial
7 complex. It's going to be all of these things. It's going
8 just gonna continue.

9 MR. BEETSO: Thank you.

10 Just because we're real short on time, we want to
11 sure that everybody that hasn't had a chance to speak, has
12 an opportunity to speak. So is there anybody that hasn't
13 spoken yet that wants to make a statement?

14 No? Okay. We'll move to second statements.

15 GABRIEL MAKONANI REYES-GOMEZ: My name is -- pop
16 back over again. My name is Gabriel Makonani Reyes-Gomez,
17 if you wasn't here earlier. Okay.

18 So I wanted to thank you for your responses to my
19 concerns earlier and, for real, I know it gets tense in here
20 but -- outside of this room, as an indigenous person, much
21 respect. Inside of here, though, you are functioning as an
22 extension of the Department of Interior. And for that, I
23 don't think it is your place to give your opinion on how
24 federal recognition can benefit us, because it's confusing.
25 You are a part of the government. And for that, we can't

1 trust you. That just can't work like that. We cannot trust
2 somebody that's been kicking our ass for so long. And even
3 though you are an indigenous person within an overpowering
4 institution, that's great. If you can climb it and
5 dismantle it, awesome, you know. But it's so hard. It's so
6 hard to take those things seriously.

7 And I think a larger concern for a lot of people,
8 quantum, all that kind of stuff and sovereignty, I'm glad
9 that you brought up that we can fight for federal
10 recognition and also for sovereignty. It's great to expand
11 the way we think of Hawaiian independence and Hawaiian --
12 Hawaii's future as a people.

13 I still -- yeah, we come back to this, the
14 process. It is weird. The continuous interruptions of why
15 you think that federal recognition could benefit us, still
16 confusing. A lot of our people here keep talking about
17 doors opening and closing, but -- and that we need to rush
18 now while we have a president in office. But back when our
19 Queen had begged the United States, there was a president in
20 office who liked us and then when he got out of office, the
21 door closed and we got messed up with.

22 So what is to say that that's not going to happen
23 to us again? What is to say that when we get federal
24 recognition and Obama is out and the administration is out
25 that the next President won't take the same type advantage

1 of our federal recognition to continue their shadiness? We
2 see. We don't have to talk about it in theory, in books,
3 and watch it on TV. A lot of us grew up watching our lands
4 being destroyed, watching politicians take what they like,
5 watching people come in and how we got a framework and think
6 about each other and talk about each other and do all this
7 kind of stuff.

8 Mahalo to the guy back there. I forgot your name.

9 Thank you for speaking up on behalf of the United States
10 because even the United States itself cannot acknowledge and
11 just simply say, We messed up with more -- more than the
12 Native Hawaiians, all the indigenous people of this country.
13 There's so much more healing to go on. And to continuously
14 talk about it as if it's a positive process or that it's
15 humbug but we keep pressing forward and it's great for
16 everybody. It's not.

17 There's ridiculous stuff like buy-back programs
18 for the Department of Interior. Any of you guys know that?
19 What, you've got to buy back your land, buy back the land
20 that got stolen?

21 Right now you guys are in here. You're listening
22 to as an extension of the Department of Interior. Everybody
23 is saying this is taking too restrictive of a time, August.
24 Take that. Take those suggestions. Stop telling us that,
25 Oh, okay. Well, we know, you know, federal recognition

1 could benefit you. We know that. Some of us know that;
2 some of us don't. And we can learn from each other. Right
3 now this is what we're saying. We're confused. We'd like
4 more time. And we're thankful for the opportunity but don't
5 keep telling us the door is going to close or whatever, that
6 kind of stuff, you know. There's -- if there's going to be
7 a door closing, then why are you even there? Is there
8 supposed to -- is it a revolving door? Are we -- are we
9 going to use different types of ways of describing our
10 relationship here? It's confusing.

11 SHELLEY ROBERTS: I'd like to just note that the
12 question is should they propose an administrative rule that
13 would facilitate the reestablishment of the
14 government-to-government relationship with the Native
15 Hawaiian community.

16 This is just an answer they need should they do a
17 rule, then the community can decide if you want to be
18 federally recognized. And what your -- your -- as the
19 tribal nations do, your enrollment processes would be, your
20 base roll that you would set. That would be your decisions,
21 not the government's. They're just asking to make the
22 administrative rule to facilitate if you need that and that
23 would keep the door open if you needed them to help you.
24 That is the basic question that I see on the first five
25 questions.

1 And working with tribal nations, you make your own
2 decisions. You establish your government, or if you want to
3 go back to a kingdom, you establish that. You establish all
4 your rules and regulations. They are just wanting to know
5 if an administrative rule should be set in place to
6 facilitate if you want to open the door and ask them to help
7 facilitate.

8 MR. BEETSO: We have like three minutes, so please
9 keep it short.

10 ULULANI ROBBINS: Ululani Robbins, I also have my
11 own firms in Clearwater, Florida, and Kirkland, Washington.

12 And I just wanted to, you know, mention that the
13 Hawaii Homes Commission Act has been in effect since 1920.
14 Ask yourselves, it's been 94 years and you still don't have
15 a house in Hawaii. So really think about what -- you know,
16 what direction you're going to. You still don't have a
17 house in Hawaii, and Hawaiian Homes Commission Act has been
18 in force and in effect since 1912. That's 94 years. So
19 what do you consider -- and I'm a real property expert.
20 It's something that's serious because, obviously, a lot of
21 Hawaiians and nonHawaiians who are Hawaiian nationals live
22 outside of home which is Hawaii. Mahalo.

23 UNIDENTIFIED SPEAKER: Final word, quick. I've
24 read your handout that you put out there. Okay. And every
25 word that always says "Native Hawaiians." I told you

1 before, Hawaiian nation did not include all Native
2 Hawaiians. And that's the difference. You can choose who
3 you are by the -- by the proposition that you have. And we
4 can choose nonblood quantum by the rules. But you cannot,
5 as part of the -- the Department of Interior, expand land
6 that is out there. According to your input that I read, you
7 cannot, so why should we go through you? That's my final
8 thought.

9 MR. BEETSO: I know we have a lot of people that
10 want to make comments, so if we can just promise to keep
11 them really brief just to close up. Okay.

12 UNIDENTIFIED SPEAKER: Just really quick. I
13 really appreciate that President Obama wants to do
14 something, and it recognizes that there is a -- a history of
15 injustice. But to borrow some of his words from his
16 campaign, yes, we can. We can be an independent country.
17 There is a process of de-occupation under international law.
18 There are experts that will tell us, you know, how this can
19 happen. It's a unique situation that Hawaii has, but we can
20 do it. We don't have to settle for what they're telling us,
21 you know, we might be to able to have. We can be an
22 independent nation. Look at South Africa how they overthrew
23 apartheid. Look at how in this country -- I mean, major
24 changing are -- they happen. You just have to believe.

25 MR. BEETSO: We'll take two more.

1 UNIDENTIFIED SPEAKER: Just a little clarification
2 for -- to show that there weren't only Hawaiians. The
3 minister of, I think, finance under Kalakaua his name was
4 Chun Afong, pure Chinese, and who became the Magoon family
5 who own huge parts of Diamond Head and got very rich but
6 direct descendant of Chun Afong. In fact, I think his
7 cousin Eaton wrote the play "13 Daughters," if any of you
8 are old enough to remember that play. In fact, you know the
9 song "Puka Puka Pants"? It was on Broadway and from a pure
10 Chinese family initially. Mahalo.

11 MR. BEETSO: Thank you.

12 DANIEL KAOPUIKI III: I started this morning.
13 Ours is not a perfect world, and this is not necessarily the
14 perfect option. But a big thing is to make this world of
15 ours as perfect as we want it to be, we need to be involved.
16 And my only comment to all of you is get involved.

17 Whether it's pro or con, we have to be involved.
18 We can't look back and say they made us do that. No. We
19 need to make ourselves. Again, mahalo to all for coming
20 and, again, get involved.

21 MR. BEETSO: Okay. Thank you. We started this
22 morning, Vice Chair Deborah Parker came in from Tulalip's
23 tribe. She spoke to all you guys. She opened the session
24 and said she hopes that everybody speaks with their hearts
25 and their truths. I think everybody did.

1 And we appreciate these chances to come and
2 convene and hear from you guys. And it's a really important
3 process. We'll -- you know, what we're putting out there.
4 It's really important for us to come out here and to hear
5 what you guys are thinking and what you guys are thinking
6 and what you guys -- and what's in your heart about the
7 proposal out there, and so we appreciate it.

8 And we know it's a workday for a lot of you guys.
9 So if you took time off of work -- the gentleman here said
10 he's traveling. So he had other duties, you know, for his
11 job but this was important enough for him to make the time
12 to come here and so we appreciate it and acknowledge it.

13 You know, right now, August 19 is the date that's
14 out there. We hear you loud and clear, you know. We've
15 heard a lot in the sessions that we've had, you know, that
16 the timeline is short. And so we will -- we'll go back and
17 acknowledge that. And we'll tell our superiors, you know,
18 like you noted that August 19th is a short time frame and
19 that's what we've been hearing. Again, once again, thank
20 you for coming out.

21 MS. ROMERO: Derrick, before we end the session,
22 we have a couple representatives from the Office of Hawaiian
23 Affairs here who would like to take some time to say a few
24 words.

25 HULU LINDSEY: (Native language) thank you so

1 much. It's been such a pleasure being here. I am Carmen
2 Hulu Lindsey, and I'm here in the capacity as a Trustee of
3 the Office of Hawaiian Affairs.

4 When we were invited to come up, we were really
5 coming up for a tribal consultation. I am just so
6 overwhelmed and thrilled to see all of you Hawaiians here.
7 It's such a pleasure to hear personally from you all to know
8 how you feel. It's so important to us.

9 This is a very difficult mission for us. There's
10 a fence all over the place, and we're sitting on that fence
11 trying to make the right decisions for our (Native
12 language).

13 I'd like to turn the time over to a member of our
14 staff our chief advocate Mr. Kawika Riley. He's going to
15 share the position of the Office of Hawaiian Affairs.

16 KAWIKA RILEY: Mahalo, Trustee (native language) I
17 want to mahalo the consolidated Tulalip Tribe leadership for
18 the opportunity to be here, for welcoming all of us and
19 giving the chance to have this conversation on your
20 sovereign land. I want to mahalo the other tribal
21 representatives and leadership. And aloha and mahalo all of
22 the Native Hawaiians. It's a pleasure to be here with you.
23 And to everybody in attendance, in fact. As Trustee said,
24 you know, we -- we are honored to be part this conversation.

25 My name Kawika Riley. I'm the chief advocate for

1 the Office of Hawaiian affairs. I was born in Kohala and
2 raised in Kohala and then later in Kona. I spent 12 years
3 on the continent before I had the opportunity to bring my
4 family home and play my role as a public servant with the
5 Office of Hawaiian Affairs.

6 And, you know, just speaking personally, if I may,
7 you know, we struggled to -- to make that opportunity
8 happen, to move home. I went to college on the continent
9 because it's something that my ohana wanted me to do. And
10 they wanted me to do that because they said they wanted
11 better opportunities for me. They said go and then decide
12 if you want to come back. I always wanted to come back, but
13 it took 12 years.

14 You know, I'm lucky to have an education, to have
15 an undergraduate's degree, a master's degree. I'm lucky to
16 have fallen in love with another kanaka on the continent who
17 had a law degree. And even with all of those privileges, it
18 took us years to bring our family home. And I believe that
19 part of that is because we, as Native Hawaiians, don't have
20 the right opportunities. We don't have under the -- with
21 the power of the force of law, the opportunities to make the
22 kind of decisions that we deserve to make in our Hawaii, to
23 make Hawaii a place that is friendlier for its indigenous
24 peoples, that makes opportunities for its first people. And
25 that's part of why I feel so grateful to get to have a role

1 at the Office of Hawaiian Affairs.

2 This is the third consultation on the U.S.
3 continent that I've been able to participate in. And
4 everywhere that we've went we've seen Hawaiians from the
5 continent come to listen, to speak, to learn.

6 In Rapid City, South Dakota a mother drove all the
7 way from Littleton -- having lived in Colorado for four
8 years, I know that's a long drive from Littleton,
9 Colorado -- just to listen, just to listen and to bring her
10 daughter so her daughter can hear and choose to be part or
11 of the discussion.

12 You know, it's made me think about how much of our
13 community is now here on the continent and why. And what so
14 many of us want to do to make it a choice but not something
15 that we feel like we're forced into to have to leave our own
16 soil, the land where our I (native language) is buried --
17 sorry -- and -- and it's also caused me to think about the
18 limits of what's constructed in the place that I'm so
19 privileged to work for.

20 The Office of Hawaiian Affairs was born in 1978.
21 It was an amendment through the State's constitution to try
22 to address some of the issues that our community suffered.
23 But from the beginning it was an attempt to address those
24 issues through what was available at the State level. So
25 even at the very beginning, the first 20 years when OHA's

1 elections were determined by the Native Hawaiian people, so
2 they chose the trustees who stewarded, who are the
3 fiduciaries of the Native Hawaiian trust. It was just those
4 of us who were in the state. From the very beginning, our
5 brothers and sisters who were on the continent weren't able
6 to be part of that self-determination because it was a
7 state-level solution.

8 In 2000, as many of you know, the Supreme Court
9 Rice v. Cayetano things were changed even further. And even
10 those of us on the island became a minority vote in
11 determining who stewarded Native Hawaiian trust. Only one
12 out of five eligible voters for the OHA elections are the
13 Native Hawaiians who are the beneficiaries of the Native
14 Hawaiian trust that work to steward. But that's the
15 construct that we're in right now.

16 And for those who feel like OHA doesn't do enough
17 on the continent, I hear you, but it's what's constructed
18 right now. You want to have a say in how the Native
19 Hawaiian trust is used. You want to have a say in how those
20 assets are utilized and the policies that are given. You
21 have an opportunity to do that through the construct that's
22 being discussed today, through the government-to-government
23 relationship. You don't like what OHA is doing, you can put
24 us out of business in that respect.

25 You know, we've looked at and we've learned from

1 the other nations over 560 of them Potawatomi Nation, most
2 of its legislators, in the way districts itself, most of its
3 legislator do not live within the reservation land. They
4 did that because it reflected the value they placed
5 including their citizens where they were and most of their
6 citizens weren't there on the original land. That option
7 should be on the table for us. All Native Hawaiians,
8 wherever you are, you're Hawaiian. You should have a say in
9 how our assets are used. This is a chance to do that.

10 For that reason and for others, the position of
11 the Office of Hawaiian Affairs has decided, through our
12 trustees, is to strongly support moving forward in this
13 conversation, to have the opportunity, to see what you come
14 forward with.

15 Right now we're in the ANPRM, was that Jennifer
16 used. They're not coming to the table with a proposal.
17 They're asking us questions. The next stage is that they go
18 back, they review (native language) and they come back with
19 the proposal. I want to see what that looks like. So I can
20 make an informed decision as an individual, so that Hawaiian
21 organizations can make informed decisions and say yes or no
22 to something specific, not no to continuing the
23 conversation.

24 I want to see what's on the table. the Trustee has
25 identified that this is a viable opportunity to protect

1 Native Hawaiian assets, rights, resources, and programs of
2 public and the private level, including those that were
3 preserved by our Ali'i and stewarded through generations as
4 well as the federal programs that are available which
5 provide many benefits.

6 This is also an opportunity for Native Hawaiian to
7 have control over those resources. So that it's not
8 Washington D.C. bureaucrats who are deciding how the
9 \$30-plus million and the Native Hawaiian education program
10 is administered. No, it should be Native Hawaiian through a
11 vehicle they created, that they determined, and Native
12 Hawaiian governing entity.

13 And so for these and for other reasons OHA's
14 position is one of strong support. We hope to continue the
15 conversation and see what the U.S. government has to offer.

16 Mahalo, again, for you all, for your time. It's a
17 privilege to be here with you.

18 MR. BEETSO: I want to thank everybody, again, for
19 coming out here. We appreciate everything that we've heard.
20 And at this time, I guess, we're adjourned. Thank you.

21 (Proceedings concluded at 12:12 P.M.)

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C E R T I F I C A T E

I, the undersigned officer of the Court and Washington Certified Court Reporter, hereby certify that the foregoing proceeding was taken stenographically before me and transcribed under my direction;

That the transcript of the proceeding is a full, true and correct transcript of the testimony, including questions and answers;

That I am neither attorney for nor a relative or employee of any of the parties to the action; further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially interested in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this day of , 2014.

Kristin M. Vickery
Certified Court Reporter, 3125