



Procedures for Reestablishing a Formal Government to Government Relationship with the Native Hawaiian Community

Protest Na'i Aupuni <protestnaiaupuni@gmail.com>
To: jennifer_romero@ios.doi.gov

Mon, Dec 21, 2015 at 5:15 PM

Aloha Ms. Romero,

I have a couple questions regarding comments submitted to the Department of Interior on the proposed rule entitled Procedures for Reestablishing a Formal Government to Government Relationship with the Native Hawaiian community (NPRM).

1. After doing looking through the comments for NPRM (deadline August 19, 2014) I noticed there are hundreds of testimonies (mainly form testimonies) submitted where the submitting Organization is cited as the Native Hawaiian Roll Commission. How did you determine that these testimonies were submitted from the Native Hawaiian Roll Commission? Were they mailed by the Native Hawaiian Roll Commission? Were they emailed by the Native Hawaiian Roll Commission? Please explain and if possible please provide documents (copies of envelopes, original documents) that refer to the Native Hawaiian Roll Commission.

Here are some of the Native Hawaiian Roll Commission Testimonies Tracking Numbers:

81c4cc11
81c4cef2

81c4cae4

81c4c9db

81c4ca0e
81c4cca7

81c4ccda
81c4cff8

81c4c3ec

81c4c449
81c4c44c

2. I noticed some comments from the same person are exactly the same but they are given different tracking numbers.

For example Herman Lavatai has five duplicate letters that are exactly the same but they have different tracking numbers. See below:

1jy-8dvy-jblj
1jy-8dvy-bksg
81c4cfbf
81c4cfc8
1jy-8dvy-sstu

So were each of his duplicate comments considered as separate comments?

Thank you in advance for your speedy response to my questions.

Sincerely,

Healani



Meeting ANPRM 2014 & NPRM 2015

Protest Na'i Aupuni <protestnaiaupuni@gmail.com>

Tue, Mar 22, 2016 at 6:04 PM

To: jennifer_romero@ios.doi.gov

Hi Ms. Romero,

I wanted to see if I could set up a meeting you this week on Thursday, March 25, 2016 or Friday, March 25, 2016 at your Washington D.C. office?

I am the co-founder of Protest Na'i Aupuni (www.protestnaiaupuni.com) and Co-Founder of the 'Aha Aloha 'Āina Movement (www.ahaalohaaina.com). So far Protest Na'i Aupuni and the 'Aha Aloha 'Āina groups have held and planned 14 meetings throughout the Hawaiian islands on our concerns with the Department of Interior Proposed Rule for Reestablishing a government to government relationship with the Native Hawaiian Community since October of 2015 to the present.

Thousands of Native Hawaiians and non Native Hawaiians have attended and participated in our free, open and facilitated discussion at these community meetings the majority of whom do not support the Proposed Rule. We also have three petitions that are signed by hundreds of Native Hawaiians and Non Native Hawaiians that reject federal recognition support self-determination as defined by the UN as well as total Independence form the US.

Furthermore, we had researched the comments submitted for the DOI 2014 Advance Notice of Proposed Rulemaking (ANPRM) and found problems with these comments. There were exact duplicates, there were hundreds of comments submitted by the State of Hawaii Native Hawaiian Roll Commission in support, and it is not clear if oral testimonies were taken into serious consideration in regards to moving forward with created the Proposed Rule.

I would like very much to meet with you and is possible Secretary Jewell regarding our concerns.

Please email me or call me at 8083721512 if this is possible.

Thank you,

Healani Sonoda-Pale



Meeting ANPRM 2014 & NPRM 2015

Romero, Jennifer <jennifer_romero@ios.doi.gov>
To: Protest Na'i Aupuni <protestnaiaupuni@gmail.com>

Thu, Mar 24, 2016 at 4:33 AM

Ms. Sonoda-Pale,

Thank you for your inquiry about the proposed rule to reestablish a government-to-government relationship with the Native Hawaiian community, and for your written comments on the proposed rule. We're currently reviewing and analyzing comments, so I'm unable to respond to specific inquiries about our process at this time. I hope you're enjoying your visit to Washington, DC.

Best regards,
Jennifer Romero

Jennifer Romero
Senior Advisor for Native Hawaiian Affairs
Immediate Office of the Secretary
U.S. Department of the Interior
1849 C St. NW, MS 7228
Washington, DC 20240
202-208-1820 (direct)
[Quoted text hidden]

Re: 1090 AB05 DOI Advance Notice of Proposed Rulemaking (ANPRM) and 2015 Notice of Proposed Rule Making (NPRM)

5 messages

Protest Na'i Aupuni <protestnaiaupuni@gmail.com>

Wed, Jul 20, 2016 at 10:57 PM

To: jennifer_romero@ios.doi.gov, Aha Aloha Aina <ahaalohaaina@gmail.com>

Aloha Ms. Romero,

On March 24, 2016 you sent me an email stating you were not at liberty to discuss 2014 ANPRM and 2015 NPRM comments since your office was at that time currently reviewing the 2015 NPRM comments. However, recently I have noticed that the administrative rule to facilitate the reestablishment of a government-to-government relationship with the Native Hawaiian community is now in its final stage which I assume means that all comments have been thoroughly reviewed and therefore, I am writing to you now to discuss specific concerns regarding comments received and counted and the process for the 2014 ANPRM and 2015 NPRM.

Myself and a team of researchers have reviewed the 2014 ANPRM and the 2015 NPRM comments that were submitted and have found that most of these comments do not represent the voice of the Native Hawaiian people who will be the most adversely affected by the DOI Proposed Rule to facilitate the reestablishment of a government-to-government relationship with the Native Hawaiian community. This Proposed Rule currently does not provide any lands for Native Hawaiians except for Kahoolawe and takes all federally held lands off the table. As indigenous peoples, Native Hawaiians have a special relationship with the land and our health and well-being are intricately tied to our relationship with our land.

2014 ANPRM

The first concern that we identified with the 2014 ANPRM is that there were only 5,164 comments received and accepted by the DOI which is less than 1% of the total 527,077 Native Hawaiian population (2010 Census) in the US. Obviously, Native Hawaiians have not been given enough notice and education about what this Rule is and what it means for our people.

The second concern is that the Native Hawaiian Roll Commission (NHRC) submitted 741 mostly unsigned comments in support of the DOI promulgating rules to "reestablish" a government-to-government relationship with the US. The NHRC was created from State of Hawai'i Legislation, Act 195, with the sole purpose of creating and certifying a Native Hawaiian Roll—their purpose is not to lobby the DOI on behalf of Native Hawaiians to reestablish a government-to-government relationship between the US and the Native Hawaiian community. Not only were most of these comments unsigned, they were all submitted between August 18-19, 2014 which raises suspicions and questions about the validity of these comments and if they truly represent 741 legitimate Native Hawaiian and/or community voices.

Our third concern regarding the 2014 ANPRM were the Imua Hawai'i postcards that totaled 1,831 comments which were all in support of the promulgation of the DOI Rule. Imua Hawai'i is comprised of candidates that were part of the State of Hawai'i funded campaign to convene Native Hawaiians in order to write a Constitution that will protect the interest of the State of Hawai'i and its stake in 1.8 million acres of Native Hawaiian Hawaiian Kingdom and crown and government lands that were "ceded" by the US and are now being held in trust by the State. These candidates have a financial interest in the State process - almost all of them received stipends and some received lucrative contracts from the State to promote this process otherwise known as Na'i Aupuni, which is a State supported organization railroading the Native Hawaiian people toward federal recognition with no education. What is more alarming about these Imua Hawai'i comments is that an additional 1,021 exact duplicate Imua postcards were also submitted for a grand total of 2,852 comments submitted by Imua Hawai'i alone.

Our last concern regarding ANPRM 2014 was regarding the oral testimonies collected and whether or not they were taken into account when deciding to draft the Proposed Rule. The oral testimonies were well over 90% in opposition to drafting a Rule to reestablish a government to government relationship with the Native Hawaiian community. However, when looking at the number of testimonies counted and accepted the oral testimony numbers are not included.

2015 DOI NPRM

There were 54,588 comments and accepted by the DOI for the 2015 NPRM. The majority of these comments were submitted and accepted after the advertised December 30, 2015 deadline. In fact, 50,535 were submitted late but were still accepted by the DOI. An anonymous person submitted a suspect petition with 50,475 names most of which were taken and used without consent and compiled into a supposed Change.org petition which does not exist. This questionable petition is disconcerting because it claims to represent over 50,000 when in fact we could not verify the petition with Change.org nor did any of the people we contacted who are listed on that petition have any knowledge of this so called petition nor how their names got on this petition.

Conclusion

The 2014 ANPRM and 2015 NPRM comment periods and process for a DOI Rule to facilitate a pathway to reestablish a government-to-government relationship with the Native Hawaiian community has been rushed and has the appearance of being biased toward establishing a pathway for the creation of a federally recognized Native Hawaiian tribe by the acceptance of manufactured written comments in support of the Proposed Rule and the disregard for hundreds of oral testimonies in opposition. Furthermore, the DOI has provided no meaningful consultation with the Native Hawaiian people. During the 2015 NPRM there was no effort on the part of the DOI to provide education on the Proposed Rule and its implications for the Native Hawaiian people and the general public despite requiring comments to be specific to the Proposed Rule. There were only two "Public Meetings by Teleconference" scheduled to accept comments with no question and answer session. This process is a clear violation of the right of Native Hawaiians peoples to self-determination as defined by the United Nations Declaration on the Rights of Indigenous Peoples (2007).

I would very much like to speak with you and Secretary Jewell in person or via a phone conference regarding my grave concerns for Proposed Rule to facilitate the reestablishment of a government-to-government relationship with the Native Hawaiian people and what can be done to stop this Proposed Rule from being finalized.

To educate yourself on where I and thousands of others stands on this DOI Proposed Rule please visit these websites www.ahaaloahaaina.com, protestnaiaupuni.com,

Sincerely,

M. Healani Sonoda-Pale