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Dr. William T. Hogarth, PhD
Director, NOAA Fisheries
U.S. Department of Commerce
14th Street & Constitution Avenue, NW
Washington, DC 20230

Re: Western Pacific Regional Fishery Management Council

Dear Director Hogarth,

My husband and I are cultural practitioners on the Island of Kaua'i. We participated in a series of conferences "hosted" by the Western Pacific Regional Fisheries Management Council (Wespac) in 2006 and 2007. We were invited to the first meeting, August 14-16, 2006 as practitioners, not invited to the second meeting November 8-9, 2006, invited to the third meeting December 18-20, 2006 and came on our own to the fourth meeting April 9-11, 2007. My husband is Native Hawaiian; I am Caucasian, born in Hawaii, of a family in Hawaii for generations. My husband is retired from construction, a fisherman and farmer. I am a retired teacher and currently direct a community based non profit organization in Hanalei.

We were invited to attend by Leimana DaMate, whom we understood to be working for Wespac. We had met her previously in community meetings sponsored by the Community Conservation Network. We were told all our expenses would be paid to attend and that we were expected to discuss issues important to cultural practitioners in Hawaii, especially fishing. We were designated to represent the District of Halele'a of Kaua'i. Ms. DaMate told us the meetings were costing over \$100,000.00 and were called Puwalu. Group photographs were taken at the meetings we attended to substantiate our attendance.

Ms. Simonds, Wespac Director, "presided" over all the meetings. Sitting in the front of the room at a "head table", her role as "sponsor" of the event was obvious. There was an obvious connection between Leimana DaMate, who introduced herself as the Director of the Pacific Islands Resource Management Institute and the Puwalu Coordinator, and Ms. Simonds, Wespac Director and Ms. Lee, past President of the Association of Hawaiian Civic Clubs, AOHCC.

Every meeting convened with a prayer, most including a Christian religion reference.

Pacific Islands Resource Management Institute is not a legally registered business in Hawaii.

Question: Can NOAA via Wespac contract with a business not registered in the State?

Question: What was the amount paid to Leimana and Robert DaMate for their services?

Question: What is the source of funds used to pay for the Puwalu Series?

In subsequent testimony before the Hawaii State Senate on HB1848, Ms. Lee tearfully stated that the AOHCC paid for Leimana DaMate's services, not Wespac. Her statement was made in testimony and should be on record.

Puwalu I.

When we arrived for the first meeting, we each received an envelope with \$400.00 cash in it. Every attendee received the same amount we were told. It was not explained. During the first meeting, I was immediately struck by some statements made by those leading the meeting's conversations as being untrue and concerned about the real reason the group had been convened. Because of my concerns, I asked Mr. Charles Ka'ai'ai, a NOAA employee and Wespac staff, for the Wespac budget for the Community Development Program as I was told that was how the meetings were being funded. He said he would provide it. Throughout that meeting, I became

increasingly uncomfortable at what appeared to be a very intricately choreographed scenario that was intended to produce a concerted result. I had no idea what the objective would ultimately be. I heard Leimana and Kitty Simonds make statements that “we (the Hawaiians) had lost the “kupuna islands” (Northwest Hawaiian Islands) and that this threat, (unnamed but inferred as State Government leaders) was poised to take away many more resources and rights.

Each island brought gifts to the gathering, one being a tree, which Leimana DaMate told me Ms. Simonds, Wespac Director, would plant in her yard.

Question: What is the policy regarding gift value received by a Federal employee?

There were several tense discourses during this meeting. One in particular centered on the issue of a video recording to be taken of the proceedings. Many participants did not want that to be done. Leimana was very agitated at this diversion from the agenda but was pressured to release the videographer from his contract. The whole point was that this was a private discussion of private matters. The public was not invited.

I initiated a FOIA for the Wespac budget in October 2006. I have received no information. I attach the email conversation regarding my request.

Puwalu II.

Although my husband and I were initially “invited”, as the date for the meeting neared, we did not receive any information about the travel or agenda and did not attend. Leimana DaMate eventually informed us she did not have sufficient funding to bring us. She added that this meeting was intended “just for teachers”. Please note I am a retired teacher and direct an educational program in Hanalei that does include cultural curricula.

Puwalu III.

Announced to participants and invited guests as convening on December 19, 2006, this meeting, in fact, began the day before with “practitioners gathering to develop questions for the governmental guests to appear the next day. Several misstatements of fact were made on Dec. 18, to stir the crowd, i.e. Leimana reporting that “I just found out that the Community Conservation Network (CCN) is part of DLNR, Peter Young just told me.” (I learned later from Mr. Young that he had been talking about a specific program, Makai Watch, that CCN is involved with and not the organization itself. This is an example of the kind of propaganda (my word) that was disseminated at these meetings throughout. The purpose was to motivate the participants to confront those in the government and legislature with the “components” of the Wespac agenda. That is, to get the participants to describe Hawaiian science and traditional practices as not including western approaches such as “no take” zones. Many statements were made to the crowd about the “loss” of the “kupuna islands” the NWHI, and how important it was to stand strong or other places or rights would be taken away also. Many misrepresentations of the “rights” of Native Hawaiians in the NWHI were made throughout the Puwalu series. I was able to confirm the misstatements with Mr. Aila who was on the advisory committee that established the NWHI Sanctuary (representing Native Hawaiian issues as well as his experience working with the DLNR Boating Division).

Those invited to present or attend on Dec.19, were surprised there had been a meeting the day previous and were clearly uncomfortable with the “tone” of the questions provided.

During the week after the close of this Puwalu, Leimana and Hawaii State Representative Mele Carroll, Maui, presented themselves to Kauai Representative Hermina Morita stating they represented my support of the Aha Moku bill and asking for her vote in support of the legislation. Rep. Morita doubted the voracity of this statements and called me to inquire if this was indeed so. I told her it was absolutely not so.

Question: Is this not lobbying? It seems to me that the guidance for Federal employees and contractors about lobbying clearly defines the content of a statement or question as informational and not asking for a specific vote.

Puwalu IV:

Having heard from others that a fourth Puwalu was to be held, I inquired about my husband and I being invited. I was told (see attendance criteria and registration form attached) that each session would cost \$250.00 to attend and those not meeting the criteria would not be welcome. My husband and I made our own travel and accommodation arrangements and appeared at the Wespac office on the morning of April 8, 2007 to pay the registration fee. We were aware, via previous telephone conversations with other attendees, that several invitees were gathered in the Wespac offices having been delivered there from their arriving flights.

A member of our community, Mr. Jeffery Chandler, came out of the rear of the offices, to see why what we were doing there. We explained our purpose and he said that the group was told to “close the doors, remember we are only talking, this is not a meeting” as soon as we entered the offices. We were told by staff that they were not prepared to accept our registration payment and would be giving us information later.

That evening, we received information from Mr. Chandler that no fee would be charged for us to attend the meeting and it was “open to the public”.

We presented ourselves the next morning at the registration table, greeted by Ms. Lee, given “observer” name tags and guided to our seats by Ms. Lee. We were seated in a separate section from our island representatives, in the back of the room, furthest away from our people.

The meeting began with a prayer that included references to “pilikia” (trouble). (Ms. Simonds was crying) Wayne Hoopii Lee from Molokai said: “turn off the camera, now is the opportunity for those working in their place to come and talk business. If you have “hewa” (not pono, incorrect), now is the time to “hemo” (take out)... Only get God’s agenda... cannot move on until this is pau.... Kupuna are not being used... western system was used to take our queen....I am not illiterate... we are strengthened by all the warriors from the past.... They made plenty sacrifices to get where we are....here for my grandchildren and ancestors... will do whatever it takes to preserve whatever we get left... asking others who have issues to come forwardnever look back”.

This was the tone and essential content of the next several speakers, with obvious references to my being an “outsider” without naming me. Quotes from my testimony before the Hawaii State legislature made it clear who they were talking about. I did not speak. (I concur with statement provided by Keiko Bonk as to this portion of the meeting.)

Eventually, the subject turned to the issue of the formation of the aha moku system, a concept of local representation on a statewide “board” to guide all efforts of resource management to provide cultural experience and priorities. The discussion centered on criteria for membership on the Councils. Leimana said more than once that this work needed to be completed for a July start date and that legislators expected criteria to be developed during this meeting. She also stated that legislators would be joining the group the next day to review the progress, encouraging all to hurry.

Proposed criteria would have eliminated any people who were not Native Hawaiian to participate. When members of the group suggested alternatives to this exclusionary approach, Leimana responded that this was the way to keep the Aha Moku Councils true to their purpose.

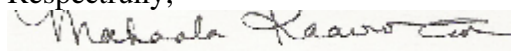
The purpose of writing this letter and providing this statement is to protest the use of Federal funds for purposes other than those which I believe benefit all citizens, and our resources.

Specifically, my concerns are:

1. Federal funds and staff were used to execute a contract with an illegal business in Hawaii, PIRMI.
2. Federal funds were used to exclude certain citizens from participating.
3. Federal funds were used to coerce and lobby both innocent citizens and State legislators.
4. Federal funds were used to avoid compliance with the Freedom of Information Act.

It is my understanding that meeting notes and minutes were taken of each Puwalu. I recommend you obtain these. I look forward to your response and offer my assistance in your efforts to correct this situation.

Respectfully,



Makaala Kaaumoana

CC:

Inspector General Johnnie E. Frazier, Office of Inspector General, U.S. Department of Commerce

Governor Linda Lingle, Governor of Hawai'i

The Honorable Senator Daniel K. Inouye

The Honorable Senator Daniel K. Akaka

The Honorable Representative Neil Abercrombie

The Honorable Representative Mazie Hirono

Carlos M. Gutierrez, Secretary of Commerce

Bill Hogarth, National Marine Fisheries Service

Sean Martin, Chair, Western Pacific Fishery Management Council