

LATE TESTIMONY

TESTIMONY OF KEITH ROBINSON

**Before the Senate Committees on
Public Safety, Intergovernmental and Military Affairs
Water and Land
Ways and Means**

Friday, February 14, 2014

9:45 A.M.

State Capitol, Conference Room 211

**In consideration of
Senate Bill 3003, SD1
Relating to Ocean Management**

Niihau Island tends to be highly unusual in many ways. Several situations exist there, which do not prevail on Hawaii's other islands.

- 1) Without one single exception, every single person among Niihau's owners and residents is descended from people who were natural-born citizens of the Kingdom of Hawaii. Furthermore, the primary language of Niihau continues to be Hawaiian. And Niihau never rubber-stamped the overthrow of the Kingdom of Hawaii: in the 1959 statehood election, Niihau's owners and residents rejected statehood, and Niihau became the only island to vote against it.

Thus, as the last intact, readily identifiable remnant of the Kingdom of Hawaii, Niihau meets every legal qualification needed to obtain the same "nation within a nation" status enjoyed by many American Indian tribes: and such aboriginal peoples almost always retain exclusive fishing rights within their traditional fisheries.

- 2) Niihau has been deeply involved in American national defense work for decades. There is some circumstantial evidence that Niihau's owners first knew in 1925 about Japan's future attack on Pearl Harbor: but by 1933 they definitely did know about it, and were actively preparing for it.

Then later, during the 1950's, Niihau participated in research which created the famous DEW Line, the first great early warning system that prevented any surprise Russian nuclear attack on the U.S.

Before they died, the men who correctly foresaw the Pearl Harbor attack warned Niihau's present owners, that a great nuclear war might someday come out of the Middle East, and possibly escalate into World War III.

With this Middle Eastern situation now relentlessly worsening every year, exactly as predicted, Niihau continues to work with NASA and the DOD on various research and national defense projects.

- 3) Niihau Island is also the scene of the world's most successful monk seal preservation effort: but in order to protect Niihau's national defense work from being deliberately disrupted or destroyed by environmental activists, this highly successful conservation work was carefully hidden from the eco-nazis, for more than twenty years.

Around 2005, however, intensifying raids by non-Niihau fishermen and boaters threatened to decimate Niihau's monk seals and to destroy the island's marine environment. In 2008, this situation finally forced Niihau's owners to appeal to the National Oceanic and Atmospheric Administration (NOAA) for the protection of Niihau's monk seal population and marine resources: and NOAA, which has intense interest in the survival of the monk seals, and enormous powers under the U.S. Endangered Species Act, is now moving in its ponderous way to establish a protective zone for Niihau's monk seals and marine environment.

NOAA has also assured Niihau's residents and owners, that their traditional subsistence fishing rights will be upheld and protected in any such marine sanctuary agreement. Meanwhile, however, several members of the Hawaii state legislature belatedly heard about this situation in 2013, and became interested in it. Therefore they have introduced several bills into this 2014 session of the Hawaii State Legislature. Most unfortunately, these bills have been introduced so suddenly and recently, that neither Niihau's residents nor its owners have had adequate time to study and consider them.

Therefore, we most gratefully acknowledge the legislature's attempt to help us in these matters: but we must also respectfully beg that some of these bills be deferred until everyone involved has had more time to discuss and consider and comment on them.

Most respectfully
submitted,



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SB3003

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Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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