



# DoD Responsibilities to Native Hawaiian Organizations & NHO Cultural Communications Training

09-293

## Background:

In 2006, DoD reviewed its consultation responsibilities to Native Hawaiian Organizations. The review concluded that while Native Hawaiian Organizations did not have the same standing as Federally-recognized tribes, there are specific statutory and regulatory requirements directing DoD to consult with Native Hawaiian Organizations. The primary statutory and regulatory authorities requiring consultation include the Native American Graves Protection and Repatriation Act, the American Indian Religious Freedom Act, Religious Freedom Restoration Act, the National Historic Preservation Act, and the National Environmental Policy Act. DoD found that there is an opportunity to improve its consultation process in a manner that could be beneficial to DoD in minimizing impacts on Military training and readiness activities. Native Hawaiian Organizations have expressed concerns about inconsistencies in the way statutory requirements are interpreted and applied by the Military Services in Hawaii. The Military Services in Hawaii have expressed frustration over the lack of certainty and timeliness involved in when, how, and to whom to consult with regarding Native Hawaiian Organizations.

## Objectives:

Review laws, regulations, and policy governing DoD interactions with Native Hawaiian Organizations (NHO); develop proposed NHO consultation protocol; develop consultation training.

## Summary of Approach:

- Review statutory and regulatory requirements governing consultation.
- Hold meetings, seminars, and workshops with Native Hawaiian Organizations and Military representatives to hear their views.
- Develop a draft DoD Native Hawaiian Organization Consultation Protocol/Policy.
- Issue draft to both Military Services and Native Hawaiian Organizations for review and comment.

- Develop Native Hawaiian Organization Cultural Communications Courses designed to help DoD military and civilian personnel working in Hawaii to understand Hawaiian Culture.
- Hold meetings with DoD Components in Washington, DC, and in Hawaii to review drafts of the consultation document.

## Benefits:

- Helps to define how DoD consults based on statutory and regulatory requirements.
- Sets forth broad guidelines for consultation that Military installations in Hawaii can build upon.
- Promotes consistency in consultation across the Military Services in Hawaii.
- Helps with the overall working relationship between DoD and Native Hawaiian Organizations in supporting the DoD mission while respecting Native Hawaiian culture.
- Helps Native Hawaiian Organization's understanding of DoD's consultation responsibilities.

## Accomplishments:

- Completed a statutory and regulatory review.
- Held a series of meetings with Native Hawaiian Organizations and Military representatives.
- Developed a draft DoD Native Hawaiian Organization Consultation Protocol and issued the draft for review and comment by both Military Services and Native Hawaiian Organizations.
- Developed a Native Hawaiian Organization Cultural Communications Course to assist DoD military and civilian personnel working in Hawaii in understanding Hawaiian Culture.

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