

UNITED STATES OF AMERICA  
DEPARTMENT OF COMMERCE  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

<i>In re:</i>	)	Administrative Law Judge
<b>Proposed Waiver and Regulations Governing the Taking of Eastern North Pacific Gray Whales by the Makah Indian Tribe</b>	)	Hon. George J. Jordan
	)	Docket No. 19-NMFS-0001
	)	RINs: 0648-BI58; 0648-XG584
	)	

**DECLARATION OF POLLY DEBARI**

I, Polly DeBari, declare as follows:

1) I am a member of the Makah Tribe. Like all Makahs, I am a beneficiary of the Tribe’s treaty-reserved right to hunt whales. I was in a relationship with the harpooner of the whaling crew and participated in other activities associated with the Tribe’s successful gray whale hunt in 1999, and I have personally experienced the benefits to our community from that hunt and plan to be involved in future Makah hunts. Once this process is completed, I hope the Tribe can go hunting again on a regular basis and exercise the “right of . . . whaling” that our ancestors secured to us in the Treaty of Neah Bay.

2) I support the Makah Tribe’s proposed issues of fact for this hearing. Specifically, I believe that whale hunting is an essential element of Makah subsistence and culture, that the Treaty of Neah Bay secured to the Makah Tribe the right to hunt whales, and that the Tribe’s treaty right supports the National Marine Fisheries Service’s proposed waiver and regulations that are the subject of the hearing.

3) I have lived most of my life in Neah Bay on the Makah Reservation. After several years living elsewhere, in 1996 I returned to Neah Bay and volunteered at the Makah Cultural and Research Center (MCRC). I was eventually employed by the MCRC and worked in a variety of areas, including at the storage facility, where a lot of whaling gear from the Ozette

Village archaeological site is housed. One of my priorities in that work was to give time to our people to be with the objects. I worked a total of 15 years at the MCRC as a project manager for grants, revitalizing MCRC exhibits, and working in the field on a variety of projects, including with archaeologist Gary Wessen.

4) Over the years, I led many tours at the MCRC, and continue to do so on a volunteer basis. The whaling exhibit is the first one that a visitor sees and really sets the tone for conveying to outsiders the importance of whaling to our culture, history and subsistence way of life. On the tours, people want to talk about whaling more than any other topic. This was especially true in the years after the 1999 hunt. Over time I have found that explaining Makah whaling to visitors (including how it is a much more involved practice compared to fishing) helps avoid misunderstandings and is an important part of developing a more respectful relationship, even with people who are openly opposed to the hunt.

5) Growing up in Neah Bay we just soak up cultural knowledge as if our community was an encyclopedia. I can easily see how visitors have difficulty understanding our culture – especially the value we place on whaling – since they did not have that experience and knowledge of listening to Makahs from a young age. My family talked a lot about what a woman did to participate in a hunt and support a whaler she was with. As a teenager this felt unreal, like a dream. I never thought I'd use this knowledge, but when the Tribe decided to resume whaling I was able to live those teachings when we had the 1999 hunt. As a community, this is what we've always done – those teachings are still with us. It was very meaningful to actually put that knowledge from my family to use in the 1999 hunt because I was in a relationship with the harpooner of the whaling crew, Theron Parker.

6) Generally speaking, my role was to lay still while Theron was out whaling. In this way I was “becoming the whale” according to our tradition. I could not touch whaling gear, but could cook for the crew. Preparing for a hunt takes a lot of discipline and is exhausting – with little more than two hours of sleep per night the last couple of weeks. I received a lot of support, as people came over with food and drink for my family and gave me massages while I was lying still. We prayed a lot, and I fasted while the hunt was occurring, avoiding all food and drink. Other whalers were often at our house. On the day of the successful hunt, I had to wait until there was absolute confirmation the whale was dead before I could get up.

7) The most amazing thing about this hunt was all the people who came to Front Beach to see the whale being landed – it was packed! I was able to get through the crowd because my brother Spencer and Joe McGimpsey (one of the spiritual leaders in the community) started singing prayer songs to let me and the two other women who were with whalers through. I felt honored by my people for my part in this hunt. This feeling from my community made that day the most special time in my life.

8) After the whale came in, I helped cut it up that night until 2 or 3 a.m. and every day afterward at the processing plant. People came in with sacks for their share. Some cooked it and brought it back to the butchering crew.

9) Theron and I got shares of the whale like everyone else. Because he was the harpooner, he received the “saddle” as is customary. People prayed at our house. The saddle was at our house for 4 days, and on the fourth day we had a ceremony at the longhouse, where Theron invited people who had supported him in the hunt and distributed the saddle. We rendered blubber into oil, the same as we do with seal oil. After the hunt, people were at our house a lot; we often prepared whale, especially when the chiefs from Canada came to visit.

10) When I think back to the day the whale was landed, I remember feeling that all of our ancestors were standing with us on the beach. Although the event has passed, the feelings of the moment have stayed with those of us who were there. I can share that moment with my grandchildren, but I'm sad they haven't been able to experience a whale on the beach (with the exception of the ship-struck humpback in August 2018). It's impossible to get the full sense of the moment unless you were there.

11) For many in our community, the year of the hunt is a benchmark in time that is used to reference when other events occurred. Makahs remember whether they were on Front Beach to welcome the whale back into our lives, and if they couldn't be present, where they were at the time. The 1999 hunt continues to resonate with Makahs. When I worked with the Tribe's Health Clinic as a community cultural specialist a couple of years ago, we put on a program we called "Bringing our Minds Together as One." During that 3-day program, my granddaughter, who was around 12 at the time heard from Makahs who experienced the hunt. As I listened and saw her listening, I wondered if she would be able to personally witness and experience a hunt; it's an experience I want her (and other young Makahs) to be able to have. People started talking about feelings from the 1999 hunt, and it just snowballed; it brought back all of the emotions from almost twenty years ago. The memories are still very clear and powerful.

12) There is a strong belief in our community about the health benefits of eating traditional foods. My Aunt Hildred Ides said that we should harvest and eat traditional foods so we wouldn't be sick. Her wish was to see us get a whale, but she died a couple of weeks before the 1999 hunt succeeded in realizing that dream.

13) I try to take my Aunt Hildred's words to heart and live traditionally, relying on local, healthy subsistence resources. I'm teaching my grandchildren about all the plants they can

find out here, and I try to use traditional medicines as much as I can. My two grandchildren love fish and other seafood, and they'd love to have whale. My daughters all know how to fish, smoke, and jar to preserve what they catch. These days, more people stop by and give me fish, and my sons fish for me in the winter. I am eager to eat whale the next time we go hunting. I loved it more than sockeye salmon, which is so highly regarded we call it Makah Gold when it is smoked. With whale, it is more than nutrition; the animal was feeding my spirit. If you prepare the food in a good way, I believe you benefit from the spirituality and love in the whale.

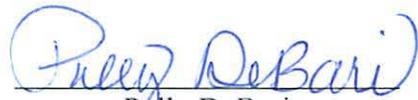
14) When a humpback whale came to our people in August of 2018 after it was struck and killed by a ship, my family and I were at the beach before it arrived. I was given the honor along with a few others of blessing the whale; it was a big contrast to 1999 with so much commotion and activity. This experience was quiet, very spiritual, and peaceful. I didn't plan on this when I went to the beach, but I ended up staying and butchering the whale along with my son, who had returned for Makah Days, until 3:30 in the morning. That day was very moving for my son, and he told me that he was going to remember it for the rest of his life. My grandchildren were also there cutting up the whale. We took some home and after a little sleep we cut and froze it. I cooked this whale as part of Thanksgiving and also when my family visited before Christmas. I am hopeful that the humpback will also be used to teach our people how to render whale blubber into oil, and I plan to work with the Tribal Council and others who were involved in 1999 to provide these learning opportunities to members of the community so we can be fully prepared to process a whale when the hunt resumes.

15) Through our oral history we know that whaling is who Makahs are as a people. This understanding about our identity comes before I think of it as a treaty right. Our ancestors felt it was so important they put our main source of food and spirituality in the Treaty. We're

very proud of being whalers, and going whaling is us just being Makahs. When we go to Tribal Journeys, which is an annual canoe paddle and cultural gathering that I have participated in for twenty years, and do protocols in order to come ashore at another tribe's homeland, people think of us as whalers. When Makah hosted Tribal Journeys in 2010, our telling of who we are as a people involved a large whale with wolf dancers coming out of the mouth. As our people continue to heal from intergenerational trauma resulting from culture and language deprivation, whaling needs to be part of that healing – it's the biggest piece of our identity that's missing.

16) I know firsthand that there is a lot of risk in whaling. When a whaler walks out the door for a hunt, you don't know if he'll come back alive. So many things can go wrong in the hunt from the whale itself. This danger is made worse by protestors who will stop at nothing to prevent the hunt and harass and threaten our people for simply being true to our identity. Even with these risks, it is impossible to imagine whaling without the hunt itself. There's simply no other way to experience this, to be so spiritually connected to our culture and to provide such an important food. Even though I've been culturally active my whole life, the 1999 hunt was one of the most spiritual things I've ever been part of. I struggle to find words to express the emotions and importance of May 17, 1999, when the whalers brought in a whale. But I know that our ancestors felt the same thing and were able to express it so that the importance of whaling is captured in the Treaty. One thought that always comes to mind is that by whaling, we can be one with our ancestors. For Makahs, that is a connection that will continue to sustain us long into the future despite the many difficulties in modern life.

I declare, under penalty of perjury under the laws of the United States, that the foregoing is true and correct to the best of my knowledge, information and belief.

  
Polly DeBari

Dated: 5.13.2019