

STATEMENT
OF
SENATOR DANIEL K. INOUE
VICE CHAIRMAN
COMMITTEE ON INDIAN AFFAIRS
BEFORE A HEARING
ON
S. 2899
A BILL TO EXPRESS THE POLICY
OF THE UNITED STATES
REGARDING THE UNITED STATES' RELATIONSHIP
WITH NATIVE HAWAIIANS, AND FOR OTHER PURPOSES

On January 17, 1893, with the assistance of the United States Minister and U.S. marines, the government of the Kingdom of Hawaii was overthrown. One hundred years later, a resolution extending an apology on behalf of the United States to Native Hawaiians for the illegal overthrow of the Native Hawaiian government and calling for a reconciliation of the relationship between the United States and Native Hawaiians was enacted into law.

The Apology Resolution acknowledges that the overthrow of the Kingdom of Hawaii occurred with the active participation of agents and citizens of the United States and further acknowledges that the Native Hawaiian people never directly relinquished their claims to their inherent sovereignty as a people over their national lands to the United States, either through their government or through a plebiscite or referendum.

Two weeks ago, the Senate Committee on Indian Affairs and the House Resources Committee held five days of hearings in Hawaii on Senate bill S. 2899 and the House companion measure, H.R. 4904. More than 120 people presented oral testimony to the committees and several hundred others presented written testimony to the committees. By a margin of more than eight to one, the testimony received by the committees was in support of the bills.

There are those in the Hawaiian community who are opposed to this measure. Many of those who are opposed to the bill seek complete independence from the United States, the decolonization of Hawaii, and the reinstatement of the Kingdom of Hawaii.

This bill does not provide for independence from the United States, nor does it effect the removal of the citizens of the State of Hawaii who are not indigenous, native people of the Hawaiian archipelago.

What this bill does do is provide a process for the reorganization of a Native Hawaiian government, and the recognition by the United States of that government for purposes of carrying on a government-to-government relationship.

What this bill does do is provide that the indigenous, native people of Hawaii – Native Hawaiians, might have the same opportunities that are afforded under Federal law and policy to the other indigenous, native people of the United States – American Indians and Alaska Natives, to give expression to their rights to self-determination and self-governance.

I also want to make clear what this bill does not do. It does not authorize the appropriation of funds from Indian program accounts. It is a separate and distinct authorization. It does not involve the Bureau of Indian Affairs nor does it affect any Indian programs or Indian program funding.

When I assumed the chairmanship of this committee in 1987, I made a pledge that funding for Native Hawaiian programs would never taken from Indian program accounts, that Indian funding would never be diminished as a result of Native Hawaiian programs, and that I would always seek a separate appropriation for Native Hawaiian programs. I am proud to say that my pledge has never been broken, nor will it be with the passage of this measure.

Because there are some who have raised the matter of gaming, and whether the recognition of a Native Hawaiian government would authorize the government to conduct gaming, I want to also address what this bill does not do in the arena of gaming.

As the primary sponsor of the Indian Gaming Regulatory Act in the Senate, I can assure you that the Act which authorizes gaming on Indian lands does not apply in Hawaii nor will it apply.

First of all, there are no Indian tribes in Hawaii. Secondly, there are no Indian lands and no Indian reservations in Hawaii. Finally, all forms of gaming are criminally prohibited in the State of Hawaii – and as we all know, under the Act, the only gaming that can be conducted on Indian lands is that which is not criminally prohibited under state law.

In developing and refining this measure, we have worked not only with the Native Hawaiian community, but with representatives of the Federal and State governments, with leaders of the Native American community, and with the congressional caucuses.

The bill that is before us today has been revised as a result of the testimony received at the hearings in Hawaii.

With all of this input – with literally hundreds of hours of conference calls and meetings on this measure – I believe we now have a bill that accomplishes what we have set out to do.

Our objectives are simple and straightforward.

As a matter of Federal policy and Federal law, we want to assure that the United States government deals with all of the indigenous, native people of the United States in a consistent manner – recognizing and supporting their rights to self-determination and self-governance.

This is the right thing to do, and I call upon my colleagues to lend their support to the passage of this measure.