

**MAHALO (THANK YOU), WW SEEK CONTINUED SUPPORT TO PASS S. 381/H.R. 862
THE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT
IN U.S. CONGRESS**

Status Report, Background and Summary Points: February 23, 2009

STATUS - 111th Congress: Hawai'i U.S. Senators Daniel K. Akaka and Daniel K. Inouye re-introduced the Native Hawaiian Government Reorganization Act (NHGRA), the "Akaka bill" in the Senate, and Hawai'i U.S. Representatives Neil Abercrombie and Mazie Hirono re-introduced the bill in the House on February 4, 2009. They are joined by republican and democratic co-sponsors. The Native Hawaiian Government Reorganization Act passed favorably out of the U.S. House of Representatives in 2000 and 2007, and has successfully passed out of the Senate Committee on Indian Affairs in 2007, 2005, 2003, 2001, and 2000, similarly in the House Resources (formerly Natural Resources) Committee. Upon passage of S. 381/H.R. 862, President Obama said he will sign NHGRA into law.

Historical Data: January 17, 2009, was the 116th anniversary of the date on which Native Hawaiian Queen Lili'uokalani was wrongfully deposed through the illegal overthrow of the Kingdom of Hawai'i in 1893 by U.S. merchants with military support. Public Law 103-150, the Apology Resolution, enacted in 1993, provides an apology from the U.S. to the Native Hawaiian people, provides an accurate history and acknowledges Native Hawaiians as the indigenous, native, aboriginal people of Hawai'i. Since 1910, Congress has approved over 150 Federal measures acknowledging Native Hawaiians as the indigenous people of Hawai'i and addressing health, education, economic and social conditions. Public Law 103-150 expresses the commitment of Congress to acknowledge the effects of the overthrow in order to provide a proper foundation for reconciliation between the U.S. and the Native Hawaiian people.

Native Hawaiians are determined to preserve, develop and transmit to future generations our sustaining connection to our lands, political expression, and spiritual and cultural identity, in accordance with our own spiritual and traditional beliefs, customs, practices, language and social institutions. Through NHGRA, Native Hawaiians are able to focus Native Hawaiian strengths, resources and assets to solve problems facing Native Hawaiian communities, thus uplifting and strengthening Hawai'i for all.

Purpose: S. 381 / H.R. 862 reaffirms and expresses the policy of the U.S. regarding its political relationship with Native Hawaiian people and provides a process for the recognition by the U.S. of a Native Hawaiian governing entity. Similar to the processes of federal recognition already in place for American Indians and Alaska Natives, the recognition process authorized through the enactment of NHGRA is a bridge necessary for the U.S. and the Native Hawaiians to officially enter into a formal relationship. The indigenous, native people suffered from the events before, during and after the illegal overthrow of their government. The consequences adversely affect Native Hawaiians as a people today. Resumption of a political and legal relationship between the U.S. and a recognized, reorganized Native Hawaiian governing entity moves us forward toward healing the effects of the injustices and moves the U.S. toward parity in its policies concerning the three groups of Native Americans of the 50 states.

S. 381 / H.R. 862 SUMMARY POINTS

What is the NHGRA? NHGRA reaffirms and expresses the policy of the U.S. relationship with Native Hawaiians; and provides a process for the U.S. recognition of a reorganized Native Hawaiian governing entity. Enactment moves us toward parity in U.S. policy toward Native Hawaiians, American Indians and Alaska Natives by authorizing a process of federal recognition of the Native Hawaiian governing entity. The U.S. currently extends a process of federal recognition to American Indians and Alaska Natives. There are hundreds of recognized Native governing entities. Without passage of the NHGRA, NO process of federal recognition is available to Native Hawaiians.

Under the U.S. Constitution and Federal Law, America's indigenous, native, aboriginal people are recognized as groups, NOT defined by race or ethnicity, but by the fact that their ancestors are indigenous, native, aboriginal people who exercised sovereignty over the lands and areas that subsequently became part of the U.S. It is the pre-existing sovereignty of America's indigenous, native people which the U.S. Constitution recognizes and, on that basis, accords a special status to America's indigenous, native people.

NHGRA provides that after the recognition process is complete, negotiations may ensue between the Native Hawaiian governing entity, and federal and state governments over matters such as transfer of lands and natural resources; exercise of governmental authority over any transferred lands, natural resources and other assets, including land use; and exercise of civil and criminal jurisdiction, and the delegation of governmental powers and authorities to the Native Hawaiian governing entity by the federal and state governments. Respective state and federal legislation would follow negotiations and would move according to the U.S. democratic process.

Does NHGRA diminish Indian Country or Alaska Native resources?

No. Nothing in NHGRA provides an authorization for eligibility to participate in any Indian program or service to any individual or entity not otherwise eligible for the program or service under applicable Federal law.

Does NHGRA authorize Native Hawaiian gaming?

No. Nothing in NHGRA authorizes gaming by a U.S. recognized Native Hawaiian governing entity. Further, Hawai'i and Utah are the only two states in the country in which no form of gambling is legal.

Why support the NHGRA?

Enactment of NHGRA: establishes greater equality in U.S. policies towards Native American groups in the U.S; is the next step in just reconciliation between the U.S. and Native Hawaiians after the forcible overthrow of the Native Hawaiian government in 1893; and accords respect to the will of the State of Hawai'i and a majority of its voters who have repeatedly recognized the special legal and political status of indigenous, Native Hawaiians as evidenced in the Hawai'i State Constitution, Hawai'i Revised Statutes and numerous resolutions and programs.

Most who live in Hawai'i know the distinct Native Hawaiian community, with its own language, values and culture, is the host culture, the heart and breath of Hawai'i. Hawai'i, and no other place on earth, is the homeland of Native Hawaiians. The Akaka bill offers the opportunity to reconcile past wrongs, and move us toward a healthier, economically stronger Hawai'i for all.

The measure has strong bi-partisan support, including the entire Hawai'i Congressional Delegation, Republican and Democratic Congressional co-sponsors, the State Legislature, the Office of Hawaiian Affairs, Hawai'i's Mayors, other Native Hawaiian organizations and leaders, numerous Hawai'i businesses and unions, the American Bar Association and a majority of Hawaiian and non-Hawaiian individuals.

The National Congress of American Indians, Alaska Federation of Natives, Intertribal Council of Arizona, Affiliated Tribes of Northwest Indians, National Indian Education Association, United South and Eastern Tribes, National Council of La Raza, Japanese American Citizens League, Organization of Chinese Americans, Asian American Justice Center (formerly National Asian Pacific American Legal Consortium), National Coalition of Asian Pacific Americans, Leadership Conference on Civil Rights, National Association for the Advancement of Colored People, National Education Association, National Association of Social Workers and numerous other Native, Asian and Pacific American and civil rights organizations have issued resolutions, statements or letters of support for the Akaka bill, Native Hawaiian self-determination and self-governance.

For more information about the Native Hawaiian Government Reorganization Act, contact:

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OHA is a unique, independent state entity established through Hawaii State Constitution to advocate for the betterment of conditions of all Native Hawaiians with a Board of Trustees elected by the voters of Hawai'i.

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MAHALO (THANK YOU)