Indian Affairs - Office of Public Affairs

Media Contact: Jessica Kershaw (Interior), Interior_Press@ios.doi.gov
For Immediate Release: September 29, 2015
Print PDF

WASHINGTON – The U.S. Department of the Interior announced today a proposal to create an administrative procedure and criteria that the Secretary of the Interior would apply if the Native Hawaiian community forms a unified government that then seeks a formal government-to-government relationship with the United States. Under the new proposal, the Native Hawaiian community — not the Federal government — would decide whether to reorganize a Native Hawaiian government, what form that government would take, and whether it would seek a government-to-government relationship with the United States.

"The United States has a long-standing policy of supporting self-governance for Native peoples, yet the benefits of the government-to-government relationship have long been denied to Native Hawaiians, one of our nation's largest indigenous communities," said U.S. Secretary of the Interior Sally Jewell. "Today's proposal is testament to the Obama Administration's strong support for our nation's Native peoples' right to self-determination."

The proposal, which takes the form of a Notice of Proposed Rulemaking (NPRM), builds on more than 150 Federal statutes that Congress has enacted over the last century to recognize and implement the special political and trust relationship between the United States and the Native Hawaiian community. The NPRM comes on the heels of a robust and transparent public comment period as part of an Advance Notice of Proposed Rulemaking (ANPRM) process that began last year and included public meetings. More than 5,000 members of the public submitted written responses to the ANPRM, and they overwhelmingly favored creating a pathway for reestablishing a formal government-to-government relationship.

"We've listened to the feedback we received during the public meetings and in writing and worked to improve the proposal to reflect those comments," added Jewell. "We appreciate the many voices on this topic and look forward to hearing from the public on this proposal."

If a government-to-government relationship is reestablished, it can provide the community with greater flexibility to preserve its distinct culture and traditions and special status under Federal law that enables the community to exercise powers of self-government over many issues directly impacting community members.

The Native Hawaiian community has not had a formal government since the overthrow of the Kingdom of Hawaii in 1893. In 1993, Congress enacted the Apology Resolution, which offered an apology to Native Hawaiians on behalf of the United States for its role in the overthrow and committed the Federal government to a process of reconciliation. As part of that reconciliation process, in 2000 the Department of the Interior and the Department of Justice jointly issued a report identifying as its lead recommendation the need to foster self-determination for Native Hawaiians under Federal law.

Today's proposal is available for review at www.doi.gov/ohr, and public comments on it will be accepted for the next 90 days. Members of the public are encouraged to read the proposal and provide comments in writing by email to part50@doi.gov, on www.regulations.gov (docket no. DOI-2015-0005), or by U.S.

mail/hand delivery to the Office of the Secretary, Department of the Interior, Room 7228, 1849 C St. NW, Washington, DC 20240. The public is also encouraged to participate in teleconferences on the proposed rule, a schedule of which is available here.