

U.S. HOUSE OF REPRESENTATIVES

NATURAL RESOURCES COMMITTEE REPUBLICANS

CONGRESSMAN DOC HASTINGS, RANKING MEMBER

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Hawaii Governor Expresses Opposition to Latest Version of Native Hawaiian Recognition Bill

Governor is a longtime vocal advocate for recognition, but the rewritten bill is "not one I can support"

WASHINGTON, D.C. –Hawaii Governor Linda Lingle has announced that she cannot support the rewrite ([Abercrombie substitute](#)) of the Native Hawaiian Government Reorganization Act of 2009 (Akaka bill) that is scheduled to be voted on today by the full House. Despite being a longtime, vocal supporter of Native Hawaiian recognition, Governor Lingle [opposes](#) the rewritten bill. Full text of her statement is below.

In light of these objections from the State of Hawaii, House Natural Resources Committee Ranking Member Doc Hastings issued the following statement:

*"Something is terribly wrong with this bill if the Governor of Hawaii, an advocate for Native Hawaiian recognition, feels compelled to say she can't support the rewritten text," **said Hastings.** "The rewritten bill strikes at the heart of the State of Hawaii's authority to enforce health and environmental regulations, taxes and criminal law enforcement equally among its citizens. While the Governor and I disagree over the fundamental question of recognition, I strongly believe that Congress should not push forward and impose the rewritten bill on the State of Hawaii. For many reasons, this bill is not ready for a House vote and I urge all House Members to vote against it."*

Statement by Governor Linda Lingle:

"For more than seven years, my administration and I have strongly supported recognition for Native Hawaiians and supported the Akaka Bill.

"We have supported a bill that would set up a process of recognition first, followed by negotiations between the Native Hawaiian governing entity, the State of Hawai'i, and the United States. Once that was completed, it would be followed by the Native Hawaiian governing entity's exercise of governmental powers and authorities.

"Amendments made to the bill in December 2009 turned that process around. The current bill establishes that the Native Hawaiian governing entity would *start* with broad governmental powers and authorities, with negotiations to *follow*.

“Although I believe the original plan to negotiate first makes more sense, my administration has tried to work with the Hawai‘i Congressional delegation on the new structure to establish governing powers first, with negotiations to follow.

“Ultimately, although we had good and productive discussions, the current draft of the bill is not one I can support.

“The basic problem as I see it, is that in the current version of the bill, the ‘governmental’ (non-commercial) activities of the Native Hawaiian governing entity, its employees, and its officers, will be almost completely free from State and County regulation, including free from those laws and rules that protect the health and safety of Hawai‘i’s people, and protect the environment. ‘Governmental’ activity is a broad undefined term that can encompass almost any non-commercial activity.

“This structure will, in my opinion, promote divisiveness and litigation, rather than negotiation and resolution.

“I do not believe such a structure, of two completely different sets of rules – one for ‘governmental’ activities of the Native Hawaiian governing entity and its officers and employees, and one for everyone else – makes sense for Hawai‘i.

“In addition, under the current bill, the Native Hawaiian governing entity has almost complete sovereign immunity from lawsuits, including from ordinary tort and contract lawsuits, and I do not believe this makes sense for the people of Hawai‘i.

“My decision to not support the current version of the Akaka Bill is done with a heavy heart, because I so strongly believe in recognition for Native Hawaiians.

“If the bill in its current form passes the House of Representatives, I would hope it can be amended in the United States Senate.”

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