

§ 11610. Authorization of appropriations

There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out the purposes of the Convention and this chapter.

(Pub. L. 100-300, §12, Apr. 29, 1988, 102 Stat. 442.)

CHAPTER 122—NATIVE HAWAIIAN HEALTH CARE

- Sec.
- 11701. Findings.
- 11702. Declaration of policy.
 - (a) Congress.
 - (b) Intent of Congress.
 - (c) Report.
- 11703. Comprehensive health care master plan for Native Hawaiians.
 - (a) Development.
 - (b) Authorization of appropriations.
- 11704. Functions of Papa Ola Lokahi.
 - (a) Responsibility.
 - (b) Special project funds.
 - (c) Clearinghouse.
 - (d) Coordination of programs and services.
 - (e) Technical support.
 - (f) Relationships with other agencies.
- 11705. Native Hawaiian health care systems.
 - (a) Comprehensive health promotion, disease prevention, and primary health services.
 - (b) Qualified entity.
 - (c) Services to be provided.
 - (d) Limitation of number of entities.
 - (e) Matching funds.
 - (f) Restriction on use of grant and contract funds.
 - (g) Limitation on charges for services.
 - (h) Authorization of appropriations.
- 11706. Administrative grant for Papa Ola Lokahi.
 - (a) In general.
 - (b) Authorization of appropriations.
- 11707. Administration of grants and contracts.
 - (a) Terms and conditions.
 - (b) Periodic review.
 - (c) Administrative requirements.
 - (d) Contract evaluation.
 - (e) Limitation on use of funds for administrative expenses.
 - (f) Report.
 - (g) Annual private audit.
- 11708. Assignment of personnel.
 - (a) In general.
 - (b) Applicable Federal personnel provisions.
- 11709. Native Hawaiian health scholarships.
 - (a) Eligibility.
 - (b) Terms and conditions.
 - (c) Authorization of appropriations.
- 11710. Report.
- 11711. Definitions.
- 11712. Rule of construction.
- 11713. Compliance with Budget Act.
- 11714. Severability.

§ 11701. Findings

The Congress finds that:

(1) Native Hawaiians comprise a distinct and unique indigenous people with a historical continuity to the original inhabitants of the Hawaiian archipelago whose society was organized as a Nation prior to the arrival of the first nonindigenous people in 1778.

(2) The Native Hawaiian people are determined to preserve, develop and transmit to fu-

ture generations their ancestral territory, and their cultural identity in accordance with their own spiritual and traditional beliefs, customs, practices, language, and social institutions.

(3) The constitution and statutes of the State of Hawaii:

(A) acknowledge the distinct land rights of Native Hawaiian people as beneficiaries of the public lands trust; and

(B) reaffirm and protect the unique right of the Native Hawaiian people to practice and perpetuate their cultural and religious customs, beliefs, practices, and language.

(4) At the time of the arrival of the first non-indigenous people in Hawaii in 1778, the Native Hawaiian people lived in a highly organized, self-sufficient, subsistence social system based on communal land tenure with a sophisticated language, culture, and religion.

(5) A unified monarchical government of the Hawaiian Islands was established in 1810 under Kamehameha I, the first King of Hawaii.

(6) Throughout the 19th century and until 1893, the United States: (A) recognized the independence of the Hawaiian Nation; (B) extended full and complete diplomatic recognition to the Hawaiian Government; and (C) entered into treaties and conventions with the Hawaiian monarchs to govern commerce and navigation in 1826, 1842, 1849, 1875 and 1887.

(7) In the year 1893, the United States Minister assigned to the sovereign and independent Kingdom of Hawaii, John L. Stevens, conspired with a small group of non-Hawaiian residents of the Kingdom, including citizens of the United States, to overthrow the indigenous and lawful Government of Hawaii.

(8) In pursuance of that conspiracy, the United States Minister and the naval representative of the United States caused armed naval forces of the United States to invade the sovereign Hawaiian Nation in support of the overthrow of the indigenous and lawful Government of Hawaii and the United States Minister thereupon extended diplomatic recognition of a provisional government formed by the conspirators without the consent of the native people of Hawaii or the lawful Government of Hawaii in violation of treaties between the two nations and of international law.

(9) In a message to Congress on December 18, 1893, then President Grover Cleveland reported fully and accurately on these illegal actions, and acknowledged that by these acts, described by the President as acts of war, the government of a peaceful and friendly people was overthrown, and the President concluded that a "substantial wrong has thus been done which a due regard for our national character as well as the rights of the injured people required that we should endeavor to repair".

(10) Queen Lili'uokalani, the lawful monarch of Hawaii, and the Hawaiian Patriotic League, representing the aboriginal citizens of Hawaii, promptly petitioned the United States for redress of these wrongs and for restoration of the indigenous government of the Hawaiian nation, but this petition was not acted upon.

(11) In 1898, the United States annexed Hawaii through the Newlands Resolution without