

FOR IMMEDIATE RELEASE

Contact: Emily Deimel 202-224-3667 / emily_deimel@indian.senate.gov

**STATEMENT OF CHAIRMAN DANIEL K. AKAKA
COMMITTEE ON INDIAN AFFAIRS**

**OVERSIGHT HEARING ON
ADVANCING THE FEDERAL TRIBAL RELATIONSHIP THROUGH SELF-
GOVERNANCE AND SELF-DETERMINATION
THURSDAY, SEPTEMBER 20, 2012**

I call this hearing of the Committee on Indian Affairs to order. Aloha, and thank you for being with us today for the Committee's oversight hearing on *Advancing the Federal-Tribal Relationship through Self-Governance and Self-Determination*.

From the Constitution, it is clear our Founding Fathers understood the sovereign authority of tribal nations, and their governments. It is also clear Tribal governments came in a diversity of forms.

The broad terms *Indian* and *tribes* represented a diversity of peoples, with unique cultures, languages and traditions, indigenous to the United States.

From our earliest days as a nation, we made treaties with the Indian Tribes, just as we did with a diversity of foreign nations, governing issues such as trade, peace, and other relations.

With our westward expansion during the nineteenth century, federal objectives turned to Manifest Destiny and federal policies toward our Country's first peoples changed. The movement to remove the Native peoples began.

The United States again relied on treaties with Tribes to facilitate the acquisition of Native lands, and often promised in exchange, to provide for Indian health, education, welfare, and housing, and a guaranteed right to self-governance.

The policy eras that developed from then through the first half of the twentieth century were marked by programs designed to force Natives to abandon their traditional ways and assimilate into mainstream American norms.

These programs intended to strip Native Americans of their languages, break up tribal bonds and land bases, and encourage Indians to focus on their identities as individuals, rather than members of tribal communities.

These policies and program strategies were applied to all indigenous peoples throughout the country—on the continent, and across the ocean in my own home of Hawaii.

The policy of banning Native language use in the schools was adopted by the territory of Hawaii, and we were punished for speaking Hawaiian, just as the American Indians and Alaska Natives were punished for using their languages in school.

The policy of allotting 160 acre parcels of land to individual Indians began in 1887 with the enactment of the Dawes Act as a way to break up the reservations and communal lifestyles, instead, encouraging Indians to own family farms.

In 1906, this policy was expanded to the Alaska Natives, and in 1921, it was applied to Native Hawaiians with the passage of the Hawaiian Homes Commission Act.

Overall, these policies of assimilation failed to meet the federal trust responsibility to Native peoples, and in fact, often worsened the socio-economic conditions of Native peoples and their communities.

In 1968 and 1970, Presidents Johnson and Nixon, respectively, introduced policies supporting tribal self-determination, and called for a shift in responsibility of public programs to tribal governments.

In 1975, Congress enacted the Indian Self-Determination and Education Assistance Act, enabling tribes to contract with the BIA and IHS to administer federal programs. Later legislation allowed tribes greater flexibility in designing and operating Indian programs and about sixty percent of the tribes have self-governance compacts with DOI, IHS or both today.

Federal reaffirmation of tribal sovereignty through self-governance programs has enabled tribes to generate revenues through their own business enterprises, operate court and effective law enforcement systems, and design school curricula to better meet the needs of Native students.

Tribes have done this without forced assimilation to mainstream American norms, and this federal focus on self-determination and self-governance has proven to be the only federal policy that has worked for Native communities.

Studies show that self-determination policies have enabled Indian tribes to build strong economies, reverse decades of language loss, and tailor programs and services to better meet the needs of their people.

My top legislative priority, the Native Hawaiian Government Reorganization Act, ensures parity in policy for all federally-recognized Native peoples. It means the Native Hawaiian people will have full access to the prevailing federal policy on self-determination, and finally be able to exercise their right to self-governance.

It is time for the United States to give my people access to its best policies on Native peoples, not just the legacies of the worst ones.

-END-