

Section 11604, Pub. L. 100-300, §5, Apr. 29, 1988, 102 Stat. 439, which related to provisional remedies, was transferred to section 9004 of Title 22.

Section 11605, Pub. L. 100-300, §6, Apr. 29, 1988, 102 Stat. 439, which related to admissibility of documents, was transferred to section 9005 of Title 22.

Section 11606, Pub. L. 100-300, §7, Apr. 29, 1988, 102 Stat. 439; Pub. L. 105-277, div. G, title XXII, §2213, Oct. 21, 1998, 112 Stat. 2681-812; Pub. L. 108-370, §2, Oct. 25, 2004, 118 Stat. 1750, which related to the United States Central Authority, was transferred to section 9006 of Title 22.

Section 11607, Pub. L. 100-300, §8, Apr. 29, 1988, 102 Stat. 440, which related to costs and fees, was transferred to section 9007 of Title 22.

Section 11608, Pub. L. 100-300, §9, Apr. 29, 1988, 102 Stat. 440, which related to collection, maintenance, and dissemination of information, was transferred to section 9008 of Title 22.

Section 11608a, Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title II, §201], Nov. 29, 1999, 113 Stat. 1536, 1501A-419, which related to the Office of Children's Issues, was transferred to section 9009 of Title 22.

Section 11609, Pub. L. 100-300, §10, Apr. 29, 1988, 102 Stat. 441, which related to an interagency coordinating group, was transferred to section 9010 of Title 22.

Section 11610, Pub. L. 100-300, §12, Apr. 29, 1988, 102 Stat. 442, which related to authorization of appropriations, was transferred to section 9011 of Title 22.

§ 11611. Repealed. Pub. L. 113-150, title I, § 101(e), Aug. 8, 2014, 128 Stat. 1815

Section, Pub. L. 105-277, div. G, title XXVIII, §2803, Oct. 21, 1998, 112 Stat. 2681-846; Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title II, §202], Nov. 29, 1999, 113 Stat. 1536, 1501A-420; Pub. L. 107-228, div. A, title II, §212, Sept. 30, 2002, 116 Stat. 1365, related to report on compliance with the Hague Convention on International Child Abduction.

CHAPTER 122—NATIVE HAWAIIAN HEALTH CARE

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CODIFICATION

As originally enacted, this chapter was comprised of Pub. L. 100-579 (§§1-12) and subtitle D (§§2301-2312) of title II of Pub. L. 100-690, which enacted substantially identical sections and which were both known as the Native Hawaiian Health Care Act of 1988. Pub. L. 102-396, title IX, §9168, Oct. 6, 1992, 106 Stat. 1948, subsequently amended the Act generally. As so amended, the Act was renamed the Native Hawaiian Health Care Improvement Act and consists of sections 1 to 16 which enacted this chapter, repealed section 1621d of Title 25, Indians, and enacted provisions set out as a Short Title note under section 11701 of this title. For purposes of codification, sections 1 to 16 are considered to be sections of Pub. L. 100-579 only.

§ 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 future 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".