

S 310

Native Hawaiian Government Reorganization Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Native Americans

Introduced: Jan 17, 2007

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 567.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 567. (Feb 5, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/310>

Sponsor

Name: Sen. Akaka, Daniel K. [D-HI]
Party: Democratic • **State:** HI • **Chamber:** Senate

Cosponsors (9 total)

| Cosponsor | Party / State | Role | Date Joined |
|----------------------------------|---------------|------|--------------|
| Sen. Cantwell, Maria [D-WA] | D · WA | | Jan 17, 2007 |
| Sen. Coleman, Norm [R-MN] | R · MN | | Jan 17, 2007 |
| Sen. Dodd, Christopher J. [D-CT] | D · CT | | Jan 17, 2007 |
| Sen. Dorgan, Byron L. [D-ND] | D · ND | | Jan 17, 2007 |
| Sen. Inouye, Daniel K. [D-HI] | D · HI | | Jan 17, 2007 |
| Sen. Murkowski, Lisa [R-AK] | R · AK | | Jan 17, 2007 |
| Sen. Smith, Gordon H. [R-OR] | R · OR | | Jan 17, 2007 |
| Sen. Stevens, Ted [R-AK] | R · AK | | Jan 17, 2007 |
| Sen. Klobuchar, Amy [D-MN] | D · MN | | Dec 3, 2007 |

Committee Activity

| Committee | Chamber | Activity | Date |
|--------------------------|---------|-------------|-------------|
| Indian Affairs Committee | Senate | Reported By | Feb 5, 2008 |

Subjects & Policy Tags

Policy Area:

Native Americans

Related Bills

| Bill | Relationship | Last Action |
|------------|----------------|--|
| 110 HR 505 | Identical bill | Oct 26, 2007: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 449. |

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

Native Hawaiian Government Reorganization Act of 2007 - (Sec. 4) Reaffirms that: (1) the United States has a special political and legal relationship with Native Hawaiians; and (2) Native Hawaiians have the right to autonomy in their internal affairs, to self-determination and self-governance, to reorganize a Native Hawaiian governing entity, and to become economically self-sufficient.

(Sec. 5) Establishes the U.S. Office for Native Hawaiian Relations within the Office of the Secretary of the Interior.

(Sec. 6) Establishes the Native Hawaiian Interagency Coordinating Group to: (1) coordinate federal programs and policies that affect Native Hawaiians or federal actions that may significantly or uniquely affect their resources, rights, or lands; (2) consult with the Native Hawaiian governing entity; and (3) ensure the participation of each federal agency in the development of the Group's annual report to Congress.

(Sec. 7) Recognizes the right of the Native Hawaiian people to reorganize the single Native Hawaiian governing entity to provide for their common welfare and to adopt appropriate organic governing documents.

Establishes a commission to: (1) prepare and maintain a roll of the adult members of the Native Hawaiian community who elect to participate in such reorganization; and (2) certify that the members proposed for inclusion on the roll meet the definition of Native Hawaiian. Requires the Secretary to dissolve such commission upon reaffirmation of the special political and legal relationship between the governing entity and the United States.

Outlines the process for such reorganization. Authorizes formation of a Native Hawaiian Interim Governing Council, which may conduct a referendum among the Native Hawaiians listed on the roll to determine the proposed elements of the governing documents.

Reaffirms the special political and legal relationship between the United States and the governing entity upon the Secretary's certification of the governing documents and the election of the entity's officers. Extends federal recognition to the entity as the representative governing body of the Native Hawaiian people.

(Sec. 8) Reaffirms the delegation of authority to the state of Hawaii to address the conditions of Native Hawaiians.

Authorizes the United States, upon the reaffirmation of such political and legal relationship, together with the state, to enter into negotiations with the governing entity to lead to an agreement addressing such matters as: (1) the transfer of lands, natural resources, and other assets and the protection of existing rights related to such lands or resources; (2) the exercise of governmental authority over any such land and assets; (3) the exercise of civil and criminal jurisdiction; (4) the delegation of governmental powers and authorities to the governing entity by the United States and the state; (5) any residual responsibilities of the United States and the state; and (6) grievances regarding assertions of historical wrongs committed against Native Hawaiians by the United States or the state.

Authorizes the parties to the negotiations, upon agreement on matters negotiated with the United States, to submit proposed amendments to federal or state law.

Requires any governmental authority or power to be exercised by the governing entity that is currently exercised by the state or federal governments to be exercised by the governing entity only as agreed to in negotiations and beginning on

the date on which legislation to implement such agreement has been enacted by Congress or Hawaii.

Declares that this Act does not establish authority for the recognition of Native Hawaiian groups other than the governing entity.

(Sec. 9) Prohibits the governing entity and Native Hawaiians from conducting gaming activities as a matter of claimed inherent authority or under the authority of federal law.

Prohibits the Secretary from taking land into trust on behalf of individuals or groups claiming to be Native Hawaiian or on behalf of the governing entity.

Provides that this Act will result in the recognition of the single Native Hawaiian governing entity.

Actions Timeline

- **Feb 5, 2008:** Committee on Indian Affairs. Reported by Senator Dorgan without amendment. With written report No. 110-260.
- **Feb 5, 2008:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 567.
- **May 10, 2007:** Committee on Indian Affairs. Ordered to be reported without amendment favorably.
- **May 3, 2007:** Committee on Indian Affairs. Hearings held. Hearings printed: S.Hrg. 110-287.
- **Mar 27, 2007:** Sponsor introductory remarks on measure. (CR S3828)
- **Jan 17, 2007:** Introduced in Senate
- **Jan 17, 2007:** Sponsor introductory remarks on measure. (CR S672-673)
- **Jan 17, 2007:** Read twice and referred to the Committee on Indian Affairs. (text of measure as introduced: CR S673-678)