



THE AKAKA BILL

The Native Hawaiian Government Reorganization Act of 2005 (S. 147) was introduced by Senator Akaka and Hawai'i's Congressional delegation to extend self-governance and self-determination to Native Hawaiians. The Hawai'i delegation has been working to enact this legislation since 1999. On March 9, 2005, the Senate Committee on Indian Affairs voted to adopt an amendment offered by Senator Akaka, Senator Inouye, and Senator John McCain. The Committee also voted to favorably report the bill as amended. Recently, a bipartisan majority of Senators voted in favor of invoking cloture on the bill. Unfortunately, the cloture motion needed more than a simple majority to allow the bill to receive full consideration by the Senate. Senator Akaka is continuing to pursue a more comprehensive discussion on self-governance for Native Hawaiians.

WHAT IT DOES

The Native Hawaiian Government Reorganization Act does three things:

- (1) It establishes the Office of Native Hawaiian Relations in the Department of the Interior to serve as a liaison between Native Hawaiians and the United States.
- (2) It establishes the Native Hawaiian Interagency Coordinating Group to be composed of federal officials from agencies, which administer Native Hawaiian programs. Both of these provisions are intended to increase coordination between the Native Hawaiians and the federal government.
- (3) The bill provides a process of reorganization of the Native Hawaiian governing entity. While the bill provides structure to the process, it also provides the Native Hawaiian community with the flexibility to truly reorganize its governing entity.

RECONCILIATION AND RECOGNITION

The legislation is not about redress, but about process and opportunity. It will allow Native Hawaiians to organize their own governing entity for the purposes of a federally recognized government-to-government relationship with the United States. This is significant because it provides parity in the way the federal government deals with the indigenous peoples who inhabited lands, which have become a part of the United States. Similar processes and opportunities have already been given to both Native Americans and Native Alaskans. Once this federally recognized entity is established, Native Hawaiian representatives will be in a position to negotiate other unresolved and related issues for its citizens.

THE CHALLENGE

The biggest challenge to the passage of the legislation remains with the Executive Branch. The White House wields a tremendous amount of authority over the Legislative Branch in terms of which bills are considered in the House and Senate. As the first Native Hawaiian to serve in the U.S. Senate, Senator Akaka has been at the forefront of this battle, working with Senator Inouye, their democratic colleagues and others both in Hawaii and from other states who strongly support the measure. To expect legislation of such monumental consequences to move quickly is naïve, particularly given the current administration. It took many years to pass reparations legislation for Japanese-Americans interned during World War II, but eventually they prevailed. Senator Akaka knows because he fought for that measure, too, as he has done for the rights of Pacific Islanders and for benefits for Filipino-American Veterans. On the matter of civil rights for all citizens, Senator Akaka has been a strong and consistent advocate. Self-determination for Native Hawaiians will also prevail because it is right and just.

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