

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 505) TO EXPRESS THE POLICY OF THE UNITED STATES REGARDING THE UNITED STATES RELATIONSHIP WITH NATIVE HAWAIIANS AND TO PROVIDE A PROCESS FOR THE RECOGNITION BY THE UNITED STATES OF THE NATIVE HAWAIIAN GOVERNING ENTITY

OCTOBER 22, 2007.—Referred to the House Calendar and ordered to be printed

Mr. HASTINGS of Florida, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 764]

The Committee on Rules, having had under consideration House Resolution 764, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 505, the “Native Hawaiian Government Reorganization Act of 2007,” under a structured rule. The resolution provides one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources.

The resolution waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The resolution provides that the bill shall be considered as read. The resolution waives all points of order against provisions of the bill. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).

The resolution makes in order only the amendment printed in this report if offered by Rep. Flake or his designee. The amendment shall be considered as read, shall be debatable for ten minutes equally divided and controlled by a proponent and an opponent, and shall not be subject to a demand for division of the question in the House. The resolution waives all points of order against the amendments except those arising under clause 9 or 10 of rule XXI.

The resolution provides one motion to recommit the bill with or without instructions. Finally, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

EXPLANATION OF WAIVERS

Although the rule waives all points of order against the bill and its consideration (except for those arising under clause 9 or 10 of rule XXI), the Committee is not aware of any points of order against the bill or its consideration. The waivers of all points of order against the bill and its consideration (except those arising under clause 9 or 10 of rule XXI) are prophylactic in nature.

SUMMARY OF AMENDMENT MADE IN ORDER

(Summaries derived from information provided by sponsors.)

1. Flake (AZ): Amendment states that nothing in the Act shall relieve any sovereign entity, including a Native Hawaiian governing entity, from complying with the equal protection clause of the 14th amendment to the United States Constitution. (10 minutes)

TEXT OF AMENDMENT MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FLAKE OF ARIZONA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 45, after line 7, add the following:

SEC. 12. EQUAL PROTECTION.

Nothing in the Act shall relieve any sovereign entity within the jurisdiction of the United States, including a Native Hawaiian governing authority, from complying with the equal protection clause of the 14th amendment to the United States Constitution.