



## Legislative Bulletin.....October 24, 2007

### Contents:

**Amendment to H.R. 505**—Amendment to the Native Hawaiian Government Reorganization Act of 2007

H.R. 505, the Native Hawaiian Government Reorganization Act of 2007 (sponsored by Rep. Neil Abercrombie, D-HI), is scheduled to be considered today, Wednesday, October 24, 2007, subject to a structured rule (H.Res. 764) that allows for ten minutes of debate on the amendment. Makes in order only the amendment printed in the Rules Committee report if offered by Rep. Flake or his designee. The rule waives all points of order against consideration of the bill, except those regarding PAYGO and earmarks, waives all points of order against the bill itself—except that for earmarks—and allows the Chair to postpone consideration of the legislation at any time during its consideration. The rule allows one motion to recommit with or without instructions.

Note: The summary below is based on RSC staff's review of *actual amendment text*. For a summary of the underlying bill, see a separate RSC document released Monday.

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### AMENDMENT MADE IN ORDER

#### 1. Flake (R-AZ):

The amendment states that nothing in the Act shall relieve any sovereign entity within the jurisdiction of the United States (including a Native Hawaiian governing entity) from complying with the equal protection clause of the 14th amendment to the United States Constitution. According to the amendment sponsor, the Native Hawaiian governing authority would have to treat everyone, whether native and non-native, equally. The equal protection clause of the 14<sup>th</sup> amendment reads:

*All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*