

THE UNITED STATES COMMISSION ON CIVIL RIGHTS

MEDIA ADVISORY

FOR IMMEDIATE RELEASE

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USCCR TO EXAMINE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT Proposed legislation described by critics as ‘racial balkanization’

What: Briefing of the U.S. Commission on Civil Rights, an independent, bipartisan agency charged with monitoring and protecting civil rights

WASHINGTON, DC – A panel of experts will advise the U.S. Commission on Civil Rights concerning a proposal, S. 147, popularly known as the “Akaka Bill” after the Senator who introduced it, which would codify a government-to-government relationship between the United States and Native Hawaiians. In 2000, the U.S. Supreme Court’s decision in *Rice v. Cayetano* held that a policy allowing only Native Hawaiians to vote for trustees of the state’s Office of Hawaiian Affairs violated the Fifteenth Amendment of the Constitution, which prohibits race-based exclusion from voting. Since then, some legislators have attempted to statutorily define “Native Hawaiian” by racial characteristics and “residual sovereignty,” and in doing so extend to Native Hawaiians the policy of self-governance historically granted to American Indians and Alaska Natives. Critics argue that the Akaka bill amounts to the next step from racial preferences to racial separatism.

Does S.147 represent an important civil rights advance or an unlawful form of discrimination? Panelists: Viet Dinh, former Assistant Attorney General for Legal Policy, Department of Justice; H. William Burgess, Attorney; Gail Heriot, Professor, University of San Diego Law School; and Noe Kalipi, Minority Staff Director for the Senate Veterans Affairs Committee. The four speakers will make presentations and offer expertise. During the discussion, Commission members and the staff director will pose questions and offer comments to the four guests.

The briefing, estimated to run about two and a half hours, will be held during the Commission’s regularly-scheduled monthly meeting. Other meeting agenda items include: Staff Director's Report, Campus Anti-Semitism, Management and Operations, State Advisory Committees, and a Voting Rights Briefing Report.

When: Friday, January 20, 2006, 9:30 a.m.

Where: U.S. Commission on Civil Rights, 624 Ninth Street NW, Room 540 Washington, D.C.

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The U.S. Commission on Civil Rights is an independent, bipartisan agency charged with monitoring federal civil rights enforcement. Members include Chairman Gerald A. Reynolds, Vice Chairman Abigail Thernstrom, and Commissioners Jennifer C. Braceras, Peter N. Kirsanow, Arlan Melendez, Ashley L. Taylor, and Michael Yaki. Kenneth L. Marcus is Staff Director. Commission meetings are open to the media and general public.

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