



CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE

January 29, 2010

S. 1011
Native Hawaiian Government Reorganization Act of 2009

*As ordered reported by the Senate Committee on Indian Affairs
on December 17, 2009*

S. 1011 would establish a process for a Native Hawaiian government to be constituted and recognized by the federal government. CBO estimates that implementing this legislation would cost about \$1 million annually over the 2010-2012 period and less than \$500,000 in each subsequent year, assuming the availability of appropriated funds. Enacting the bill would not affect direct spending or revenues.

The bill would establish the United States Office for Native Hawaiian Relations within the Department of the Interior (DOI) to consult and coordinate the relationship with the Native Hawaiian governing entity. Based on information from DOI, CBO expects that the office would require up to three full-time personnel. S. 1011 also would establish the Native Hawaiian Interagency Coordinating Group, consisting of officials from DOI and certain other federal agencies. Finally, the bill would create a nine-member commission responsible for creating and certifying a roll of adult Native Hawaiians. Based on information from DOI, CBO expects that this commission would need three years and three full-time staff to complete its work.

CBO has determined that section 10(c) of S. 1011 is excluded from review for mandates under the Unfunded Mandates Reform Act (UMRA) because it enforces constitutional rights of individuals. Other provisions of the bill contain no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. Enacting this legislation could lead to the creation of a new government unit to represent Native Hawaiians. The transfer of any land or other assets, including land now controlled by the state of Hawaii, would be the subject of future negotiations.

On January 7, 2010, CBO transmitted a cost estimate for H.R. 2314, the Native Hawaiian Government Reorganization Act of 2009, as ordered reported by the House Committee on Natural Resources on December 16, 2009. S. 1101 contains a provision not included in H.R. 2314 that enforces certain constitutional rights. That difference in the bills is reflected in the mandates statements of the cost estimates. Otherwise, the two bills are similar, and the estimated costs are the same.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.