other Government departments or agencies to Alaska Housing Authority.

Section 484d, act June 27, 1934, ch. 847, title II, § 214, as added Apr. 23, 1949, ch. 89, § 2(a), 63 Stat. 57, and amended, related to insurance of mortgages on property in Alaska. See section 1715d of Title 12, Banks and Banking.

§ 484e. Repealed. Aug. 2, 1954, ch. 649, title II, § 205, 68 Stat. 622

Section, act Apr. 23, 1949, ch. 89, § 2(b), 63 Stat. 58, related to real-estate loans and purchase of insured mortgages, with respect to properties in Alaska, by Federal National Mortgage Association.

§§ 485 to 486j. Omitted

CODIFICATION

Sections 485 to 486, relating to Territory of Alaska, were omitted in view of admission of Alaska into the Union.

Section 485, acts May 28, 1948, ch. 354, § 1, 62 Stat. 227; Aug. 23, 1958, Pub. L. 85–726, title XIV, § 1402(d)(1), 72 Stat. 807, authorized Administrator of Civil Aeronautics to construct, protect, operate, improve, and maintain within Territory of Alaska a public airport at or near Anchorage and a public airport at or near Fairbanks.

Section 485a, act May 28, 1948, ch. 354, § 2, 62 Stat. 278, authorized Administrator of Civil Aeronautics to acquire by purchase, lease, condemnation or otherwise such lands and appurtenances necessary for construction, protection, maintenance, improvement, and operation of said airports.

Section 485b, act May 28, 1948, ch. 354, § 3, 62 Stat. 278, authorized Administrator to acquire rights-of-way or easements for roads, trails, pipe lines, power lines and other similar facilities necessary for operation of airports, and to construct any public highways and bridge to whatever airport locations may be selected.

Section 485c, acts May 28, 1948, ch. 354, § 4, 62 Stat. 278; Aug. 23, 1958, Pub. L. 85–726, title XIV, § 1402(d)(2), 72 Stat. 807, set out powers and duties of Administrator.

Section 485d, acts May 28, 1948, ch. 354, § 5, 62 Stat. 278; Oct. 10, 1951, ch. 457, 65 Stat. 371; July 3, 1958, Pub. L. 85–503, 72 Stat. 321; Aug. 23, 1958, Pub. L. 85–726, title XIV, § 1402(d)(3), 72 Stat. 807, empowered Administrator of Federal Aviation Agency to lease space or property within or upon airports.

Section 485e, act May 28, 1948, ch. 354, § 6, 62 Stat. 278, authorized Administrator to contract with any person for performance of services at or upon airports.

Section 485f, acts May 28, 1948, ch. 354, § 7, 62 Stat. 278; Oct. 31, 1951, ch. 654, § 2(25), 65 Stat. 707, authorized transfer of lands, building, property or equipment by other agencies of Federal Government to Administrator.

Section 485g, act May 28, 1948, ch. 354, § 8, 62 Stat. 278, provided for penalties for violations of any rule, regulation or order issued by Administrator.

Section 485h, act May 28, 1948, ch. 354, § 9, 62 Stat. 279, prescribed definitions used in sections 485 to 485h of this title, should be definitions assigned by the Civil Aeronautics Act of 1938, as amended.

Section 486, act Aug. 24, 1949, ch. 504, § 2, 63 Stat. 627, declared Congressional purpose of sections 486 to 486j of this title was to foster settlement and increase permanent residents of Alaska.

Section 486a, act Aug. 24, 1949, ch. 504, § 3, 63 Stat. 627, authorized Secretary of the Interior to accept applications for public works.

Section 486b, act Aug. 24, 1949, ch. 504, § 4, 63 Stat. 627, authorized Secretary to include works from other Federal agencies in the public works program.

Section 486c, acts Aug. 24, 1949, ch. 504, § 5, 63 Stat. 628; Aug. 30, 1957, Pub. L. 85–233, § 1, 71 Stat. 515; Dec. 23, 1963, Pub. L. 88–229, 77 Stat. 471, empowered Secretary to enter into agreement with public work applicant.

Section 486d, act Aug. 24, 1949, ch. 504, § 6, 63 Stat. 628, set out authority and powers of applicants for public work.

Section 486e, act Aug. 24, 1949, ch. 504, § 7, 63 Stat. 629, provided for cooperation between other Federal agencies and Secretary, and the transfer of jurisdiction from other Federal agencies to Secretary.

Section 486f, act Aug. 24, 1949, ch. 504, § 8, 63 Stat. 629, authorized Secretary to provide public works through the award of contracts.

Section 486g, act Aug. 24, 1949, ch. 504, § 9, 63 Stat. 629, directed that all moneys received by Secretary should be covered into Treasury as miscellaneous receipts.

Section 486h, act Aug. 24, 1949, ch. 504, § 10, 63 Stat. 629, authorized Secretary to utilize and act through other Federal agencies.

Section 486i, act Aug. 24, 1949, ch. 504, § 11, 63 Stat. 624, provided for appropriations to carry out purposes of sections 486 to 486j.

Section 486j, acts Aug. 24, 1949, ch. 504, § 12, 63 Stat. 629; July 15, 1954, ch. 510, 68 Stat. 483, directed that authority of Secretary under sections 486 to 486j of this title shall terminate on June 30, 1959.

§§ 487 to 487b. Transferred

CODIFICATION

Section 487, act Aug. 9, 1955, ch. 682, § 1, 69 Stat. 618, which authorized Secretary to make investigations of projects for conservation, development, and utilization of water resources of Alaska, was transferred to section 1962d–12 of Title 42, The Public Health and Welfare.

Section 487a, act Aug. 9, 1955, ch. 682, § 2, 69 Stat. 618, which provided for solicitation of views and recommendations by Governor of Alaska or his representative, to Secretary and for transmittal of Secretary's report to Congress, was transferred to section 1962d–13 of Title 42.

Section 487b, act Aug. 9, 1955, ch. 682, § 3, 69 Stat. 618, which authorized appropriation up to $250,000 in any one year, was transferred to section 1962d–14 of Title 42.

§§ 488 to 488f. Omitted

CODIFICATION

Sections 488 to 488f, relating to Territory of Alaska, were omitted in view of admission of Alaska into the Union.

Section 488, act May 10, 1956, ch. 248, § 1, 70 Stat. 149, authorized Territory of Alaska to borrow for public improvements and to issue bonds of Territory for such borrowing.

Section 488a, act May 10, 1956, ch. 248, § 2, 70 Stat. 149, placed limitations on Territory in contracting debts.

Section 488b, act May 10, 1956, ch. 248, § 3, 70 Stat. 150, made provisions for type of land to be issued, scheduling of maturity of bonds, payment of bonds, redemption of bond, and refunding.

Section 488c, act May 10, 1956, ch. 248, § 4, 70 Stat. 150, authorized the Territory to borrow on the credit of the Territory and to issue certificates of indebtedness.

Section 488d, act May 10, 1956, ch. 248, § 5, 70 Stat. 150, provided for issuance of bonds and certificates as negotiable instruments.

Section 488e, act May 10, 1956, ch. 248, § 6, 70 Stat. 150, authorized payment of interest on principal of bonds and certificates of indebtedness as they fall due.

Section 488f, act May 10, 1956, ch. 248, § 7, 70 Stat. 150, authorized guarantee of payment on municipality and school and public utility district bonds.

CHAPTER 3—HAWAII

Sec.
491 to 636. Repealed or Omitted.

DISTRICT COURT

641 to 644. Repealed.
644a. Jurisdiction of district court of cases arising on or within Midway, Wake, Johnston, Sand, etc., Islands; laws applicable to jury trials.
645 to 724. Repealed or Omitted.

Sec.

ADMISSION AS STATE

Hawaii was admitted into the Union on August 21, 1959, on issuance of Proc. No. 3309, Aug. 21, 1959, 24 F.R. 6868, 73 Stat. c74, as required by sections 1 and 7(c) of Pub. L. 86–3, Mar. 18, 1959, 73 Stat. 4, set out below.

HAWAII STATEHOOD

Pub. L. 86–3, Mar. 18, 1959, 73 Stat. 4, as amended, provided:

''[Sec. 1. Declaration: acceptance, ratification, and confirmation of Constitution.] That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 7(c) of this Act, the State of Hawaii is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Hawaii entitled 'An Act to provide for a constitutional convention, the adoption of a State constitution, and the forwarding of the same to the Congress of the United States, and appropriating money therefor', approved May 20, 1949 (Act 334, Session Laws of Hawaii, 1949), and adopted by a vote of the people of Hawaii in the election held on November 7, 1950, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

''SEC. 2. [Territory.] The State of Hawaii shall consist of all the islands, together with their appurtenant reefs and territorial waters, included in the Territory of Hawaii on the date of enactment of this Act [March 18, 1959], except the atoll known as Palmyra Island, together with its appurtenant reefs and territorial waters, but said State shall not be deemed to include the Midway Islands, Johnston Island, Sand Island (offshore from Johnston Island), or Kingman Reef, together with their appurtenant reefs and territorial waters.

''SEC. 3. [Constitution.] The constitution of the State of Hawaii shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

''SEC. 4. [Compact with United States.] As a compact with the United States relating to the management and disposition of the Hawaiian home lands, the Hawaiian Homes Commission Act, 1920, as amended, shall be adopted as a provision of the Constitution of said State, as provided in section 7, subsection (b) of this Act, subject to amendment or repeal only with the consent of the United States, and in no other manner: *Provided*, That (1) sections 202, 213, 219, 220, 222, 224, and 225 and other provisions relating to administration, and paragraph (2) of section 204, sections 206 and 212, and other provisions relating to the powers and duties of officers other than those charged with the administration of said Act, may be amended in the constitution, or in the manner required for State legislation, but the Hawaiian homeloan fund, the Hawaiian home-operating fund, and the Hawaiian home-development fund shall not be reduced or impaired by any such amendment, whether made in the constitution or in the manner required for State legislation, and the encumbrances authorized to be placed on Hawaiian home lands by officers other than those charged with the administration of said Act, shall not be increased, except with the consent of the United States; (2) that any amendment to increase the benefits to lessees of Hawaiian home lands may be made in the constitution, or in the manner required for State legislation, but the qualifications of lessees shall not be changed except with the consent of the United States; and (3) that all proceeds and income from the 'available lands', as defined by said Act, shall be used only in carrying out the provisions of said Act.

''SEC. 5. [Title to property; land grants; reservation of lands; public school support; submerged lands.] (a) Except as provided in subsection (c) of this section, the State of Hawaii and its political subdivisions, as the case may be, shall succeed to the title of the Territory of Hawaii and its subdivisions in those lands and other properties in which the Territory and its subdivisions now hold title.

''(b) Except as provided in subsection (c) and (d) of this section, the United States grants to the State of Hawaii, effective upon its admission into the Union, the United States' title to all the public lands and other public property, and to all lands defined as ''available lands'' by section 203 of the Hawaiian Homes Commission Act, 1920, as amended, within the boundaries of the State of Hawaii, title to which is held by the United States immediately prior to its admission into the Union. The grant hereby made shall be in lieu of any and all grants provided for new States by provisions of law other than this Act, and such grants shall not extend to the State of Hawaii.

''(c) Any lands and other properties that, on the date Hawaii is admitted into the Union, are set aside pursuant to law for the use of the United States under any (1) Act of Congress, (2) Executive order, (3) proclamation of the President, or (4) proclamation of the Governor of Hawaii shall remain the property of the United States subject only to the limitations, if any, imposed under (1), (2), (3), or (4), as the case may be.

''(d) Any public lands or other public property that is conveyed to the State of Hawaii by subsection (b) of this section but that, immediately prior to the admission of said State into the Union, is controlled by the United States pursuant to permit, license, of permission, written or verbal, from the Territory of Hawaii or any department thereof may, at any time during the five years following the admission of Hawaii into the Union, be set aside by Act of Congress or by Executive order of the President, made pursuant to law, for the use of the United States, and the lands or property so set aside shall, subject only to valid rights then existing, be the property of the United States.

''(e) Within five years from the date Hawaii is admitted into the Union, each Federal agency having control over any land or property that is retained by the United States pursuant to subsections (c) and (d) of this section shall report to the President the facts regarding its continued need for such land or property, and if the President determines that the land or property is no longer needed by the United States it shall be conveyed to the State of Hawaii.

''(f) The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under subsection (e), together with the proceeds from the sale or other disposition of any such lands and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible for the making of public improvements, and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States. The schools and other educational institutions supported, in whole or in part, out of such public trust shall forever remain under the exclusive control of said State; and no part of the proceeds or income from the lands granted under this Act shall be used for the support of any sectarian or denominational school, college, or university.

''(g) As used in this Act, the term 'lands and other properties' includes public lands and other public property, and the term 'public lands and other public property' means, and is limited to, the lands and properties that were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation ap-

proved July 7, 1898 (30 Stat. 750), or that have been acquired in exchange for lands or properties so ceded.

''(h) All laws of the United States reserving to the United States the free use or enjoyment of property which vests in or is conveyed to the State of Hawaii or its political subdivisions pursuant to subsection (a), (b), or (e) of this section or reserving the right to alter, amend, or repeal laws relating thereto shall cease to be effective upon the admission of the State of Hawaii into the Union.

''(i) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session; 67 Stat. 29) and the Outer Continental Shelf Lands Act of 1953 (Public Law 212, Eighty-third Congress, first session, 67 Stat. 462) shall be applicable to the State of Hawaii, and the said State shall have the same rights as do existing States thereunder. (As amended Pub. L. 86–624, § 41, July 12, 1960, 74 Stat. 422.)

''SEC. 6. [Certification by President; proclamation for elections.] As soon as possible after the enactment of this Act, it shall be the duty of the President of the United States to certify such fact to the Governor of the Territory of Hawaii. Thereupon the Governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue his proclamation for the elections, as hereinafter provided, for officers of all State elective offices provided for by the constitution of the proposed State of Hawaii, and for two Senators and one Representative in Congress. In the first election of Senators from said State the two senatorial offices shall be separately identified and designated, and no person may be a candidate for both offices. No identification or designation of either of the two senatorial offices, however, shall refer to or be taken to refer to the term of that office, nor shall any such identification or designation in any way impair the privilege of the Senate to determine the class to which each of the Senators elected shall be assigned.

''SEC. 7. [Election of officers; date; propositions; certification of voting results; proclamation by President.] (a) The proclamation of the Governor of Hawaii required by section 6 shall provide for the holding of a primary election and a general election and at such elections the officers required to be elected as provided in section 6 shall be chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Hawaii for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Hawaii may prescribe. The Governor of Hawaii shall certify the results of said elections, as so ascertained, to the President of the United States.

''(b) At an election designated by proclamation of the Governor of Hawaii, which may be either the primary or the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be submitted to the electors qualified to vote in said election, for adoption or rejection, the following propositions:

'''(1) Shall Hawaii immediately be admitted into the Union as a State?

'''(2) The boundaries of the State of Hawaii shall be as prescribed in the Act of Congress approved _____, (Date of approval of this Act) and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

'''(3) All provisions of the Act of Congress approved _____ (Date of approval of this Act) reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Hawaii are consented to fully by said State and its people.'

''In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said State of Hawaii, ratified by the people at the election held submission, the proposed constitution of the proposed on November 7, 1950, shall be deemed amended as follows: Section 1 of article XIII of said proposed constitution shall be deemed amended so as to contain the language of section 2 of this Act in lieu of any other language; article XI shall be deemed to include the provisions of section 4 of this Act; and section 8 of article XIV shall be deemed amended so as to contain the language of the third proposition above stated in lieu of any other language, and section 10 of article XVI shall be deemed amended by inserting the words 'at which officers for all state elective offices provided for by this constitution and two Senators and one Representative in Congress shall be nominated and elected' in lieu of the words 'at which officers for all state elective offices provided for by this constitution shall be nominated and elected; but the officers so to be elected shall in any event include two Senators and two Representatives to the Congress, and unless and until otherwise required by law, said Representatives shall be elected at large.'

''In the event the foregoing propositions are not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall cease to be effective.

''The Governor of Hawaii is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officers directly to the Secretary of Hawaii, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

''(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Hawaii, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 6 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the State of Hawaii shall be deemed admitted into the Union as provided in section 1 of this Act.

''Until the said State is so admitted into the Union, the persons holding legislative, executive, and judicial office in, under, or by authority of the government of said Territory, and the Delegate in Congress thereof, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Hawaii into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in, under, or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representative in the manner required by law, and the said Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

''SEC. 8. [House of Representatives membership.] The State of Hawaii upon its admission into the Union shall be entitled to one Representative until the taking effect of the next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided*, That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13), nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U.S.C., sec. 2a), for the Eighty-third Congress and each Congress thereafter.

''SEC. 9. [Judiciary provisions; amendment.] Effective upon the admission of the State of Hawaii into the Union—

''(a) the United States District Court for the District of Hawaii established by and existing under title 28 of the United States Code shall thenceforth be a court of the United States with judicial power derived from article III, section 1, of the Constitution of the United States: *Provided, however*, That the terms of office of the district judges for the district of Hawaii then in office shall terminate upon the effective date of this section and the President, pursuant to sections 133 and 134 of title 28, United States Code, as amended by this Act, shall appoint, by and with the advice and consent of the Senate, two district judges for the said district who shall hold office during good behavior;

''(b) the last paragraph of section 133 of title 28, United States Code, is repealed; and

''(c) subsection (a) of section 134 of title 28, United States Code, is amended by striking out the words 'Hawaii and'. The second sentence of the same section is amended by striking out the words 'Hawaii and', 'six and', and 'respectively'.

''SEC. 10. [Judicial provisions; amendment.] Effective upon the admission of the State of Hawaii into the Union the second paragraph of section 451 of title 28, United States Code, is amended by striking out the words 'including the district courts of the United States for the districts of Hawaii and Puerto Rico,' and inserting in lieu thereof the words 'including the United States District for the District of Puerto Rico,'.

''SEC. 11. [Judicial provisions; amendment.] Effective upon the admission of the State of Hawaii into the Union—

''(a) the last paragraph of section 501 of title 28. United States Code, is repealed;

''(b) the first sentence of subsection (a) of section 504 of title 28, United States Code, is amended by striking out at the end thereof the words ', except in the district of Hawaii, where the term shall be six years';

''(c) the first sentence of subsection (c) of section 541 of title 28, United States Code, is amended by striking out at the end thereof the words ', except in the district of Hawaii where the term shall be six years'; and

''(d) subsection (d) of section 541 of title 28, United States Code, is repealed.

''SEC. 12. [Continuation of suits.] No writ, action, indictment, cause, or proceeding pending in any court of the Territory of Hawaii or in the United States District Court for the District of Hawaii shall abate by reason of the admission of said State into the Union, but the same shall be transferred to and proceeded with in such appropriate State courts as shall be established under the constitution of said State, or shall continue in the United States District Court for the District of Hawaii, as the nature of the case may require. And no writ, action, indictment, cause or proceeding shall abate by reason of any change in the courts, but shall be proceeded with in the State or United States courts according to the laws thereof, respectively. And the appropriate State courts shall be the successors of the courts of the Territory as to all cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same, and award mesne or final process therein, and all the files, records, indictments, and proceedings relating to any such writ, action, indictment, cause or proceeding shall be transferred to such appropriate State courts and the same shall be proceeded with therein in due course of law.

''All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no writ, action, indictment or proceeding shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Hawaii in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said State courts had been established prior to the accrual of such causes of action or the commission of such offenses. The admission of said State shall effect no change in the substantive or criminal law governing such causes of action and criminal offenses which shall have arisen or been committed; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Hawaii.

''SEC. 13. [Appeals.] Parties shall have the same rights of appeal from and appellate review of final decisions of the United States District Court for the District of Hawaii or the Supreme Court of the Territory of Hawaii in any case finally decided prior to admission of said State into the Union, whether or not an appeal therefrom shall have been perfected prior to such admission, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided prior to admission of said State into the Union, and any mandate issued subsequent to the admission of said State shall be to the United States District Court for the District of Hawaii or a court of the State, as may be appropriate. Parties shall have the same rights of appeal from and appellate review of all orders, judgments, and decrees of the United States District Court for the District of Hawaii and of the Supreme Court of the State of Hawaii as successor to the Supreme Court of the Territory of Hawaii, in any case pending at the time of admission of said State into the Union, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of said State into the Union.

''SEC. 14. [Judicial and criminal provisions; amendment.] Effective upon the admission of the State of Hawaii into the Union—

''(a) title 28, United States Code, section 1252, is amended by striking out 'Hawaii and' from the clause relating to courts of record;

''(b) title 28, United States Code, section 1293, is amended by striking out the words 'First and Ninth Circuits' and by inserting in lieu thereof 'First Circuit', and by striking out the words, 'supreme courts of Puerto Rico and Hawaii, respectively' and inserting in lieu thereof 'supreme court of Puerto Rico';

''(c) title 28, United States Code, section 1294, as amended, is further amended by striking out paragraph (4) thereof and by renumbering paragraphs (5) and (6) accordingly;

''(d) the first paragraph of section 373 of title 28, United States Code, as amended, is further amended by striking out the words 'United States District Courts for the districts of Hawaii or Puerto Rico,' and inserting in lieu thereof the words 'United States District Court for the District of Puerto Rico,'; and by striking out the words 'and any justice of the Supreme Court of the Territory of Hawaii': *Provided*, That the amendments made by this subsection shall not affect the rights of any judge or justice who may have retired before the effective date of this subsection: *And provided further*, That service as a judge of the District Court for the Territory of Hawaii or as a judge of the United States District Court for the District of Hawaii or as a justice of the Supreme Court of the Territory of Hawaii or as a judge of the circuit courts of the Territory of Hawaii shall be included in computing under section 371, 372, or 373 of title 28, United States Code, the aggregate years of judicial service of any person who is in office as a district judge for the District of Hawaii on the date of enactment of this Act;

''(e) section 92 of the act of April 30, 1900 (ch. 339, 31 Stat. 159), as amended, and the Act of May 29, 1928 (ch. 904, 45 Stat. 997), as amended, are repealed;

''(f) section 86 of the Act approved April 30, 1900 (ch. 339, 31 Stat. 158), as amended, is repealed;

''(g) section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words 'Supreme Courts of Hawaii and Puerto Rico' and inserting in lieu thereof the words 'Supreme Court of Puerto Rico';

''(h) section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words 'Supreme Courts of Hawaii and Puerto Rico' and inserting in lieu thereof the words 'Supreme Court of Puerto Rico';

''(i) section 91 of title 28, United States Code, as heretofore amended, is further amended by inserting after 'Kure Island' and before 'Baker Island' the words 'Palmyra Island,'; and

''(j) the Act of June 15, 1950, (64 Stat. 217; 48 U.S.C., sec. 644a), is amended by inserting after 'Kure Island' and before 'Baker Island' the words 'Palmyra Island.'.

''SEC. 15. [Laws in effect.] All Territorial laws in force in the Territory of Hawaii at the time of its admission into the Union shall continue in force in the State of Hawaii, except as modified or changed by this Act or by the constitution of the State, and shall be subject to repeal or amendment by the Legislature of the State of Hawaii, except as provided in section 4 of this Act with respect to the Hawaiian Homes Commission Act, 1920, as amended; and the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States: *Provided*, That, except as herein otherwise provided, a Territorial law enacted by the Congress shall be terminated two years after the date of admission of the State of Hawaii into the Union or upon the effective date of any law enacted by the State of Hawaii which amends or repeals it, whichever may occur first. As used in this section, the term 'Territorial laws' includes (in addition to laws enacted by the Territorial Legislature of Hawaii) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to its admission into the Union, and the term 'laws of the United States' includes all laws or parts thereof enacted by the Congress that (1) apply to or within Hawaii at the time of its admission into the Union, (2) are not 'Territorial laws' as defined in this paragraph, and (3) are not in conflict with any other provision of this Act.

''SEC. 16. [Hawaii National Park; military and naval lands; civil and criminal jurisdiction.] (a) Notwithstanding the admission of the State of Hawaii into the Union, the United States shall continue to have sole and exclusive jurisdiction over the area which may then or thereafter be included in Hawaii National Park, saving, however, to the State of Hawaii the same rights as are reserved to the Territory of Hawaii by section 1 of the Act of April 19, 1930 (46 Stat. 227), and saving, further, to persons then or thereafter residing within such area the right to vote at all elections held within the political subdivisions where they respectively reside. Upon the admission of said State all references to the Territory of Hawaii in said Act or in other laws relating to Hawaii National Park shall be deemed to refer to the State of Hawaii. Nothing contained in this Act shall be construed to affect the ownership and control by the United States of any lands or other property within Hawaii National Park which may now belong to, or which may hereafter be acquired by, the United States.

''(b) Notwithstanding the admission of the State of Hawaii into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are controlled or owned by the United States and held for Defense or Coast Guard purposes, whether such lands were acquired by cession and transfer to the United States by the Republic of Hawaii and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii for the use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided*, (i) That the State of Hawaii shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Hawaii, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) that such power of exclusive legislation shall vest and remain in the United States only so long as the particular tract or parcel of land involved is controlled or owned by the United States and used for Defense or Coast Guard purposes: *Provided*, *however*, That the United States shall continue to have sole and exclusive jurisdiction over such military installations as have been heretofore or hereafter determined to be critical areas as delineated by the President of the United States and/or the Secretary of Defense.

''SEC. 17. [Federal Reserve Act; amendment.] The next to last sentence of the first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) as amended by section 19 of the Act of July 7, 1958, (72 Stat. 339, 350) is amended by inserting after the word 'Alaska' the words 'or Hawaii.'

''SEC. 18. [Maritime matters.] (a) Nothing contained in this Act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Hawaii and other ports in the United States, or possessions, or as conferring on the Interstate Commerce Commission jurisdiction over transportation by water between any such ports.

''(b) Effective on the admission of the State of Hawaii into the Union—

''(1) the first sentence of section 506 of the Merchant Marine Act, 1936 as amended (46 U.S.C. [App.], sec. 1156) [now 46 U.S.C. 53101 note], is amended by inserting before the words 'an island possession or island territory', the words 'the State of Hawaii, or';

''(2) section 605(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C. [App.], sec. 1175[(a)]) [now 46 U.S.C. 53101 note], is amended by inserting before the words 'an island possession or island territory', the words 'the State of Hawaii, or'; and

''(3) the second paragraph of section 714 of the Merchant Marine Act, 1936, as amended (46 U.S.C. [App.], sec. 1204) [now 46 U.S.C. 57531], is amended by inserting before the words 'an island possession or island territory' the words 'the State of Hawaii, or'. (As amended Pub. L. 86–624, § 46, July 12, 1960, 74 Stat. 423.)

''SEC. 19. [United States Nationality.] Nothing contained in this Act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, or restore nationality heretofore lost under any law of the United States or under any treaty to which the United States is or was a party.

''SEC. 20. [Immigration and Nationality Act; amendments.] (a) Section 101(a)(36) of the Immigration and Nationality Act (66 Stat. 170, 8 U.S.C., sec. 1101(a)(36)) is amended by deleting the word 'Hawaii,'.

''(b) Section 212(d)(7) of the Immigration and Nationality Act (66 Stat. 188, 8 U.S.C. 1182(d)(7) is amended by

deleting from the first sentence thereof the word 'Hawaii,' and by deleting the proviso to said first sentence.

''(c) The first sentence of section 310(a) of the Immigration and Nationality Act, as amended (66 Stat. 239, 8 U.S.C. 1421(a), 72 Stat. 351) is further amended by deleting the words 'for the Territory of Hawaii, and'.

''(d) Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 305 of the Immigration and Nationality Act (66 Stat. 237, 8 U.S.C. 1405).

''SEC. 21. [Aircraft purchase loans.] Effective upon the admission of the State of Hawaii into the Union, section 3, subsection (b), of the Act of September 7, 1957 (71 Stat. 629), is amended by substituting the words 'State of Hawaii' for the words 'Territory of Hawaii'.

''SEC. 22. [Severability clause.] If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, or the application thereof in any circumstance is held invalid, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase, or individual word in other circumstances shall not be affected thereby.

''SEC. 23. [Repeal of inconsistent laws.] All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.''

HAWAIIAN HOME LANDS RECOVERY

Pub. L. 104–42, title II, Nov. 2, 1995, 109 Stat. 357, provided that:

''SEC. 201. SHORT TITLE

''This title may be cited as the 'Hawaiian Home Lands Recovery Act'.

''SEC. 202. DEFINITIONS.

''As used in this title:

''(1) AGENCY.—The term 'agency' includes—

''(A) any instrumentality of the United States;

''(B) any element of an agency; and

''(C) any wholly owned or mixed-owned corporation of the United States Government.

''(2) BENEFICIARY.—The term 'beneficiary' has the same meaning as is given the term 'native Hawaiian' under section 201(7) of the Hawaiian Homes Commission Act [former 48 U.S.C. 692(7)].

''(3) CHAIRMAN.—The term 'Chairman' means the Chairman of the Hawaiian Homes Commission of the State of Hawaii.

''(4) COMMISSION.—The term 'Commission' means the Hawaiian Homes Commission established by section 202 of the Hawaiian Homes Commission Act [former 48 U.S.C. 693].

''(5) HAWAIIAN HOMES COMMISSION ACT.—The term 'Hawaiian Homes Commission Act' means the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et. seq., chapter 42) [Act July 9, 1921, ch. 42, former 48 U.S.C. 691 et seq.].

''(6) HAWAII STATE ADMISSION ACT.—The term 'Hawaii State Admission Act' means the Act entitled 'An Act to provide for the admission of the State of Hawaii into the Union', approved March 18, 1959 [Pub. L. 86–3] (73 Stat. 4, chapter 339; 48 U.S.C. note prec. 491).

''(7) LOST USE.—The term 'lost use' means the value of the use of the land during the period when beneficiaries or the Hawaiian Homes Commission have been unable to use lands as authorized by the Hawaiian Homes Commission Act because of the use of such lands by the Federal Government after August 21, 1959.

''(8) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

''SEC. 203. SETTLEMENT OF FEDERAL CLAIMS.

''(a) DETERMINATION.—

''(1) The Secretary shall determine the value of the following:

''(A) Lands under the control of the Federal Government that—

''(i) were initially designated as available lands under section 203 of the Hawaiian Homes Commission Act [former 48 U.S.C. 697] (as in effect on the date of enactment of such Act [July 9, 1921]); and

''(ii) were nevertheless transferred to or otherwise acquired by the Federal Government.

''(B) The lost use of lands described in subparagraph (A).

''(2)(A) Except as provided in subparagraph (B), the determinations of value made under this subsection shall be made not later than 1 year after the date of enactment of this Act [Nov. 2, 1995]. In carrying out this subsection, the Secretary shall use a method of determining value that—

''(i) is acceptable to the Chairman; and

''(ii) is in the best interest of the beneficiaries.

''(B) The Secretary and the Chairman may mutually agree to extend the deadline for making determinations under this subparagraph beyond the date specified in subparagraph (A).

''(3) The Secretary and the Chairman may mutually agree, with respect to the determinations of value described in subparagraphs (A) and (B) of paragraph (1), to provide—

''(A) for making any portion of the determinations of value pursuant to subparagraphs (A) and (B) of paragraph (1); and

''(B) for making the remainder of the determinations with respect to which the Secretary and the Chairman do not exercise the option described in subparagraph (A), pursuant to an appraisal conducted under paragraph (4).

''(4)(A) Except as provided in subparagraph (C), if the Secretary and the Chairman do not agree on the determinations of value made by the Secretary under subparagraphs (A) and (B) of paragraph (1), or, pursuant to paragraph (3), mutually agree to determine the value of certain lands pursuant to this subparagraph, such values shall be determined by an appraisal. An appraisal conducted under this subparagraph shall be conducted in accordance with appraisal standards that are mutually agreeable to the Secretary and the Chairman.

''(B) If an appraisal is conducted pursuant to this subparagraph, during the appraisal process—

''(i) the Chairman shall have the opportunity to present evidence of value to the Secretary;

''(ii) the Secretary shall provide the Chairman a preliminary copy of the appraisal;

''(iii) the Chairman shall have a reasonable and sufficient opportunity to comment on the preliminary copy of the appraisal; and

''(iv) the Secretary shall give consideration to the comments and evidence of value submitted by the Chairman under this subparagraph.

''(C) The Chairman shall have the right to dispute the determinations of values made by an appraisal conducted under this subparagraph. If the Chairman disputes the appraisal, the Secretary and the Chairman may mutually agree to employ a process of bargaining, mediation, or other means of dispute resolution to make the determinations of values described in subparagraphs (A) and (B) of paragraph (1).

''(b) AUTHORIZATION.—

''(1) EXCHANGE.—Subject to paragraphs (2) and (5), the Secretary may convey Federal lands described in paragraph (5) to the Department of Hawaiian Home Lands in exchange for the continued retention by the Federal Government of lands described in subsection (a)(1)(A).

''(2) VALUE OF LANDS.—(A) The value of any lands conveyed to the Department of Hawaiian Home Lands by the Federal Government in accordance with an exchange made under paragraph (1) may not be less than the value of the lands retained by the Federal Government pursuant to such exchange.

''(B) For the purposes of this subsection, the value of any lands exchanged pursuant to paragraph (1) shall be determined as of the date the exchange is carried out, or any other date determined by the Secretary, with the concurrence of the Chairman.

''(3) LOST USE.—Subject to paragraphs (4) and (5), the Secretary may convey Federal lands described in

paragraph (5) to the Department of Hawaiian Home Lands as compensation for the lost use of lands determined under subsection (a)(1)(B).

''(4) VALUE OF LOST USE.—(A) the value of any lands conveyed to the Department of Hawaiian Home Lands by the Federal Government as compensation under paragraph (3) may not be less than the value of the lost use of lands determined under subsection (a)(1)(B).

''(B) For the purposes of this subparagraph, the value of any lands conveyed pursuant to paragraph (3) shall be determined as of the date that the conveyance occurs, or any other date determined by the Secretary, with the concurrence of the Chairman.

''(5) FEDERAL LANDS FOR EXCHANGE.—(A) Subject to subparagraphs (B) and (C), Federal lands located in Hawaii that are under the control of an agency (other than lands within the National Park System or the National Wildlife Refuge System) may be conveyed to the Department of Hawaiian Home Lands under paragraphs (1) and (3). To assist the Secretary in carrying out this Act [title], the head of an agency may transfer to the Department of the Interior, without reimbursement, jurisdiction and control over any lands and any structures that the Secretary determines to be suitable for conveyance to the Department of Hawaiian Home Lands pursuant to an exchange conducted under this section.

''(B) No Federal lands that the Federal Government is required to convey to the State of Hawaii under section 5 of the Hawaii State Admission Act [section 5 of Pub. L. 86–3, set out above] may be conveyed under paragraph (1) or (3).

''(C) No Federal lands that generate income (or would be expected to generate income) for the Federal Government may be conveyed pursuant to an exchange made under this paragraph to the Department of Hawaiian Home Lands.

''(c) AVAILABLE LANDS.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Secretary shall require that lands conveyed to the Department of Hawaiian Home Lands under this Act [title] shall have the status of available lands under the Hawaiian Homes Commission Act.

''(2) SUBSEQUENT EXCHANGE OF LANDS.—Notwithstanding any other provision of law, lands conveyed to the Department of Hawaiian Home Lands under this paragraph may subsequently be exchanged pursuant to section 204(3) of the Hawaiian Home Commission Act [former 48 U.S.C. 698(3)].

''(3) SALE OF CERTAIN LANDS.—Notwithstanding any other provision of law, the Chairman may, at the time that lands are conveyed to the Department of Hawaiian Home Lands as compensation for lost use under this Act [title], designate lands to be sold. The Chairman is authorized to sell such land under terms and conditions that are in the best interest of the beneficiaries. The proceeds of such a sale may only be used for the purposes described in section 207(a) of the Hawaiian Homes Commission Act [former 48 U.S.C. 701(a)].

''(d) CONSULTATION.—In carrying out their respective responsibilities under this section, the Secretary and the Chairman shall—

''(1) consult with the beneficiaries and organizations representing the beneficiaries; and

''(2) report to such organizations on a regular basis concerning the progress made to meet the requirements of this section.

''(e) HOLD HARMLESS.—Notwithstanding any other provision of law, the United States shall defend and hold harmless the Department of Hawaiian Home Lands, the employees of the Department, and the beneficiaries with respect to any claim arising from the ownership of any land or structure that is conveyed to the Department pursuant to an exchange made under this section prior to the conveyance to the Department of such land or structure.

''(f) SCREENING.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Defense and the Administrator of General Services shall, at the same time as notice is provided to Federal agencies that excess real property is being screened pursuant to applicable Federal laws (including regulations) for possible transfer to such agencies, notify the Chairman of any such screening of real property that is located within the State of Hawaii.

''(2) RESPONSE TO NOTIFICATION.—Notwithstanding any other provision of law, not later than 90 days after receiving a notice under paragraph (1), the Chairman may select for appraisal real property, or at the election of the Chairman, portions of real property, that is the subject of a screening.

''(3) SELECTION.—Notwithstanding any other provision of law, with respect to any real property located in the State of Hawaii that, as of the date of enactment of this Act [Nov. 2, 1995], is being screened pursuant to applicable Federal laws for possible transfer (as described in paragraph (1)) or has been screened for such purpose, but has not been transferred or declared to be surplus real property, the Chairman may select all, or any portion of, such real property to be appraised pursuant to paragraph (4).

''(4) APPRAISAL.—Notwithstanding any other provision of law, the Secretary of Defense or the Administrator of General Services shall appriase [sic] the real property or portions of real property selected by the Chairman using the Uniform Standards for Federal Land Acquisition developed by the Interagency Land Acquisition Conference, or such other standard as the Chairman agrees to.

''(5) REQUEST FOR CONVEYANCE.—Notwithstanding any other provision of law, not later than 30 days after the date of completion of such appraisal, the Chairman may request the conveyance to the Department of Hawaiian Home Lands of—

''(A) the appraised property; or

''(B) a portion of the appraised property, to the Department of Hawaiian Home Lands.

''(6) CONVEYANCE.—Notwithstanding any other provision of law, upon receipt of a request from the Chairman, the Secretary of Defense or the Administrator of the General Services Administration shall convey, without reimbursement, the real property that is the subject of the request to the Department of Hawaiian Home Lands as compensation for lands identified under subsection (a)(1)(A) or lost use identified under subsection (a)(1)(B).

''(7) REAL PROPERTY NOT SUBJECT TO RECOUPMENT.—Notwithstanding any other provision of law, any real property conveyed pursuant to paragraph (6) shall not be subject to recoupment based upon the sale or lease of the land by the Chairman.

''(8) VALUATION.—Notwithstanding any other provision of law, the Secretary shall reduce the value identified under subparagraph (A) or (B) of subsection (a)(1), as determined pursuant to such subsection, by an amount equal to the appraised value of any excess lands conveyed pursuant to paragraph (6).

''(9) LIMITATION.—No Federal lands that generate income (or would be expected to generate income) for the Federal Government may be conveyed pursuant to this subsection to the Department of Hawaiian Home Lands.

''SEC. 204. PROCEDURE FOR APPROVAL OF AMENDMENTS TO HAWAIIAN HOMES COMMISSION ACT.

''(a) NOTICE TO THE SECRETARY.—Not later than 120 days after a proposed amendment to the Hawaiian Homes Commission Act is approved in the manner provided in section 4 of the Hawaii State Admission Act [section 4 of Pub. L. 86–3, set out above], the Chairman shall submit to the Secretary—

''(1) a copy of the proposed amendment;

''(2) the nature of the change proposed to be made by the amendment; and

''(3) an opinion regarding whether the proposed amendment requires the approval of Congress under section 4 of the Hawaii State Admission Act.

''(b) DETERMINATION BY SECRETARY.—Not later than 60 days after receiving the materials required to be submitted by the Chairman pursuant to subsection (a), the Secretary shall determine whether the proposed amendment requires the approval of Congress under section 4 of the Hawaii State Admission Act, and shall notify the Chairman and Congress of the determination of the Secretary.

''(c) CONGRESSIONAL APPROVAL REQUIRED.—If, pursuant to subsection (b), the Secretary determines that the proposed amendment requires the approval of Congress, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources [now Committee on Natural Resources] of the House of Representatives—

''(1) a draft joint resolution approving the amendment;

''(2) a description of the change made by the proposed amendment and an explanation of how the amendment advances the interests of the beneficiaries;

''(3) a comparison of the existing law (as of the date of submission of the proposed amendment) that is the subject of the amendment with the proposed amendment;

''(4) a recommendation concerning the advisability of approving the proposed amendment; and

''(5) any documentation concerning the amendments received from the Chairman.

''SEC. 205. LAND EXCHANGES.

''(a) NOTICE TO THE SECRETARY.—If the Chairman recommends for approval an exchange of Hawaiian Home Lands, the Chairman shall submit a report to the Secretary on the proposed exchange. The report shall contain—

''(1) a description of the acreage and fair market value of the lands involved in the exchange;

''(2) surveys and appraisals prepared by the Department of Hawaiian Home Lands, if any; and

''(3) an identification of the benefits to the parties of the proposed exchange.

''(b) APPROVAL OR DISAPPROVAL.—

''(1) IN GENERAL.—Not later than 120 days after receiving the information required to be submitted by the Chairman pursuant to subsection (a), the Secretary shall approve or disapprove the proposed exchange.

''(2) NOTIFICATION.—The Secretary shall notify the Chairman, the Committee on Energy and Natural Resources of the Senate, and the Committee on Resources [now Committee on Natural Resources] of the House of Representatives of the reasons for the approval or disapproval of the proposed exchange.

''(c) EXCHANGES INITIATED BY SECRETARY.—

''(1) IN GENERAL.—The Secretary may recommend to the Chairman an exchange of Hawaiian Home Lands for Federal lands described in section 203(b)(5), other than lands described in subparagraphs (B) and (C) of such section. If the Secretary initiates a recommendation for such an exchange, the Secretary shall submit a report to the Chairman on the proposed exchange that meets the requirements of a report described in subsection (a).

''(2) APPROVAL BY CHAIRMAN.—Not later than 120 days after receiving a recommendation for an exchange from the Secretary under paragraph (1), the Chairman shall provide written notification to the Secretary of the approval or disapproval of a proposed exchange. If the Chairman approves the proposed exchange, upon receipt of the written notification, the Secretary shall notify the Committee on Energy and Natural Resources of the Senate, and the Committee on Resources [now Committee on Natural Resources] of the House of Representatives of the approval of the Chairman of the proposed exchange.

''(3) EXCHANGE.—Upon providing notification pursuant to paragraph (2) of a proposed exchange that has been approved by the Chairman pursuant to this section, the Secretary may carry out the exchange.

''(d) SELECTION AND EXCHANGE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may—

''(A) select real property that is the subject of screening activities conducted by the Secretary of Defense or the Administrator of General Services pursuant to applicable Federal laws (including regulations) for possible transfer to Federal agencies; and

''(B) make recommendations to the Chairman concerning making an exchange under subsection (c) that includes such real property.

''(2) TRANSFER.—Notwithstanding any other provision of law, if the Chairman approves an exchange proposed by the Secretary under paragraph (1)—

''(A) the Secretary of Defense or the Administrator of General Services shall transfer the real property described in paragraph (1)(A) that is the subject of the exchange to the Secretary without reimbursement; and

''(B) the Secretary shall carry out the exchange.

''(3) LIMITATION.—No Federal lands that generate income (or would be expected to generate income) for the Federal Government may be conveyed pursuant to this subsection to the Department of Hawaiian Home Lands.

''(e) SURVEYS AND APPRAISALS.—

''(1) REQUIREMENT.—The Secretary shall conduct a survey of all Hawaiian Home Lands based on the report entitled 'Survey Needs for the Hawaiian Home Lands', issued by the Bureau of Land Management of the Department of the Interior, and dated July 1991.

''(2) OTHER SURVEYS.—The Secretary is authorized to conduct such other surveys and appraisals as may be necessary to make an informed decision regarding approval or disapproval of a proposed exchange.

''SEC. 206. ADMINISTRATION OF ACTS BY UNITED STATES.

''(a) DESIGNATION.—

''(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act [Nov. 2, 1995], the Secretary shall designate an individual from within the Department of the Interior to administer the responsibilities of the United States under this title and the Hawaiian Homes Commission Act.

''(2) DEFAULT.—If the Secretary fails to make an appointment by the date specified in paragraph (1), or if the position is vacant at any time thereafter, the Assistant Secretary for Policy, Budget, and Administration of the Department of the Interior shall exercise the responsibilities for the Department in accordance with subsection (b).

''(b) RESPONSIBILITIES.—The individual designated pursuant to subsection (a) shall, in administering the laws referred to in such subsection—

''(1) advance the interests of the beneficiaries; and

''(2) assist the beneficiaries and the Department of Hawaiian Home Lands in obtaining assistance from programs of the Department of the Interior and other Federal agencies that will promote homesteading opportunities, economic self-sufficiency, and social well-being of the beneficiaries.

''SEC. 207. ADJUSTMENT.

''[Amended section 386a of Title 25, Indians.]

''SEC. 208. REPORT.

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act [Nov. 2, 1995], the Chairman shall report to the Secretary concerning any claims that—

''(1) involve the transfer of lands designated as available lands under section 203 of the Hawaiian Homes Commission Act [former 48 U.S.C. 697] (as in effect on the date of enactment of such Act [July 9, 1921]); and

''(2) are not otherwise covered under this title.

''(b) REVIEW.—Not later than 180 days after receiving the report submitted under subsection (a), the Secretary shall make a determination with respect to each

claim referred to in subsection (a), whether, on the basis of legal and equitable considerations, compensation should be granted to the Department of Hawaiian Home Lands.

''(c) COMPENSATION.—If the Secretary makes a determination under subsection (b) that compensation should be granted to the Department of Hawaiian Home Lands, the Secretary shall determine the value of the lands and lost use in accordance with the process established under section 203(a), and increase the determination of value made under subparagraphs (A) and (B) of section 203(a)(1) by the value determined under this subsection.

''SEC. 209. AUTHORIZATION.

''There are authorized to be appropriated such sums as may be necessary for compensation to the Department of Hawaiian Home Lands for the value of the lost use of lands determined under section 203. Compensation received by the Department of Hawaiian Home Lands from funds made available pursuant to this section may only be used for the purposes described in section 207(a) of the Hawaiian Homes Commission Act [former 48 U.S.C. 701(a)]. To the extent that amounts are made available by appropriations pursuant to this section for compensation paid to the Department of Hawaiian Home Lands for lost use, the Secretary shall reduce the determination of value established under section 203(a)(1)(B) by such amount.''

CONSENT TO AMENDMENT OF HAWAIIAN HOMES COMMISSION ACT, 1920

Pub. L. 105–21, June 27, 1997, 111 Stat. 235, provided: ''That, as required by section 4 of the Act entitled 'An Act to provide for the admission of the State of Hawaii into the Union', approved March 18, 1959 (73 Stat. 4) [set out as a note above], the United States consents to the following amendments to the Hawaiian Homes Commission Act, 1920, adopted by the State of Hawaii in the manner required for State legislation:

''(1) Act 339 of the Session Laws of Hawaii, 1993.

''(2) Act 37 of the Session Laws of Hawaii, 1994.''

Pub. L. 102–398, Oct. 6, 1992, 106 Stat. 1953, provided: ''That, as required by section 4 of the Act entitled 'An Act to provide for the admission of the State of Hawaii into the Union', approved March 18, 1959 (73 Stat. 4) [set out as a note above], the United States hereby consents to the following amendments to the Hawaiian Homes Commission Act, 1920, as amended, adopted by the State of Hawaii in the manner required for State legislation:

''Act 16 of Session Laws of Hawaii, 1986;

''Act 85 of Session Laws of Hawaii, 1986;

''Act 249 of Session Laws of Hawaii, 1986;

''Act 36 of Session Laws of Hawaii, 1987;

''Act 28 of Session Laws of Hawaii, 1989;

''Act 265 of Session Laws of Hawaii, 1989;

''Act 14 of Session Laws of Hawaii, 1990;

''Act 24 of Session Laws of Hawaii, 1990;

''Act 150 of Session Laws of Hawaii, 1990; and

''Act 305 of Session Laws of Hawaii, 1990.''

Pub. L. 99–557, Oct. 27, 1986, 100 Stat. 3143, provided: ''That, as required by section 4 of the Act entitled 'An Act to provide for the admission of the State of Hawaii into the Union', approved March 18, 1959 (73 Stat. 4) [set out as a note above], the United States hereby consents to all amendments to the Hawaiian Homes Commission Act, 1920, as amended, adopted between August 21, 1959, and June 30, 1985, by the State of Hawaii, either in the Constitution of the State of Hawaii or in the manner required for State legislation, except for Act 112 of 1981.''

HAWAII OMNIBUS ACT

Pub. L. 86–624, July 12, 1960, 74 Stat. 411, as amended, provided:

''[Sec. 1. Short Title.] That this Act may be cited as the 'Hawaii Omnibus Act'.

''SEC. 2. [Printing outside United States.] Subsection (a) of section 2 of the Act of August 1, 1956 (70 Stat. 890), is amended by striking out the words 'the continental United States' and inserting in lieu thereof the words 'the States of the United States and the District of Columbia'.

''SEC. 3. [Soil Bank Act; amendment.] Section 113 of the Soil Bank Act, as amended, is amended to read as follows: 'This subtitle B shall apply to the several States and, if the Secretary determines it to be in the national interest, to the Commonwealth of Puerto Rico and the Virgin Islands; and as used in this subtitle B, the term ''State'' includes Puerto Rico and the Virgin Islands.'

''SEC. 4. [Armed Forces; amendment.] (a) Title 10, United States Code, section 101(2), is amended by striking out the words 'Hawaii or'.

''(b) Title 10, United States Code, sections 802(11) and 802(12), are each amended by striking out the words 'the main group of the Hawaiian Islands,'.

''(c) Title 10, United States Code, section 2662(c), is amended by striking out the word ', Hawaii,'.

''(d) Title 10, United States Code is amended by striking out clause (6) of section 4744 [now section 2648]; by renumbering clauses (7) through (9) as clauses (6) through (8); by amending redesignated clause (8) to read as follows: 'The families of persons described in clauses (1), (2), (4), (5), and (7).'; and by striking out the words 'clause (8) or (9)' in the last sentence of such section and inserting in lieu thereof the words 'clause (7) or (8)'.

''SEC. 5. [Home Loan Bank Board.] (a) Paragraph (3) [now (2)] of section 2 of the Federal Home Loan Bank Act, as amended, is further amended by striking out the words 'the Virgin Islands of the United States, and the Territory of Hawaii' and by inserting in lieu thereof the words 'and the Virgin Islands of the United States'.

''(b) Section 7 of the Home Owners' Loan Act of 1933, as amended, is further amended by striking out the words 'Territory of Hawaii' and inserting in lieu thereof the words 'State of Hawaii'.

''SEC. 6. [National Housing Act; amendment.] The National Housing Act is amended by striking out the word 'Hawaii,' in sections 9, 210(d), 207(a)(7), 601(d), 713(q), and 801(g).

''SEC. 7. [Securities and Exchange Commission.] (a) Paragraph (6) of section 2 of the Securities Act of 1933, as amended, is further amended by striking out the word 'Hawaii.'.

''(b) Paragraph (16) of section 3(a) of the Securities Exchange Act of 1934, as amended, is further amended by striking out the word 'Hawaii,'.

''(c) Paragraph (37) of section 2(a) and paragraph (1) of section 6(a) of the Investment Company Act of 1940, as amended, are each amended by striking out the word 'Hawaii,'.

''(d) Paragraph (18) of section 202(a) of the Investment Advisers Act of 1940, as amended, is further amended by striking out the word 'Hawaii,'.

''SEC. 8. [Soil Conservation and Domestic Allotment Act; amendment.] (a) Section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, is further amended by striking out the words 'in the continental United States, except in Alaska,' and inserting in lieu thereof the words 'in the States of the Union, except Alaska,'.

''(b) Section 17(a) of the Soil Conservation and Domestic Allotment Act, as amended, is further amended to read as follows: 'This Act shall apply to the States, the Commonwealth of Puerto Rico, and the Virgin Islands, and, as used in this Act, the term ''State'' includes Puerto Rico and the Virgin Islands.'

''SEC. 9. [Water Storage and Utilization.] Section 1 of the Act of August 28, 1937 (50 Stat. 869), as amended, is further amended by striking out the words 'the United States, including the Territories of Alaska and Hawaii, and Puerto Rico and the Virgin Islands' and inserting in lieu thereof the words 'the States of the United States and in Puerto Rico and the Virgin Islands'.

''SEC. 10. [Wildlife Restoration.] Section 2 of the Act of September 2, 1937 (50 Stat. 917), as amended, is fur-

ther amended by striking out the words '; and the term ''State'' shall be construed to mean and include the several States and the Territory of Hawaii'.

''SEC. 11. [Fishery Resources.] The Act of Aug. 4, 1947 (61 Stat. 726), is amended—

''(a) by striking out the words 'the Territories and island possessions of the United States' and inserting in lieu thereof the words 'the United States and its island possessions' in section 1 and 2;

''(b) by striking out the words 'Territory of Hawaii and' in section 1;

''(c) by striking out the word 'Territorial' and inserting in lieu thereof the word 'State' in section 3; and

''(d) by striking out the words 'Hawaiian Islands' and 'Territory of Hawaii' and inserting in lieu thereof, in both cases, the words 'State of Hawaii' in section 4.

''SEC. 12. [Fish Restoration.] Section 2(d) of the Act of August 9, 1950 (64 Stat. 431), as amended, is further amended by striking out the words '; and the term ''State'' shall be construed to mean and include the several States and the Territory of Hawaii'.

''SEC. 13. [Criminal Code; amendments.] (a) Title 18, United States Code, section 1401, is amended by striking out the words 'the Territory of Alaska, the Territory of Hawaii,'.

''(b) Title 18, United States Code, section 5024, is amended by striking out the words preceding the first comma and inserting in lieu thereof the words 'This chapter shall apply in the States of the United States'.

''(c) Section 6 of Public Law 85–752, as amended, is further amended by striking out the words preceding the first comma and inserting in lieu thereof the words 'Sections 3 and 4 of this Act shall apply in the States of the United States'.

''SEC. 14. [Education.] (a)(1) Subsection (a) of section 103 of the National Defense Education Act of 1958, relating to definition of State, is amended by striking out 'Hawaii,' each time it appears therein.

''(2)(A) Paragraph (2), and subparagraph (C) of paragraph (3), of subsection (a) of section 302 of such Act, relating to allotments for science, mathematics, and foreign language instruction equipment, are each amended by striking out 'continental United States' each time it appears therein and inserting in lieu thereof 'United States'.

''(B) Effective in the case of promulgations of allotment ratios made, under section 302 of such Act, after enactment of this Act and before satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska, subparagraph B of such paragraph (3) is amended to read:

'''(B) The term ''United States'' means the continental United States (excluding Alaska and Hawaii)'.

''(C) Effective in the case of promulgations of allotment ratios made under such section 302 after such data for a full year are available from the Department of Commerce, subparagraph (B) of such paragraph (3) is amended to read:

'''(B) The term ''United States'' means the fifty States and the District of Columbia.'

''Promulgations of allotment ratios made under such section 302 after such data for a full year are available from the Department of Commerce, but before such data are available therefrom for a full three-year period, shall be based on such data for such one full year, or when such data are available for a two-year period, for such two years.

''(3) Section 1008 of such Act, relating to allotments to territories, is amended by striking out 'Hawaii,'.

''(b)(1) Section 4 of the Act of March 10, 1924 (43 Stat. 18), extending the benefits of the Smith-Hughes vocational education law to Hawaii, is repealed.

''(2) The last sentence of section 2 of the Act of February 23, 1917 (39 Stat. 930), relating to allotments for salaries of teachers of agricultural subjects, is amended by striking out '$27,000' and inserting in lieu thereof '$28,500'. The last sentence of section 4 of such Act, as amended, relating to allotments for teacher training, is amended by striking out '$98,500' and inserting in lieu thereof '$105,200'.

''(3) Paragraph (1) of section 2 of the Vocational Education Act of 1946, relating to definition of States and Territories, is amended by striking out 'the Territory of Hawaii,'.

''(4) Subsection (e) of section 210 and subsection (a) of section 307 of such Act, relating to definition of State are each amended by striking out 'Hawaii,'.

''(c) Paragraph (13) of section 15 of the Act of September 23, 1950 (64 Stat. 967), as amended, relating to definition of State, is amended by striking out 'Hawaii,'.

''(d)(1) The material in the parentheses in the first sentence of subsection (d) of section 3 of the Act of September 30, 1950, as amended, relating to determination of local contribution rate, is amended to read: '(other than a local educational agency in Puerto Rico, Wake Island, Guam, or the Virgin Islands, or in a State in which a substantial proportion of the land is in unorganized territory for which a State agency is the local educational agency, or in a State in which there is only one local educational agency)'.

''(2) The fourth sentence of such subsection is amended by striking out 'in the continental United States (including Alaska)' and inserting in lieu thereof '(other than Puerto Rico, Wake Island, Guam, or the Virgin Islands)' and by striking out 'continental United States' in clause (ii) of such sentence and inserting in lieu thereof 'United States (which for purposes of this sentence and the next sentence means the fifty States and the District of Columbia)'. The fifth sentence of such subsection is amended by striking out 'continental' before 'United States' each time it appears therein and by striking out '(including Alaska)'.

''(3) The last sentence of such subsection is amended by striking out 'Hawaii,' and by inserting after 'for which a State agency is the local educational agency,' the following: 'or in any State in which there is only one local educational agency,'.

''(4) Paragraph (8) of section 9 of such Act, relating to definition of State, is amended by striking out 'Hawaii,'.

''(e) Notwithstanding the last sentence of subsection (b) of section 5 of the Act entitled 'An Act to provide for the admission of the State of Hawaii into the Union', approved March 18, 1959 (73 Stat. 4; Public Law 86–3), there is hereby authorized to be appropriated to the State of Hawaii the sum of $6,000,000. Amounts appropriated under this subsection shall be held and considered to be granted to such State subject to those provisions of the Act entitled 'An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts', approved July 2, 1862 (7 U.S.C. 301–308), applicable to the proceeds from the sale of land or land scrip.

''SEC. 15. [Importation of Milk and Cream.] Subsection (b) of section 9 of the Act of February 15, 1927 (44 Stat. 1103), as amended, is amended to read:

'''(b) The term ''United States'' means the fifty States and the District of Columbia.'

''SEC. 16. [Opium Poppy Control.] Section 12 of the Opium Poppy Control Act of 1942, as amended, is further amended by deleting therefrom the words 'the Territory of Hawaii,'.

''SEC. 17. [Highways.] (a) The definition of the term 'State' in title 23, United States Code, section 101(a), is amended to read as follows:

'''The term ''State'' means any one of the fifty States, the District of Columbia, or Puerto Rico.'

''(b) Sections 103(g) and 105(e) of title 23, United States Code, are repealed.

''(c) Section 103(d) of title 23, United States Code, is amended to read as follows:

'''(d) The Interstate System shall be designated within the United States, including the District of Columbia, and it shall not exceed forty-one thousand miles in total extent. It shall be so located as to connect by routes, as direct as practicable, the principal metropolitan areas, cities, and industrial centers, to serve

the national defense and, to the greatest extent possible, to connect at suitable border points with routes of continental importance in the Dominion of Canada and the Republic of Mexico. The routes of this system, to the greatest extent possible, shall be selected by joint action of the State highway departments of each State and the adjoining States, subject to the approval by the Secretary as provided in subsection (e) of this section. All highways or routes included in the Interstate System as finally approved, if not already coincident with the primary system, shall be added to said system without regard to the mileage limitation set forth in subsection (b) of this section. This system may be located both in rural and urban areas.'

''(d) Notwithstanding any other provision of law, for the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with section 103(d) of title 23, United States Code, as amended by section 1 of this Act, the sum of $12,375,000 shall be apportioned to the State of Hawaii out of the sum authorized to be appropriated for the Interstate System for the fiscal year ending June 30, 1962, under the provisions of section 108(b) of the Federal-Aid Highway Act of 1956 (70 Stat. 374), as amended by section 7(a) of the Federal-Aid Highway Act of 1958 (72 Stat. 89), such apportionment to be made at the same time such funds are apportioned to other States. The total sum to be apportioned under section 104(b)(5) of title 23, United States Code, for the fiscal year ending June 30, 1962, among the States other than Hawaii, shall be reduced by said sum apportioned to the State of Hawaii under this section. The Secretary of Commerce shall apportion funds to the State of Hawaii for the Interstate System for the fiscal year 1963 and subsequent fiscal years pursuant to the provisions of said section 104(b)(5) of title 23, United States Code, and, in preparing the estimates required by that section, he shall take into account the apportionment made to the State of Hawaii under this section.

''(e) Section 127 of title 23, United States Code, is amended by adding at the end thereof the following sentence: 'With respect to the State of Hawaii, laws or regulations in effect on February 1, 1960, shall be applicable for the purposes of this section in lieu of those in effect on July 1, 1956.'

''SEC. 18. [Internal Revenue.] (a) Section 4262(c)(1) of the Internal Revenue Code of 1986 (relating to the definition of 'continental United States' for purposes of the tax on transportation of persons) is amended to read as follows:

''(1) Continental United States.—The term ''continental United States'' means the District of Columbia and the States other than Alaska and Hawaii.'

''(b) Section 2202 of the Internal Revenue Code of 1986 (relating to missionaries in foreign service) is amended by striking out 'the State, the District of Columbia, or Hawaii' and inserting in lieu thereof 'the State or the District of Columbia'.

''(c) Section 3121(e)(1) of the Internal Revenue Code of 1986 (relating to a special definition of 'State') is amended by striking out 'Hawaii,'.

''(d) Sections 3306(j) and 4233(b) of the Internal Revenue Code of 1986 (each relating to a special definition of 'State') are amended by striking out 'Hawaii, and'.

''(e) Section 4221(d)(4) of the Internal Revenue Code of 1986 (relating to a special definition of 'State or local government') is amended to read as follows:

''(4) State or local government.—The term ''State or local government'' means any State, any political subdivision thereof, or the District of Columbia.'

''(f) Section 4502(5) of the Internal Revenue Code of 1986 (relating to definition of 'United States') is amended by striking out 'the Territory of Hawaii,'.

''(g) Section 4774 of the Internal Revenue Code of 1986 (relating to territorial extent of law) is amended by striking out 'the Territory of Hawaii,'.

''(h) Section 7653(d) of the Internal Revenue Code of 1986 (relating to shipments from the United States) is amended by striking out ', its possessions or the Territory of Hawaii' and inserting in lieu thereof 'or its possessions'.

''(i) Section 7701(a)(9) of the Internal Revenue Code of 1986 (relating to definition of 'United States') is amended by striking out ', the Territory of Hawaii,'.

''(j) Section 7701(a)(10) of the Internal Revenue Code of 1986 (relating to definition of 'State') is amended by striking out 'the Territory of Hawaii and'.

''(k) The amendments contained in subsections (a) through (j) of this section shall be effective as of August 21, 1959. (As amended Pub. L. 99–514, §2, Oct. 22, 1986, 100 Stat. 2095.)

''SEC. 19. [Courts; Kure Island.] Title 28, United States Code, section 91, and the Act of June 15, 1950 (64 Stat. 217), as amended, are each amended by striking out the words 'Kure Island,'.

''SEC. 20. [Vocational Rehabilitation Act; amendment.] (a) Subsection (g) of section 11 of the Vocational Rehabilitation Act, relating to definition of 'State', is amended by striking out 'Hawaii,'.

''(b)(1) Subsections (h) and (i) of such section, relating to definition of allotment percentages and Federal shares for purposes of allotment and matching for vocational rehabilitation services grants, are each amended by striking out 'continental United States' and inserting in lieu thereof 'United States' and by striking out '(including Alaska)'.

''(2) Paragraph (1) of such subsection (h) is further amended by striking out 'the allotment percentage for Hawaii shall be 50 per centum, and' in clause (B).

''(3) Subsection (h) of such section is further amended by adding at the end thereof the following new paragraphs:

''(3) Promulgations of allotment percentages and computations of Federal shares made before satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska shall prescribe for Alaska an allotment percentage of 75 per centum and a Federal share of 60 per centum and, for purposes of such promulgations and computations, Alaska shall not be included as part of the ''United States''. Promulgations and computations made thereafter but before per capita income data for Alaska for a full three-year period are available from the Department of Commerce shall be based on satisfactory data available therefrom for Alaska for such one full year or, when such data are available for a two-year period, for such two years.

''(4) The term ''United States'' means (but only for purposes of this subsection and subsection (i)) the fifty States and the District of Columbia.'

''(4) Subsection (i) of such section is further amended by striking out 'the Federal share for Hawaii shall be 60 per centum, and' in clause (B).

''SEC. 21. [Labor.] (a) Section 3(b) of the Act of June 6, 1933 (48 Stat. 114), as amended, is further amended by striking out the words 'Hawaii, Alaska,'.

''(b) Section 13(f) of the Fair Labor Standards Act, as amended, is further amended by striking out the words 'Alaska; Hawaii;'.

''(c) Section 17 of the Fair Labor Standards Act, as amended, is further amended by striking out the words 'the District Court for the Territory of Alaska,'.

''(d) Section 3(a)(9) of the Welfare and Pension Plans Disclosure Act is amended by striking out the word 'Hawaii,'.

''SEC. 22. [National Guard.] Title 32, United States Code, section 101(1), is amended by striking out the words 'Hawaii or'.

''SEC. 23. [Water Pollution Control Act; amendment.] (a)(1) Subsection (h) of section 5 of the Federal Water Pollution Control Act, relating to Federal share for purposes of program operation grants, is amended by striking out 'continental United States' and inserting in lieu thereof 'United States', by striking out '(including Alaska)', and by striking out, in clause (B) of paragraph (1), 'for Hawaii shall be 50 per centum, and'.

''(2) Such subsection is further amended by adding at the end thereof the following new paragraphs:

''(3) As used in this subsection, the term ''United States'' means the fifty States and the District of Columbia.

''(4) Promulgations made before satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska shall prescribe a Federal share for Alaska of 50 per centum and, for purposes of such promulgations, Alaska shall not be included as part of the ''United States.'' Promulgations made thereafter but before per capita income data for Alaska for a full three-year period are available for the Department of Commerce shall be based on satisfactory data available therefrom for Alaska for such one full year or when such data are available for a two-year period, for such two years.'

''(b) Subsection (d) of section 11 of such Act, relating to definition of 'State', is amended by striking out 'Hawaii,'.

''SEC. 24. [Coast and Geodetic Survey.] The first sentence of section 1 of the Act of August 3, 1956 (70 Stat. 988), is amended by striking out the words 'the several States' and inserting in lieu thereof the words 'the States of the continental United States, excluding Alaska.'

''SEC. 25. [Veterans' Administration.] (a) Title 33, United States Code, section 624(a), is amended by striking out the words 'outside the continental limits of the United States, or a Territory, Commonwealth, or possession of the United States' and inserting in lieu thereof 'outside any State'.

''(b) The first sentence of title 38, United States Code, section 903(b) [now 2303(b)], is amended to read as follows: 'In addition to the foregoing, when such a death occurs in the continental United States or Hawaii, the Administrator shall transport the body to the place of burial in the continental United States or Hawaii.'

''(c) Title 38, United States Code, section 2007(c) [now 4107(c)], is amended by striking out the word 'Hawaii,'.

''SEC. 26. [Davis-Bacon Act; amendment.] Section 1 of the Act of March 3, 1931 (46 Stat. 1494), as amended, is further amended by striking out the words ', the Territory of Alaska, the Territory of Hawaii,' and the words ', or the Territory of Alaska, or the Territory of Hawaii.'

''SEC. 27. [Federal Property and Administrative Services Act; amendment.] The Federal Property and Administrative Services Act of 1949, as amended, is further amended by—

''(a) striking out the words 'continental United States (including Alaska), Hawaii,' in section 3(f) and inserting in lieu thereof the words 'States of the Union, the District of Columbia,';

''(b) striking out the words 'continental United States, its Territories, and possessions' in section 211(j) and inserting in lieu thereof the words 'States of the Union, the District of Columbia, Puerto Rico, and the possessions of the United States';

''(c) striking out the words 'continental limits of the United States' in section 404(c) and inserting in lieu thereof the words 'States of the Union and the District of Columbia'; and

''(d) striking out the words 'and the Territory of Hawaii' in section 702(a).

''SEC. 28. [Buy American Act; amendment.] Section 1(b) of title III of the Act of March 3, 1933 (47 Stat. 1520) [now 41 U.S.C. 8301(1)], as amended, is amended by striking out the word 'Hawaii,'.

''SEC. 29. [Public Health Service Act; amendment.] (a) Subsection (f) of section 2 of the Public Health Service Act, relating to definition of State, is amended by striking out 'Hawaii,'.

''(b) The first sentence of section 331 of such Act, relating to receipt and treatment of lepers, is amended by striking out ', Territory, or the District of Columbia'. The fifth sentence of such section is amended by striking out 'the Territory of Hawaii' and inserting in lieu thereof 'Hawaii'.

''(c) Subsection (c) of section 361 of such Act, relating to regulations governing apprehension and detention of persons to prevent the spread of a communicable disease, is amended by striking out ', the Territory of Hawaii,'.

''(d)(1) Clause (2) of subsection (a) of section 631 of such Act, relating to definition of allotment percentage for purposes of allotments for construction of hospitals and other medical service facilities, is amended by striking out 'the allotment percentage for Hawaii shall be 50 per centum, and'.

''(2) Such subsection is further amended by striking out 'continental United States (including Alaska)' and inserting in lieu thereof 'United States'.

''(3) Subsection (b) of such section, relating to promulgation of allotment percentages, is amended by striking out 'continental United States' and inserting in lieu thereof 'United States'. Such subsection is further amended by inserting '(1)' after '(b)' and by adding at the end thereof the following new paragraphs:

''(2) The term ''United States'' means (but only for purposes of this subsection and subsection (a)) the fifty States and the District of Columbia;

''(3) Promulgations made before satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska shall prescribe an allotment percentage for Alaska of 50 per centum and, for purposes of such promulgation, Alaska shall not be included as part of the ''United States''. Promulgations made thereafter but before per capita income data for Alaska for a full three-year period are available from the Department of Commerce shall be based on satisfactory data available therefrom for Alaska for such one full year or, when such data are available for a two-year period, for such two years;'.

''(4) Subsection (d) of such section, relating to definition of State, is further amended by striking out 'Hawaii,'.

''SEC. 30. [Social Security Act; amendment.] (a)(1) Paragraph (8) of subsection (a) of section 1101 of the Social Security Act, relating to definition of Federal percentage for purposes of matching for public assistance grants, is amended by striking out 'continental United States (including Alaska)' and inserting in lieu thereof 'United States'.

''(2) Subparagraph (A) of such paragraph is further amended by striking out '(i)' and by striking out ', and (ii) the Federal percentage shall be 50 per centum for Hawaii'.

''(3) Such paragraph is further amended by adding after subparagraph (B) the following new subparagraphs:

''(C) The term ''United States'' means (but only for purposes of subparagraphs (A) and (B) of this paragraph) the fifty States and the District of Columbia.

''(D) Promulgations made before satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska shall prescribe a Federal percentage for Alaska of 50 per centum and, for purposes of such promulgations, Alaska shall not be included as part of the ''United States''. Promulgations made thereafter but before per capita income data for Alaska for a full three-year period are available from the Department of Commerce shall be based on satisfactory data available therefrom for Alaska for such one full year or, when such data are available for a two-year period, for such two years.'

''(b)(1) Subsections (a), (b), and (c) of section 524 of such Act, relating to the definition of allotment percentages and Federal shares for purposes of allotment and matching for child welfare services grants, are each amended by striking out 'continental United States (including Alaska)' and inserting in lieu thereof 'United States'.

''(2) Such section is further amended by adding after subsection (c) the following new subsections:

''(d) For purposes of this section, the term ''United States'' means the fifty States and the District of Columbia.

''(e) Promulgations made before satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska shall prescribe a Federal share for Alaska of 50 per centum and,

for purposes of such promulgations, Alaska shall not be included as part of the ''United States''. Promulgations made thereafter but before per capita income data for Alaska for a full three-year period are available from the Department of Commerce shall be based on satisfactory data available therefrom for Alaska for such one full year or, when such data are available for a two-year period, for such two years.'

''(c)(1) The last sentence of subsection (i) of section 202 of the Social Security Act is amended by striking out 'forty-nine' and inserting in lieu thereof 'fifty'.

''(2) Subsections (h) and (i) of section 210 of such Act relating to definitions of State and United States for purposes of old-age, survivors, and disability insurance, are each amended by striking out 'Hawaii,'. Such subsection (h) is further amended by striking out the comma after 'District of Columbia'.

''(d)(1) Paragraph (1) of subsection (a) of section 1101 of such Act, relating to definition of State, is amended by striking out 'Hawaii and'.

''(2) Paragraph (2) of such subsection, as amended relating to definition of 'United States', is amended by striking out ', Hawaii,'.

''(e) Subparagraph (C) and (G) of paragraph (6) of subsection (d) of section 218 of the Social Security Act, as amended, are each further amended by striking out 'the Territory of' and 'or Territory' each time they appear therein.

''(f) Subsection (p) of such section is amended by striking out 'Territory of'.

''(g) The last sentence of subsection (a) of section 1501 of the Social Security Act is amended by striking out 'Alaska, Hawaii,'.

''SEC. 31. [Small Reclamation Projects.] The Small Reclamation Projects Act of 1956 (70 Stat. 1044), as heretofore and hereafter amended, shall apply to the State of Hawaii.

''SEC. 32. [Congressional Record.] Section 73 of the Act of January 12, 1895 (28 Stat. 617), amended, is further amended by striking out the word 'Hawaii,' [Repealed by Pub. L. 90–620, § 3, Oct. 22, 1968, 82 Stat 1310].

''SEC. 33. [Federal Register.] Section 8 of the Federal Register Act (49 Stat. 502), as amended, is further amended by striking out the words 'continental United States (including Alaska)' and inserting in lieu thereof the words 'States of the Union and the District of Columbia' [Repealed by Pub. L. 90–620, § 3, Oct. 22, 1968, 82 Stat. 1310].

''SEC. 34. [Home Port of Vessels.] Section 1 of the Act of February 16, 1925 (43 Stat. 947), as amended, is further amended by striking out the words 'Alaska, Hawaii, and'.

''SEC. 35. [Merchant Marine Act, 1936.] (a) Subsection (a) of section 505 of the Merchant Marine Act, 1936, as amended, is further amended by adding at the end thereof the following new sentence: 'For the purposes of this subsection, the term ''continental limits of the United States'' includes the States of Alaska and Hawaii.'

''(b) Section 606 of such Act, as amended, is further amended by adding at the end thereof the following new sentence: 'For the purposes of this section, the term ''continental limits of the United States'' includes the States of Alaska and Hawaii.'

''(c) Section 702 of such Act, as amended, is further amended by adding at the end thereof the following new sentence: 'For the purposes of this section, the term ''continental United States'' includes the States of Alaska and Hawaii.'

''SEC. 36. [Communications Act; amendment.] Section 222(a)(10) of the Communications Act of 1934, is amended by striking out the words 'the several States and the District of Columbia' and inserting in lieu thereof the words 'the District of Columbia and the States of the Union, except Hawaii'.

''SEC. 37. [Aircraft Loan Guarantees.] Section 3 of the Act of September 7, 1957 (71 Stat. 629), as amended, is further amended by striking out the words 'Territory of Hawaii' and inserting in lieu thereof the words 'State of Hawaii'.

''SEC. 38. [Real property transactions.] Section 43(c) of the Act of August 10, 1956 (70A Stat. 636), as amended is further amended by striking out the words 'United States, Hawaii,' and inserting in lieu thereof the words 'States of the Union, the District of Columbia,'.

''SEC. 39. [Selective service.] Section 16(b) of the Universal Military Training and Service Act, as amended, is further amended by striking out the word 'Hawaii,'.

''SEC. 40. [Reports on Federal Land Use.] The President shall prescribe procedures to assure that the reports to be submitted to him by Federal agencies pursuant to section 5(e) of the Act of March 18, 1959 (73 Stat. 6), providing for the admission of the State of Hawaii into the Union, shall be prepared in accordance with uniform policies and coordinated within the executive branch.

''SEC. 41. [Hawaiian Homes Commission Lands.] Section 5(b) of the Act of March 18, 1959 (73 Stat. 5), is amended by inserting, immediately following the words 'public property' the words ', and to all lands defined as ''available lands'' by section 203 of the Hawaiian Homes Commission Act, 1920, as amended,'.

''SEC. 42. [Lease by United States of Public Property of Hawaii.] Until August 21, 1964, there shall be covered into the treasury of the State of Hawaii the rentals or consideration received by the United States with respect to public property taken for the uses and purposes of the United States under section 91 of the Hawaii Organic Act and thereafter by the United States leased, rented, or granted upon revocable permits to private parties.

''SEC. 43. [Transfer of Records.] (a) There are hereby transferred to the State of Hawaii all records and other papers that were made or received by any Federal or territorial agency, or any predecessor thereof, in connection with the performance of functions assumed in whole or in substantial part by the State of Hawaii. There are hereby also transferred to the State of Hawaii all records and other papers in the custody of the Public Archives of Hawaii that were made or received by any Federal agency.

''(b) There are also hereby transferred to the State of Hawaii all books, publications, and legal reference materials which are owned by the United States and which were, prior to the admission of Hawaii to the Union, placed in the custody of courts, libraries, or territorial agencies in Hawaii in order to facilitate the performance of functions conferred on such courts or agencies by Federal law.

''SEC. 44. [Use of G.S.A. Services or Facilities.] The Administrator of General Services is authorized to make available to the State of Hawaii such services or facilities as are determined by the Administrator to be necessary for an interim period, pending provision of such services or facilities by the State of Hawaii. Such interim period shall not extend beyond August 21, 1964. Payment shall be made to the General Services Administration by the State of Hawaii for the cost of such services or facilities to the Federal Government, as determined by the Administrator.

''SEC. 45. [Purchase of Typewriters.] Title I of the Independent Offices Appropriation Act, 1960, is amended by striking out the words 'for the purchase within the continental limits of the United States of any typewriting machines' and inserting in lieu thereof 'for the purchase within the States of the Union and the District of Columbia of any typewriting machines'.

''SEC. 46. [Federal Maritime Board.] Section 18(a) of the Act of March 18, 1959 (73 Stat. 12), providing for the admission of the State of Hawaii into the Union, is amended by striking out the words 'or is conferring' and inserting in lieu thereof the words 'or as conferring'.

''SEC. 47. [Effective Dates.] (a) The amendments made by section 14(a)(2)(A), by section 23(a), by paragraphs (1), (2), and (3) of section 29(d), by subsection (b), and paragraphs (1) and (3) of subsection (a), of section 30, and, except as provided in subsection (g) of this section, by section 20(b) shall be applicable in the case of promulgations or computations of Federal shares, allot-

ment percentages, allotment ratios, and Federal percentages, as the case may be, made after August 21, 1959.

''(b) The amendments made by paragraph (2) of section 30(a) shall be effective with the beginning of the calendar quarter in which this Act is enacted. The Secretary of Health, Education, and Welfare shall, as soon as possible after enactment of this Act, promulgate a Federal percentage for Hawaii determined in accordance with the provisions of subparagraph (B) of section 1101(a)(8) of the Social Security Act, such promulgation to be effective for the period beginning with the beginning of the calendar quarter in which this Act is enacted and ending with the close of June 30, 1961.

''(c) The amendment made by paragraphs (1) and (2) of subsection (b) and paragraphs (1), (2), and (3) of subsection (d) of section 14 shall be applicable in the case of fiscal years beginning after June 30, 1960.

''(d) The amendments made by paragraphs (1) and (3) of section 14(a) shall be applicable, in the case of allotments under section 302(b) or 502 of the National Defense Education Act of 1958, for fiscal years beginning after June 30, 1960, and, in the case of allotments under section 302(a) of such Act, for fiscal years beginning after allotment ratios, to which the amendment made by paragraph (2) of section 14(a) is applicable, are promulgated under such section 302(a).

''(e) The amendment made by section 30(c)(1) shall be applicable in the case of deaths occurring on or after August 21, 1959.

''(f) The amendments made by subsection (c), paragraphs (3) and (4) of subsection (b), and paragraph (4) of subsection (d) of section 14, by section 20(a), by section 23(b), by subsections (a), (b), and (c), and paragraph (4) of subsection (d), of section 29, and by subsection (d), and paragraph (2) of subsection (c), of section 30 shall become effective on August 21, 1959.

''(g)(1) The allotment percentage determined for Alaska under section 11(h) of the Vocational Rehabilitation Act, as amended by this Act, for the first, second, third, and fourth years for which such percentage is based on the per capita income data for Alaska shall be increased by 76 per centum, 64 per centum, 52 per centum, and 28 per centum, respectively, of the difference between such allotment percentage for the year involved and 75 per centum.

''(2) The Federal share for Alaska determined under section 11(i) of the Vocational Rehabilitation Act, as amended by this Act, for the first year for which such Federal share is based on per capita income data for Alaska shall be increased by 70 per centum of the difference between such Federal share for such year and 60 per centum.

''(3) If such first year for which such Federal share is based on per capita income data for Alaska is any fiscal year ending prior to July 1, 1962, the adjusted Federal share for Alaska for such year for purposes of section 2(b) of the Vocational Rehabilitation Act shall notwithstanding the provisions of paragraph (3)(A) of such section 2(b), be the Federal share determined pursuant to paragraph (2) of this subsection.

''(4) Section 47(c) of the Alaska Omnibus Act (Public Law 86–70) is repealed.

''SEC. 48. [Administration of Palmyra, Midway, and Wake Islands.] Until Congress shall provide for the government of Palmyra Island, Midway Island, and Wake Island, all executive and legislative authority necessary for the civil administration of Palmyra Island, Midway Island and Wake Island, and all judicial authority other than that contained in the Act of June 15, 1950 (64 Stat. 217), as amended, shall continue to be vested in such person or persons and shall be exercised in such manner and through such agency or agencies as the President of the United States may direct or authorize. In the case of Palmyra Island, such person or persons may confer upon the United States District Court for the District of Hawaii such jurisdiction (in addition to that contained in such Act of June 15, 1950), and such judicial functions and duties as he or they may deem appropriate for the civil administration of such island.

''SEC. 49. [Other Subjects.] The amendment by this Act of certain statutes by deleting therefrom specific references to Hawaii or such phrases as 'Territory of Hawaii' shall not be construed to affect the applicability or inapplicability in or to Hawaii of other statutes not so amended.

''SEC. 50. [Separability.] If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.''

CONVEYANCE OF CERTAIN SURPLUS FEDERAL LANDS IN HAWAII

Pub. L. 88–233, Dec. 23, 1963, 77 Stat. 472

''[Sec. 1. Procedure for conveyance to Hawaii of surplus Federal lands held as ceded, Statehood, permit and Sand Island lands; terms and conditions; monetary consideration; fair market value for improvements; disposal under other applicable laws; proportional payment of proceeds.] That (a)(i) whenever after August 21, 1964, any of the public lands and other public property as defined in section 5(g) of Public Law 86–3 (73 Stat. 4, 6) [set out as a note above], or any lands acquired by the Territory of Hawaii and its subdivisions, which are the property of the United States pursuant to section 5(c) or become the property of the United States pursuant to section 5(d) of Public Law 86–3, except the lands administered pursuant to the Act of August 25, 1916 (39 Stat. 535), as amended [sections 1 to 4 of Title 16, Conservation] and (ii) whenever any of the lands of the United States on Sand Island, including the reef lands in connection therewith, in the city and county of Honolulu, are determined to be surplus property by the Administrator of General Services (hereinafter referred to as the ''Administrator'') with the concurrence of the head of the department or agency exercising administration or control over such lands and property, they shall be conveyed to the State of Hawaii by the Administrator subject to the provisions of this Act.

''(b) Such lands and property shall be conveyed without monetary consideration, but subject to such other terms and conditions as the Administrator may prescribe: *Provided*, That, as a condition precedent to the conveyance of such lands, the Administrator shall require payment by the State of Hawaii of the estimated fair market value, as determined by the Administrator, of any buildings, structures, and other improvements erected and made on such lands after they were set aside. In the event that the State of Hawaii does not agree to any payment prescribed by the Administrator, he may remove, relocate, and otherwise dispose of any such buildings, structures, and other improvements under other applicable laws, or if the Administrator determines that they cannot be removed without substantial damage to them or the lands containing them, he may dispose of them and the lands involved under other applicable laws, but, in such cases he shall pay to the State of Hawaii that portion of any proceeds from such disposal which he estimates to be equal to the value of the lands involved. Nothing in this section shall prevent the disposal by the Administrator under other applicable laws of the lands subject to conveyance to the State of Hawaii under this section if the State of Hawaii so chooses.

''SEC. 2. [Public trust; terms and conditions.] Any lands, property, improvements, and proceeds conveyed or paid to the State of Hawaii under section 1 of this Act shall be considered a part of public trust established by section 5(f) of Public Law 86–3 [set out above], and shall be subject to the terms and conditions of that trust.''

PROC. NO. 3309. ADMISSION OF THE STATE OF HAWAII INTO THE UNION

Proc. No. 3309, Aug. 21, 1959, 24 F.R. 6868, 73 Stat. c74, provided:

WHEREAS the Congress of the United States by the act approved on March 18, 1959 (73 Stat. 4) [set out

above], accepted, ratified, and confirmed the constitution adopted by a vote of the people of Hawaii in an election held on November 7, 1950, and provided for the admission of the State of Hawaii into the Union on an equal footing with the other States upon compliance with certain procedural requirements specified in that act; and

WHEREAS it appears from the information before me that a majority of the legal votes cast at an election on June 27, 1959, were in favor of each of the propositions required to be submitted to the people of Hawaii by section 7(b) of the act of March 18, 1959 [set out above]; and

WHEREAS it further appears from information before me that a general election was held on July 28, 1959, and that the returns of the general election were made and certified as provided in the act of March 18, 1959 [set out above]; and

WHEREAS the Governor of Hawaii has certified to me the results of the submission to the people of Hawaii of the three propositions set forth in section 7(b) of the act of March 18, 1959 [set out above], and the results of the general election; and

WHEREAS I find and announce that the people of Hawaii have duly adopted the propositions required to be submitted to them by the act of March 18, 1959 [set out above], and have duly elected the officers required to be elected by that act:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby declare and proclaim that the procedural requirements imposed by the Congress on the State of Hawaii to entitle that State to admission into the Union have been complied with in all respects and that admission of the State of Hawaii into the Union on an equal footing with the other States of the Union is now accomplished.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington at four p.m. E.D.T. on this twenty-first day of August in the year of our Lord nineteen hundred and fifty-nine, and of the Independence of the United States of America the one hundred and eighty-fourth.

DWIGHT D. EISENHOWER.

[SEAL]

EX. ORD. NO. 11048. ADMINISTRATION OF WAKE ISLAND AND MIDWAY ISLAND

Ex. Ord. No. 11048, Sept. 4, 1962, 27 F.R. 8851, as amended by Ex. Ord. No. 13022, §1, Oct. 31, 1996, 61 F.R. 56875, provided:

By virtue of the authority vested in me by section 48 of the Hawaii Omnibus Act (approved July 12, 1960; 74 Stat. 424; P.L. 86–624) [set out above] and section 301 of title 3 of the United States Code and as President of the United States, it is hereby ordered as follows:

PART I—WAKE ISLAND

SECTION 101. The Secretary of the Interior shall be responsible for the civil administration of Wake Island and all executive and legislative authority necessary for that administration, and all judicial authority respecting Wake Island other than the authority contained in the act of June 15, 1950 (64 Stat. 217), as amended (48 U.S.C. 644a), shall be vested in the Secretary of the Interior.

SEC. 102. The executive, legislative, and judicial authority provided for in section 101 of this order (1) may be exercised through such agency or agencies of the Department of the Interior, or through such officers or employees under the jurisdiction of the Secretary of the Interior, as the Secretary may direct or authorize, (2) may be exercised through such agency or agencies, other than or not in the Department of the Interior, or through such officers or employees of the United States not under the administrative supervision of the Secretary, for such time and under such conditions as may be agreed upon between the Secretary and such agency, agencies, officers or employees of the United States, and (3) shall be exercised in such manner as the Secretary, or any person or persons acting under the authority of the Secretary, may direct or authorize.

SEC. 103. Executive Order No. 6935 of December 29, 1934, to the extent that it pertains to Wake Island, is hereby superseded.

PART II—MIDWAY ISLAND

[Superseded by Ex. Ord. No. 13022, §1, Oct. 31, 1996, 61 F.R. 56875]

PART III—MISCELLANEOUS PROVISIONS

SECTION 301. The provisions of each of the foregoing Parts of this order shall continue in force until the Congress shall provide for the civil administration of the affected Island or until such earlier time as the President may specify.

SEC. 302. As used herein, the terms ''Wake Island'' and ''Midway Island'' include the reefs appurtenant to, and the territorial waters of, Wake Island and Midway Island, respectively.

SEC. 303. To the extent that any prior Executive order or proclamation is inconsistent with the provisions of this order, this order shall control.

SEC. 304. This order shall not be deemed to affect Executive Order No. 9709 of March 29, 1946, or Executive Order No. 9797 of November 6, 1946.

SEC. 305. Nothing in this order shall be deemed to reduce, limit, or otherwise modify the authority or responsibility of the Attorney General to represent the legal interests of the United States in civil or criminal cases arising under the provisions of the act of June 15, 1950.

EX. ORD. NO. 13022. ADMINISTRATION OF THE MIDWAY ISLANDS

Ex. Ord. No. 13022, Oct. 31, 1996, 61 F.R. 56875, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 48 of the Hawaii Omnibus Act, Public Law 86-624 [set out above], and section 301 of title 3, United States Code, it is hereby ordered as follows:

SECTION 1. The Midway Islands, Hawaiian group, and their territorial seas, located approximately between the parallels of 28 degrees 5 minutes and 28 degrees 25 minutes North latitude and between the meridians of 177 degrees 10 minutes and 177 degrees 30 minutes West longitude, were placed under the jurisdiction and control of the Department of the Navy by the provisions of Executive Order 199–A of January 20, 1903, and Part II of Executive Order 11048 of September 4, 1962, and are hereby transferred to the jurisdiction and control of the Department of the Interior. The provisions of Executive Order 199–A of January 20, 1903, and the provisions of Executive Order 11048 of September 4, 1962, that pertain to the Midway Islands are hereby superseded.

SEC. 2. The Midway Islands Naval Defensive Sea Area and the Midway Islands Naval Airspace Reservation are hereby dissolved. The provisions of Executive Order 8682 of February 14, 1941, as amended by Executive Order 8729 of April 2, 1941, are hereby superseded.

SEC. 3. (a) The Secretary of the Interior, through the United States Fish and Wildlife Service, shall administer the Midway Islands as the Midway Atoll National Wildlife Refuge in a manner consistent with Executive Order 12996 of March 25, 1996 [16 U.S.C. 668dd note], for the following purposes:

(1) maintaining and restoring natural biological diversity within the refuge;

(2) providing for the conservation and management of fish and wildlife and their habitats within the refuge;

(3) fulfilling the international treaty obligations of the United States with respect to fish and wildlife;

(4) providing opportunities for scientific research, environmental education, and compatible wildlife dependent recreational activities; and

(5) in a manner compatible with refuge purposes, shall recognize and maintain the historic significance of the Midway Islands consistent with the policy stated in Executive Order 11593 of May 13, 1971 [16 U.S.C. 470 note].

(b) The Secretary of the Interior shall be responsible for the civil administration of the Midway Islands and all executive and legislative authority necessary for that administration, and all judicial authority respecting the Midway Islands other than the authority contained in 48 U.S.C. 644a.

SEC. 4. Any civil or criminal proceeding that is pending under the Midway Islands Code, 32 CFR Part 762, upon the date of this order, shall remain under the jurisdiction of the Secretary of the Navy. Actions arising after the date of this order are the responsibility of the Secretary of the Interior and shall be administered pursuant to regulations promulgated by the Secretary of the Interior.

SEC. 5. To the extent that any prior Executive order or proclamation is inconsistent with the provisions of this order, this order shall control.

SEC. 6. Nothing in this order shall be deemed to reduce, limit, or otherwise modify the authority or responsibility of the Attorney General of the United States to represent the legal interests of the United States in civil or criminal cases arising under the provisions of 48 U.S.C. 644a.

WILLIAM J. CLINTON.

DELEGATION OF FUNCTIONS

Ex. Ord. No. 11230, June 28, 1965, 30 F.R. 8447, under which the functions of the President under section 5(e) of the Hawaii Statehood Act of Mar. 18, 1959, [set out above], were delegated to the Director of the Bureau of the Budget [now Director of Office of Management and Budget], was superseded by Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, set out under section 301 of Title 3, The President.

§§ 491 to 503. Omitted

CODIFICATION

Sections 491 to 503, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 491, act Apr. 30, 1900, ch. 339, § 2, 31 Stat. 141, gave name Territory of Hawaii to Hawaiian Islands.

Section 492, act Apr. 30, 1900, ch. 339, § 3, 31 Stat. 141, established a Territorial government with its capital at Honolulu.

Section 493, act Apr. 30, 1900, ch. 339, § 1, 31 Stat. 141, defined ''the laws of Hawaii'' as used in this chapter.

Section 494, act Apr. 30, 1900, ch. 339, § 4, 31 Stat. 141, granted United States citizenship to citizens of former Republic of Hawaii and Territorial citizenship to United States citizens resident in Territory under certain conditions.

Section 495, acts Apr. 30, 1900, ch. 339, § 5, 31 Stat. 141; May 27, 1910, ch. 258, § 1, 36 Stat. 443; Apr. 12, 1930, ch. 136, § 1(a), 46 Stat. 160; June 6, 1932, ch. 209, § 116(b), 47 Stat. 205, made applicable to Territory the United States Constitution and all other laws of the United States including laws carrying general appropriations.

Section 496, act Apr. 30, 1900, ch. 339, § 6, 31 Stat. 142, continued in force laws of Hawaii not inconsistent with the Constitution or laws of the United States.

Section 497, act Apr. 30, 1900, ch. 339, § 74, 31 Stat. 155, continued in force laws of Hawaii relating to agriculture and forestry subject to modification by Congress or the Legislature.

Section 498, act Apr. 30, 1900, ch. 339, § 102, 31 Stat. 161, related to abolishment of laws related to postal savings banks.

Section 499, Joint Res. July 7, 1898, No. 55, § 1, 30 Stat. 751, provided for assumption of public debt of Hawaii existing on July 7, 1898, not to exceed $4,000,000.

Section 500, act Apr. 30, 1900, ch. 339, § 9, 31 Stat. 143, amended the laws of Hawaii to read ''Governor of the Territory'' or ''Territory'' as the context required whenever reference was made to ''President of the Republic'' or ''Republic'' in the laws.

Section 501, act Apr. 30, 1900, ch. 339, § 10, 31 Stat. 143, continued in effect and transferred to Territory of Hawaii prior rights in favor and against the former Republic of Hawaii and preserved all criminal proceedings.

Section 502, act Apr. 30, 1900, ch. 339, § 10, 31 Stat. 143, prohibited suits for specific performance of personal labor contracts.

Section 503, act Apr. 30, 1900, ch. 339, § 10, 31 Stat. 143, provided that contracts made between Apr. 12, 1898, and Apr. 30, 1900, providing for service for a definite term, should be null and void.

§ 504. Repealed. June 27, 1952, ch. 477, title IV, § 403(a)(6), 66 Stat. 279

Section, act Apr. 30, 1900, ch. 339, § 10, 31 Stat. 143, related to applicability of immigration contract labor law. See section 1151 et seq. of Title 8, Aliens and Nationality.

§§ 505 to 518. Omitted

CODIFICATION

Sections 505 to 518, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 505, act Apr. 30, 1900, ch. 339, § 11, 31 Stat. 144, prescribed the style of process in courts.

Section 506, act Apr. 30, 1900, ch. 339, §§ 95, 96, 31 Stat. 160, made certain fisheries free to United States citizens subject to vested rights.

Section 507, act Apr. 30, 1900, ch. 339, § 96, 31 Stat. 160, provided for condemnation of private fishing rights.

Section 508, acts Apr. 30, 1900, ch. 339, § 97, 31 Stat. 160; July 1, 1944, ch. 373, title IX, § 913, formerly title VI, § 611, 58 Stat. 714, provided that jurisdiction of health laws remain under the control of Territory of Hawaii.

Section 509, act Apr. 30, 1900, ch. 339, § 98, 31 Stat. 161, allowed American registry of Hawaiian-registered vessels.

Section 510, acts Apr. 30, 1900, ch. 339, § 89, 31 Stat. 159; Aug. 4, 1949, ch. 393, §§ 1, 20, 63 Stat. 496, 561; June 29, 1954, ch. 418, 68 Stat. 323, placed control of wharves and landings under Territory of Hawaii.

Section 511, acts Apr. 30, 1900, ch. 339, § 91, 31 Stat. 159; May 27, 1910, ch. 258, § 7, 36 Stat. 447; June 19, 1930, ch. 546, 46 Stat. 789; Aug. 21, 1958, Pub. L. 85–719, § 1, 72 Stat. 709, gave to Territory of Hawaii control of public property ceded to United States by Republic of Hawaii and allowed transfer of title to political subdivisions of Territory.

Section 512, act May 26, 1906, ch. 2561, 34 Stat. 204, made provision for sale, lease, or disposal of personal or movable property ceded to the United States.

Section 513, act Jan. 14, 1903, ch. 186, §§ 1, 2, 32 Stat. 770, called for recoinage of Hawaiian silver coins into subsidiary silver coins of the United States.

Section 514, act Jan. 14, 1903, ch. 186, § 3, 32 Stat. 771, allowed any collector of customs or internal revenue to exchange United States coins in his custody for Hawaiian coins under regulations of Secretary of the Treasury.

Section 515, act Jan. 14, 1903, ch. 186, § 4, 32 Stat. 771, allowed recoinage of mutilated or abraded Hawaiian coins into subsidiary coinage of the United States by any mint of the United States.

Section 516, act Jan. 14, 1903, ch. 186, § 6, 32 Stat. 771, made unlawful circulation as money of any silver certificate issued by government of Hawaiian Islands prior to Jan. 14, 1903.

Section 517, act Jan. 14, 1903, ch. 186, § 7, 32 Stat. 771, limited redemption of Hawaiian silver certificates or silver coin to redemption in manner and upon conditions set for recoinage of Hawaiian silver.

Section 518, act Apr. 30, 1900, ch. 3390, § 105, as added July 9, 1921, ch. 42, § 315, 42 Stat. 120, prohibited employ-

ment as a mechanic or laborer on any public work of persons not citizens of the United States or eligible for such citizenship.

§ 518a. Repealed. July 25, 1947, ch. 327, § 1, 61 Stat. 449

Section, act Jan. 2, 1942, ch. 646, 55 Stat. 881, related to employment of nationals of the United States on public works in Hawaii during the national emergency.

§ 519. Omitted

CODIFICATION

Section, acts Apr. 30, 1900, ch. 339, § 55, 31 Stat. 150; May 27, 1910, ch. 258, § 4, 36 Stat. 444; July 9, 1921, ch. 42, § 302, 42 Stat. 116; June 6, 1926, ch. 512, §§ 1, 2, 44 Stat. 710, 711, which required two-year residence for grant of a divorce, was omitted in view of admission of Hawaii into the Union.

§ 520. Repealed. Mar. 26, 1934, ch. 88, § 1, 48 Stat. 467

Section, act May 23, 1918, ch. 84, § 1, 40 Stat. 560, prohibited manufacture, sale, transport, etc., of intoxicating liquors.

§§ 531 to 535. Omitted

CODIFICATION

Sections 531 to 535, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 531, acts Apr. 30, 1900, ch. 339, § 66, 31 Stat. 153; July 9, 1921, ch. 42, § 303, 42 Stat. 116, vested executive power in a governor and set out his age and residence requirements, appointment, term, and powers in general.

Section 532, act Apr. 30, 1900, ch. 339, § 67, 31 Stat. 153, made governor responsible for the execution of all laws and granted him other executive powers.

Section 533, act Apr. 30, 1900, ch. 339, § 68, 31 Stat. 153, vested in governor powers and duties of specified former officials.

Section 534, acts Apr. 30, 1900, ch. 339, § 69, 31 Stat. 154; July 2, 1932, ch. 389, 47 Stat. 565; Aug. 21, 1958, Pub. L. 85–714, 72 Stat. 707, called for appointment of a Secretary of Hawaii and set out powers and duties of his office.

Section 535, act Apr. 30, 1900, ch. 339, § 70, 31 Stat. 154, called for secretary to perform duties of governor in event of governor's death, removal, resignation, or disability.

§ 536. Repealed. Pub. L. 86–3, § 14(e), Mar. 18, 1959, 73 Stat. 10

Section, acts Apr. 30, 1900, ch. 339, § 92, 31 Stat. 159; May 27, 1910, ch. 258, § 8, 36 Stat. 448; July 9, 1921, ch. 42, § 314, 42 Stat. 120; Oct. 15, 1949, ch. 695, § 5(a), 63 Stat. 680, prescribed salary of governor and secretary of Territory of Hawaii, and specified incidental expenses of governor.

§§ 537, 538. Omitted

CODIFICATION

Sections 537 and 538, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 537, act Apr. 30, 1900, ch. 339, § 71, 31 Stat. 154, prescribed powers and duties of attorney general of Hawaii.

Section 538, act Apr. 30, 1900, ch. 339, § 72, 31 Stat. 154, prescribed powers and duties of treasurer of Hawaii.

§ 539. Repealed. Pub. L. 86–3, § 14(e), Mar. 18, 1959, 73 Stat. 10

Section, acts Apr. 30, 1900, ch. 339, § 92, 31 Stat. 159; May 27, 1910, ch. 258, § 8, 36 Stat. 448; July 9, 1921, ch. 42, § 314, 42 Stat. 120, authorized governor to employ a private secretary at an annual salary of $3,000.

§ 540. Omitted

CODIFICATION

Section, act Apr. 30, 1900, ch. 339, § 75, 31 Stat. 155, which prescribed powers and duties of superintendent of public works, was omitted in view of admission of Hawaii into the Union.

§ 541. Repealed. Pub. L. 96–470, title I, § 110, Oct. 19, 1980, 94 Stat. 2239

Section, acts Apr. 30, 1900, ch. 339, § 76, 31 Stat. 155; Apr. 8, 1904, ch. 948, 33 Stat. 164; Mar. 4, 1913, ch. 141, § 3, 37 Stat. 737, prescribed powers and duties of the superintendent of public instruction.

§§ 542 to 546. Omitted

CODIFICATION

Sections 542 to 546, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 542, acts Apr. 30, 1900, ch. 339, § 77, 31 Stat. 156; Aug. 1, 1956, ch. 862, § 1, 70 Stat. 920, created posts of auditor and deputy auditor and prescribed their powers and duties.

Section 542a, act Apr. 30, 1900, ch. 339, § 77A, as added Aug. 1, 1956, ch. 862, § 2, 70 Stat. 920, created position of post auditor and set out his duties, term, and powers.

Section 543, act Apr. 30, 1900, ch. 339, § 78, 31 Stat. 156, prescribed powers and duties of surveyor.

Section 544, act Apr. 30, 1900, ch. 339, § 79, 31 Stat. 156, prescribed powers and duties of high sheriff and deputies.

Section 545, act Apr. 30, 1900, ch. 339, § 106, as added July 9, 1921, ch. 42, § 315, 42 Stat. 121, and amended Aug. 14, 1958, Pub. L. 85–650, § 1, 72 Stat. 606, prescribed powers and duties of board of harbor commissioners and called for board supervision of moneys appropriated for harbor improvements.

Section 546, acts Apr. 30, 1900, ch. 339, § 80, 31 Stat. 156; Mar. 3, 1905, ch. 1465, § 2, 33 Stat. 1035; July 9, 1921, ch. 42, § 312, 42 Stat. 119; Aug. 1, 1956, ch. 862, § 1, 70 Stat. 920; Aug. 28, 1958, Pub. L. 85–793, §§ 1, 2, 72 Stat. 957, dealt with nomination and appointment of officers by governor and provided for their terms and salaries.

§§ 561 to 599. Omitted

CODIFICATION

Sections 561 to 599, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 561, act Apr. 30, 1900, ch. 339, § 12, 31 Stat. 144, called for a bicameral legislature for Territory consisting of a senate and house of representatives.

Section 562, acts Apr. 30, 1900, ch. 339, § 55, 31 Stat. 150; May 27, 1910, ch. 258, § 4, 36 Stat. 444; July 9, 1921, ch. 42, § 302, 42 Stat. 116; June 9, 1926, ch. 512, §§ 1, 2, 44 Stat. 710, 711; Aug. 1, 1956, ch. 851, § 7, 70 Stat. 907; Aug. 20, 1958, Pub. L. 85–691, § 3, 72 Stat. 685, described scope of legislative power.

Section 562a, act July 15, 1935, ch. 378, § 1, 49 Stat. 479, authorized issuance of revenue bonds by legislature and empowered legislature to authorize issuance of bonds by political or municipal corporations or subdivisions.

Section 562b, act July 15, 1935, ch. 378, § 2, 49 Stat. 480, empowered legislature to authorize city and county of Honolulu to issue flood control bonds.

Section 562c, act July 15, 1935, ch. 378, § 3, 49 Stat. 480, approved, ratified, and confirmed issuance of revenue bonds which had been authorized by legislature prior to July 15, 1935.

Section 562c–1, act Apr. 3, 1944, ch. 154, 58 Stat. 186, ratified and confirmed legislative action which had extended time within which revenue bonds could be is-

sued without presidential approval and without reference to Hawaiian Organic Act.

Section 562c–2, act July 30, 1947, ch. 396, 61 Stat. 676, ratified and confirmed legislative action which had extended time within which revenue bonds could be issued without presidential approval and without reference to Hawaiian Organic Act.

Section 562d, act Aug. 31, 1935, ch. 436, § 1, 49 Stat. 516, empowered legislature to authorize issuance of revenue bonds by political or municipal corporations or subdivisions of Territory and confirmed and ratified acts of legislature prior to Aug. 3, 1935, which authorized issuance of revenue bonds.

Section 562e, acts Aug. 3, 1935, ch. 436, § 2, 49 Stat. 517; May 28, 1937, ch. 274, 50 Stat. 211; July 10, 1937, ch. 486, 50 Stat. 509, authorized Territory to issue public improvement bonds.

Section 562e–1, act June 29, 1954, ch. 417, 68 Stat. 322, ratified and confirmed Revenue Bond Act of 1935, as amended, through the 1953 regular session of legislature.

Section 562f, act July 10, 1937, ch. 485, 50 Stat. 508, authorized issuance of public improvement bonds by Territory.

Section 562g, acts July 10, 1937, ch. 484, 50 Stat. 508; July 18, 1950, title II, § 202(a), 64 Stat. 345, authorized legislature to establish authorities for slum clearance and housing projects, made provision for issuance of bonds therefor, ratified and confirmed prior legislation on subject, and provided that powers granted should not be in derogation of other powers granted by other laws.

Section 562h, act July 10, 1937, ch. 483, § 1, 50 Stat. 507, empowered legislature to authorize city and county of Honolulu to issue general obligation bonds to permit construction of a sewer system.

Section 562i, act July 10, 1937, ch. 483, § 2, 50 Stat. 507, dealt with nature of Honolulu sewer system bonds and provided for their maturity.

Section 562j, act July 10, 1937, ch. 483, § 3, 50 Stat. 507, ratified and confirmed action taken by legislature in its 1937 session pertaining to issuance of sewer bonds.

Section 562k, act July 18, 1947, ch. 265, 61 Stat. 381, permitted legislature to authorize issue of additional general obligation bonds by city and county of Honolulu for construction of a sewer system and ratified actions taken in 1947 session of legislature pertaining to issuance of sewer system bonds.

Section 562*l*, act July 15, 1947, ch. 250, 61 Stat. 326, authorized and empowered Territory to issue public improvement bonds during 1947–1951 and provided for maturity of such bonds and their issuance without presidential approval.

Section 562m, act Oct. 26, 1949, ch. 754, §§ 1–3, 63 Stat. 926, authorized and empowered Territory to issue public improvement bonds during 1949–1955, and provided for their maturity and issuance without presidential approval.

Section 562n, acts Aug. 24, 1954, ch. 889, §§ 1–3, 68 Stat. 782; July 14, 1956, ch. 606, § 1, 70 Stat. 552; Aug. 20, 1958, Pub. L. 85–691, § 1, 72 Stat. 685, empowered legislature to authorize issuance of general obligation bonds for veterans' mortgages and provided for their limitation, maturity, and ratification.

Section 562*o*, acts Aug. 24, 1954, ch. 892, §§ 1, 3, 4, 68 Stat. 785; July 14, 1956, ch. 606, § 2, 70 Stat. 552; Aug. 20, 1958, Pub. L. 85–691, § 2, 72 Stat. 685, ratified and confirmed issuance of public improvement bonds issued during 1954 to 1959 and limited maturity date of such bonds.

Section 562p, act Aug. 24, 1954, ch. 896, §§ 1–3, 68 Stat. 787, empowered legislature to authorize city and county of Honolulu to issue public improvement bonds for construction of sewerage systems in Honolulu.

Section 562q, act Aug. 24, 1954, ch. 898, §§ 1–3, 68 Stat. 788, empowered legislature to authorize city and county of Honolulu to issue public improvement bonds for construction of flood-control and drainage systems in Honolulu.

Section 562r, act July 11, 1956, ch. 567, §§ 1–3, 70 Stat. 526, ratified and confirmed issuance of general obligation bonds by city and county of Honolulu and authorized issuance of additional bonds, setting a limit on size of such issue.

Section 562s, act July 14, 1956, ch. 602, § 1, 70 Stat. 545, authorized Territory to issue revenue bonds for highway construction payable from funds derived from highway vehicle fuel taxes.

Section 562t, act July 14, 1956, ch. 602, § 2, 70 Stat. 545, set out certain requirements for bonds issued under section 562s.

Section 562u, act July 14, 1956, ch. 602, § 3, 70 Stat. 545, allowed application of federal-aid highway funds to aid in retirement of highway bonds.

Section 562v, act July 14, 1956, ch. 602, § 4, 70 Stat. 545, defined ''highway fuel taxes'' as used in sections 562s–562v.

Section 562w, Pub. L. 85–534, § 2, July 18, 1958, 72 Stat. 379, authorized Territory to issue aviation revenue bonds, set out requirements and limitations thereof, allowed for retirement thereof with Federal funds, and defined ''aviation fuel taxes''.

Section 563, acts Apr. 30, 1900, ch. 339, § 56, 31 Stat. 151; Mar. 3, 1905, ch. 1465, § 1, 33 Stat. 1035, empowered legislature to create town and city municipalities and provide for government thereof.

Section 564, act Apr. 30, 1900, ch. 339, § 13, 31 Stat. 144, prohibited persons from sitting as senators and representatives in legislature except in conformity with statutory provisions therefor.

Section 565, acts Apr. 30, 1900, ch. 339, § 30, 31 Stat. 146; Aug. 1, 1956, ch. 851, § 1, 70 Stat. 903, provided for number of senators and for the length of their term.

Section 566, acts Apr. 30, 1900, ch. 339, § 34, 31 Stat. 147; Sept. 15, 1922, ch. 315, 42 Stat. 844, set out age, citizenship, and residence requirements of senators.

Section 567, act Apr. 30, 1900, ch. 339, § 31, 31 Stat. 146, called for filling of vacancies in senate caused by death, resignation, or otherwise through general or special elections.

Section 568, acts Apr. 30, 1900, ch. 339, § 32, 31 Stat. 147; Aug. 1, 1956, ch. 851, § 2, 70 Stat. 903, divided Territory into senatorial districts.

Section 569, acts Apr. 30, 1900, ch. 339, § 32, 31 Stat. 147; Aug. 1, 1956, ch. 851, § 3, 70 Stat. 903, apportioned senators between various senatorial districts.

Section 570, acts Apr. 30, 1900, ch. 339, § 35, 31 Stat. 147; Aug. 1, 1956, ch. 851, § 4, 70 Stat. 903, set out number of representatives and called for their election by qualified voters of respective representative districts.

Section 571, acts Apr. 30, 1900, ch. 339, § 40, 31 Stat. 148; Sept. 15, 1922, ch. 315, 42 Stat. 844, stated age, citizenship, and residence requirements of representatives.

Section 572, act Apr. 30, 1900, ch. 339, § 36, 31 Stat. 147, placed term of office of representatives as period between their election at a general or special election and next general election held thereafter.

Section 573, act Apr. 30, 1900, ch. 339, § 37, 31 Stat. 147, directed that vacancies in house of representatives caused by death, resignations, or otherwise be filled by special elections.

Section 574, acts Apr. 30, 1900, ch. 339, § 38, 31 Stat. 147; Aug. 1, 1956, ch. 851, § 5, 70 Stat. 906, divided Territory into representative districts.

Section 575, acts Apr. 30, 1900, ch. 339, § 30, 31 Stat. 148; Aug. 1, 1956, ch. 851, § 6, 70 Stat. 906, apportioned representatives between the representative districts.

Section 576, acts Apr. 30, 1900, ch. 339, §§ 41–43, 31 Stat. 148; Aug. 20, 1958, Pub. L. 85–690, §§ 1, 2, 72 Stat. 684, set date for regular and budget sessions, commencement, duration, and adjournment, and budget session agenda.

Section 577, act Apr. 30, 1900, ch. 339, § 44, 31 Stat. 148, set out enacting clause of all laws and required that all legislative sessions be conducted in English language.

Section 578, act Apr. 30, 1900, ch. 339, § 45, 31 Stat. 148, required that each law embrace but one subject and that its subject be expressed in its title.

Section 579, act Apr. 30, 1900, ch. 339, § 46, 31 Stat. 148, covered passage of bills on three readings on separate days and final passage by a majority vote of all members to which each house is entitled taken by ayes and noes and entered upon journal.

Section 580, act Apr. 30, 1900, ch. 339, § 47, 31 Stat. 149, provided for certification of bills by the presiding officer or clerk of the house just passed and immediate submission to other house for consideration.

Section 581, act Apr. 30, 1900, ch. 339, § 49, 31 Stat. 149, made provision for veto or approval of bills and allowed veto of specific items in appropriation bills while requiring veto of all other bills only in their entirety.

Section 582, act Apr. 30, 1900, ch. 339, § 48, 31 Stat. 149, required signature of governor to make valid all bills passed by legislature except as otherwise provided.

Section 583, act Apr. 30, 1900, ch. 339, § 50, 31 Stat. 149, set out procedure to be followed by legislature in event of a veto by governor.

Section 584, act Apr. 30, 1900, ch. 339, § 51, 31 Stat. 149, set out effect to be given governor's failure to sign, veto, or return a bill passed by legislature and sent to him.

Section 585, acts Apr. 30, 1900, ch. 339, § 52, 31 Stat. 149; May 27, 1910, ch. 258, § 3, 36 Stat. 444, required that appropriation be made by legislature except as otherwise provided.

Section 586, acts Apr. 30, 1900, ch. 339, § 53, 31 Stat. 149; Aug. 20, 1958, Pub. L. 85–690, § 3, 72 Stat. 684, required governor to submit to legislative estimates of appropriations for succeeding biennial period or for succeeding fiscal year in event of an additional regular session of legislature.

Section 587, act Apr. 30, 1900, ch. 339, § 54, 31 Stat. 150, made provision for calling of an extra session of the legislature and payment by treasurer of current expenses in event of failure of legislature to pass appropriation bills covering necessary current expenses.

Section 588, acts Apr. 30, 1900, ch. 339, § 16, 31 Stat. 145; Oct. 26, 1949, ch. 752, 63 Stat. 926, prohibited appointment or election of a member of legislature to any office of Territory during term for which he was elected.

Section 589, act Apr. 30, 1900, ch. 339, § 17, 31 Stat. 145, made ineligible to hold office of member of legislature any person holding office in or under or by authority of Government of United States or Territory of Hawaii.

Section 590, act Apr. 30, 1900, ch. 339, § 18, 31 Stat. 145, made ineligible to vote for or hold office in legislature all idiot or insane persons, persons expelled from legislature for bribery, and persons convicted of criminal offenses punishable by imprisonment for a term exceeding one year unless person was convicted and subsequently had his civil rights restored.

Section 591, act Apr. 30, 1900, ch. 339, § 19, 31 Stat. 145, prescribed oath to be taken by legislators and territorial officers.

Section 592, act Apr. 30, 1900, ch. 339, § 20, 31 Stat. 145, called for senate and house of representatives to choose their own officers, determine rules and keep a journal.

Section 593, act Apr. 30, 1900, ch. 339, § 21, 31 Stat. 145, required that, at desire of one-fifth of members present, ayes and noes of members be entered on journal.

Section 594, act Apr. 30, 1900, ch. 339, §§ 22–24, 31 Stat. 145, set out attendance required for a quorum of each house of legislature, votes required for final passage of a law, adjournment, absentees, and a count of members present by chairman.

Section 595, act Apr. 30, 1900, ch. 339, § 28, 31 Stat. 146, granted members of legislature a privilege for any word uttered in exercise of their legislative functions in either house.

Section 596, act Apr. 30, 1900, ch. 339, § 27, 31 Stat. 146, authorized each house of legislature to punish its members by censure for disorderly behavior or neglect of duty and to suspend or expel its members by a two-thirds vote.

Section 597, act Apr. 30, 1900, ch. 339, § 25, 31 Stat. 146, authorized each house to punish non-members for contempt but granted a person so charged right to be informed of charges, present evidence, and be heard in his own defense.

Section 598, act Apr. 30, 1900, ch. 339, § 29, 31 Stat. 146, granted members of legislature a privilege from arrest, except in cases of treason, felony, or breach of peace, during their attendance at sessions in their respective houses.

Section 599, acts Apr. 30, 1910, ch. 339, § 26, 31 Stat. 146; May 27, 1910, ch. 258, § 2, 36 Stat. 444; July 9, 1921, ch. 42, § 301, 42 Stat. 115; June 27, 1930, ch. 647, 46 Stat. 824; Aug. 20, 1958, Pub. L. 85–690, § 4, 72 Stat. 684, set out compensation and additional compensation to be paid members of legislature.

§§ 611 to 620. Omitted

CODIFICATION

Sections 611 to 620, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 611, act Apr. 30, 1900, ch. 339, § 14, 31 Stat. 144, called general elections to be held on the Tuesday next after first Monday in November, biennially in even-numbered years.

Section 612, act Apr. 30, 1900, ch. 339, § 15, 31 Stat. 145, made each house judge of elections, returns, and qualifications of its own members.

Section 613, act Apr. 30, 1900, ch. 339, §§ 57, 58, 31 Stat. 151, granted each elector a privilege from military duty on election day in any way which would deprive him of his vote except in time of war or public danger and also granted a privilege from arrest while going to and returning from attendance at election except in certain cases.

Section 614, act Apr. 30, 1900, ch. 339, § 59, 31 Stat. 151, allowed each voter for representative to vote for as many representatives as would be elected from representative district in which voter was entitled to vote and gave posts of representatives to those candidates receiving highest number of votes.

Section 615, act Apr. 30, 1900, ch. 339, § 61, 31 Stat. 152, allowed each voter to cast one vote for senator to be elected from district in which voter could vote and called for required numbers of candidates receiving highest number of votes to become senators for their districts.

Section 616, act Apr. 30, 1900, ch. 339, § 62, 31 Stat. 152, made qualifications for voters for senator and for all other elections same as qualifications for voters casting votes for representative.

Section 617, acts Apr. 30, 1900, ch. 339, § 60, 31 Stat. 151; June 26, 1930, ch. 620, 46 Stat. 818, set out qualifications required for an elector to vote for representative.

Section 618, act June 13, 1918, ch. 97, §§ 1, 2, 4, 40 Stat. 604, authorized extension of franchise to women, and was repealed by act Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029. See Const. Amend. 19.

Section 619, act Apr. 30, 1900, ch. 339, § 63, 31 Stat. 152, prevented from voting all persons who were in Hawaii by reason of being in Army or Navy or being attached to troops of the United States.

Section 619a, act Apr. 30, 1900, ch. 339, § 64, 31 Stat. 152, continued in force rules and regulations for administering oaths and holding elections.

Section 620, act Apr. 30, 1900, ch. 339, § 65, 31 Stat. 153, authorized legislature to establish and alter boundaries of election districts and voting precincts and apportion senators and representatives to be elected from such districts.

§§ 631 to 633. Omitted

CODIFICATION

Sections 631 to 633, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 631, act Apr. 30, 1900, ch. 339, § 81, 31 Stat. 157, made provision for vesting of judicial power in courts and continued in force the courts' jurisdiction and procedure previously in force.

Section 632, acts Apr. 30, 1900, ch. 339, § 82, 31 Stat. 157; June 15, 1950, ch. 250, 64 Stat. 216, set out size and organization of supreme court, appointment and qualifications of its members, and provisions for filling of vacancies therein.

Section 633, acts Apr. 30, 1900, ch. 339, § 80, 31 Stat. 156; Mar. 3, 1905, ch. 1465, § 2, 33 Stat. 1035; July 9, 1921, ch.

42, § 312, 42 Stat. 119; May 9, 1956, ch. 237, § 1, 70 Stat. 130, called for presidential appointment of members of supreme court and circuit courts and set tenure and qualifications of judges.

§§ 634, 634a. Repealed. Pub. L. 86–3, § 14(e), Mar. 18, 1959, 73 Stat. 10

Section 634, acts Apr. 30, 1900, ch. 339, § 92, 31 Stat. 159; May 27, 1910, ch. 258, § 8, 36 Stat. 448; July 9, 1921, ch. 42, § 314, 42 Stat. 120, related to salaries of justices of supreme court and circuit courts.

Section 634a, acts May 29, 1928, ch. 904, §§ 1, 2, 45 Stat. 997; Apr. 30, 1956, ch. 226, § 1, 70 Stat. 123, related to salaries of justices of supreme court and circuit courts.

§§ 634b, 634c. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992

Section 634b, acts May 31, 1938, ch. 301, § 1, 52 Stat. 591; Apr. 16, 1946, ch. 139, § 1, 60 Stat. 90, related to retirement of justices and judges.

Section 634c, acts May 31, 1938, ch. 301, § 2, 52 Stat. 591; Apr. 16, 1946, ch. 139, § 2, 60 Stat. 90, related to computation of years of service.

§§ 635, 636. Omitted

CODIFICATION

Sections 635 and 636, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 635, acts Apr. 30, 1900, ch. 339, § 83, 31 Stat. 157; Apr. 1, 1952, ch. 127, § 1, 66 Stat. 32, continued in force all laws relating to judicial departments and procedure, but made certain changes with reference to membership qualifications for membership on juries.

Section 636, acts Apr. 30, 1900, ch. 339, § 84, 31 Stat. 157; May 27, 1910, ch. 258, § 6, 36 Stat. 447, set out standards for disqualification of jurors who were related by affinity or consanguinity with a person interested in case being tried and for disqualification of judges in certain cases.

DISTRICT COURT

§§ 641 to 644. Repealed. June 25, 1948, ch. 646, §§ 8, 39, 62 Stat. 986, 992

Section 641, acts Apr. 30, 1900, ch. 339, § 86(a), (d), 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; July 9, 1921, ch. 42, § 313, 42 Stat. 119; Feb. 12, 1925, ch. 220, 43 Stat. 890; Dec. 13, 1926, ch. 6, § 1, 44 Stat. 919; July 31, 1946, ch. 704, § 1, 60 Stat. 716, related to district court, sessions, powers, terms. See section 81 et seq. of Title 28, Judiciary and Judicial Procedure.

Section 642, acts Apr. 30, 1900, ch. 339, § 86(c), 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; Mar. 3, 1911, ch. 231, § 291, 36 Stat. 167; July 9, 1921, ch. 42, § 313, 42 Stat. 119; Feb. 12, 1925, ch. 220, 43 Stat. 890, related to jurisdiction of district court and authority of officers. See sections 81 et seq., 451 et seq., 501 et seq., 531 et seq., and 1331 et seq. of Title 28.

Section 642a, acts Aug. 13, 1940, ch. 662, 54 Stat. 784; Apr. 29, 1948, ch. 241, § 1, 62 Stat. 204, related to jurisdiction of cases arising on Midway, Wake, Johnston, etc., Islands. See section 91 of Title 28.

Section 643, acts Apr. 30, 1900, ch. 339, § 86, 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; July 9, 1921, ch. 42, § 313, 42 Stat. 119; Feb. 12, 1925, ch. 220, 43 Stat. 890, related to appointment and term of office of judges, district attorney, and marshal. See sections 133, 134, 501, 504, and 541 of Title 28.

Section 644, acts Apr. 30, 1900, ch. 339, § 86, 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; Mar. 4, 1921, ch. 161, § 1, 41 Stat. 1412; July 9, 1921, ch. 42, § 313, 42 Stat. 119; June 1, 1922, ch. 204, title II, 42 Stat. 614, 616; Jan. 3, 1923, ch. 21, title II, 42 Stat. 1084; Feb. 12, 1925, ch. 220, 43 Stat. 890, related to appointment and salaries of clerks, deputy clerks and reporters. See sections 604, 751, and 753 of Title 28.

§ 644a. Jurisdiction of district court of cases arising on or within Midway, Wake, Johnston, Sand, etc., Islands; laws applicable to jury trials

The jurisdiction of the United States District Court for the District of Hawaii is extended to all civil and criminal cases arising on or within the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Palmyra Island, Baker Island, Howland Island, Jarvis Island, and, having regard to the special status of Canton and Enderbury Islands pursuant to an agreement of April 6, 1939, between the Governments of the United States and of the United Kingdom to set up a regime for their use in common, the said jurisdiction is also extended to all civil and criminal cases arising on or within Canton Island and Enderbury Island: *Provided*, That such extension to Canton and Enderbury Islands shall in no way be construed to be prejudicial to the claims of the United Kingdom to said islands in accordance with the agreement. All civil acts and deeds consummated and taking place on any of these islands or in the waters adjacent thereto, and all offenses and crimes committed thereon, or on or in the waters adjacent thereto, shall be deemed to have been consummated or committed on the high seas on board a merchant vessel or other vessel belonging to the United States and shall be adjudicated and determined or adjudged and punished according to the laws of the United States relating to such civil acts or offenses on such ships or vessels on the high seas, which laws for the purpose aforesaid are extended over such islands, rocks, and keys.

The laws of the United States relating to juries and jury trials shall be applicable to the trial of such cases before said district court.

(June 15, 1950, ch. 253, 64 Stat. 217; Pub. L. 86–3, § 14(j), Mar. 18, 1959, 73 Stat. 11; Pub. L. 86–624, § 19, July 12, 1960, 74 Stat. 416.)

AMENDMENTS

1960—Pub. L. 86–624 struck out Kure Island.

1959—Pub. L. 86–3 extended jurisdiction to cases arising on or within Palmyra Island.

EFFECTIVE DATE OF 1959 AMENDMENT

Amendment by Pub. L. 86–3 effective on admission of the State of Hawaii into the Union, see note set out under section 91 of Title 28, Judiciary and Judicial Procedure. Admission of Hawaii into the Union was accomplished Aug. 21, 1959, on issuance of Proc. No. 3309, Aug. 21, 1959, 25 F.R. 6868, 73 Stat. c74, as required by sections 1 and 7(c) of Pub. L. 86–3, Mar. 18, 1959, 73 Stat. 4, set out as notes preceding section 491 of this title.

CANTON AND ENDERBURY ISLANDS; SOVEREIGNTY OF KIRIBATI

By a treaty of friendship, TIAS 10777, which entered into force Sept. 23, 1983, the United States recognized the sovereignty of Kiribati over Canton Island and Enderbury Island.

§ 645. Repealed. Pub. L. 86–3, § 14(f), Mar. 18, 1959, 73 Stat. 10

Section, acts Apr. 30, 1900, ch. 339, § 86, 31 Stat. 158; Mar. 3, 1909, ch. 269, § 1, 35 Stat. 838; Mar. 11, 1911, ch. 231, § 291, 36 Stat. 167; Mar. 4, 1920, ch. 161, § 1, 41 Stat. 1412; July 9, 1921, ch. 42, § 313, 42 Stat. 119; June 1, 1922, ch. 204, title II, 42 Stat. 614, 616; Jan. 3, 1923, ch. 21, title

II, 42 Stat. 1084; Feb. 12, 1925, ch. 220, 43 Stat. 890; Dec. 13, 1926, ch. 6, § 1, 44 Stat. 919; Jan. 31, 1928, ch. 14, § 1, 45 Stat. 54; July 31, 1946, ch. 704, § 1, 60 Stat. 716; June 25, 1948, ch. 646, §§ 8, 39, 62 Stat. 986, 992, related to removal of causes and appeal. See section 91 of Title 28, Judiciary and Judicial Procedure and notes thereunder.

§ 646. Repealed. June 25, 1948, ch. 646, § 39, 62 Stat. 992

Section, act Apr. 30, 1900, ch. 339, § 86a, as added June 19, 1939, ch. 211, 53 Stat. 841, related to rules in civil actions. See section 2072 of Title 28, Judiciary and Judicial Procedure.

§ 651. Omitted

CODIFICATION

Section, acts Apr. 30, 1900, ch. 339, § 85, 31 Stat. 158; June 28, 1906, ch. 3582, 34 Stat. 550, which provided for the election of a Delegate to the House of Representatives of the United States to serve during each Congress, was omitted in view of the admission of Hawaii into the Union.

§§ 661 to 678. Omitted

CODIFICATION

Sections 661 to 678, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 661, act July 7, 1898, No. 55, § 1, 30 Stat. 750, provided that Congress of the United States shall enact special laws for management and disposition of public lands.

Section 662, act Apr. 30, 1900, ch. 339, § 99, 31 Stat. 161, which declared to be property of Hawaiian Government portion of public domain known prior to April 30, 1900, as Crown land.

Section 663, acts Apr. 30, 1900, ch. 339, § 73(a), (b), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; July 9, 1921, ch. 42, § 304, 42 Stat. 116, defined ''public lands'', ''commissioner'', ''land board'', and ''person'', and incorporated by reference certain other defined terms.

Section 664, acts Apr. 30, 1900, ch. 339, § 73(c), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, § 5, 36 Stat. 444; July 9, 1921, ch. 42, § 304, 42 Stat. 117, declared that laws of Hawaii relating to public lands, settlement of boundaries and issuance of patents on land commission awards, shall continue in force until Congress shall otherwise provide.

Section 664a, act Sept. 26, 1941, ch. 426, § 1, 55 Stat. 734, ratified Hawaiian realty transactions consummated on or before November 25, 1941.

Section 664b, act Sept. 26, 1941, ch. 426, § 2, 55 Stat. 734, provided that realty transaction so ratified shall be deemed and held to be perfect and valid from day of date thereof.

Section 665, acts Apr. 30, 1900, ch. 339, § 73(d), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, § 5, 36 Stat. 444; July 9, 1921, ch. 42, § 304, 42 Stat. 117; Aug. 28, 1958, Pub. L. 85–803, § 1, 72 Stat. 971, prescribed terms and conditions of leases on public lands.

Section 666, acts Apr. 30, 1900, ch. 339, § 73(e), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; July 9, 1921, ch. 42, § 304, 42 Stat. 117, directed that all funds arising from sale or lease of public lands be appropriated by laws of government of the territory of Hawaii.

Section 667, acts Apr. 30, 1900, ch. 339, § 73(f), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, § 5, 36 Stat. 444; July 9, 1921, ch. 42, § 304, 42 Stat. 117, set out requirements for those who would be entitled to receive any certificate of occupation, right of purchase lease, cash freehold agreement, or special homestead agreement. Section was also classified to section 1509 of this title.

Section 668, acts Apr. 30, 1900, ch. 339, § 73(g), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, § 5, 36 Stat. 444; July 9, 1921, ch. 42, § 304, 42 Stat. 117, prescribed limitations on alienation of public lands for which certificates of occupancy have been issued. Section was also classified to section 1510 of this title.

Section 669, acts Apr. 30, 1900, ch. 339, § 73(h), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1919, ch. 258; § 5, 36 Stat. 445; July 9, 1921, ch. 42, § 305, 42 Stat. 118, set out provisions for forfeiture of lands for noncompliance with prior provisions.

Section 670, acts Apr. 30, 1900, ch. 339, § 73(i), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, § 5, 36 Stat. 445; July 9, 1921, ch. 42, § 305, 42 Stat. 118; July 27, 1939, ch. 383, § 1, 53 Stat. 1126; July 9, 1952, ch. 617, 66 Stat. 515; Apr. 6, 1956, ch. 180, § 1, 70 Stat. 102; Aug. 1, 1956, ch. 854, 70 Stat. 918, determined persons entitled to take under certificates of occupation, lease or agreement.

Section 671, acts Apr. 30, 1900, ch. 339, § 73(j), 31, Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, § 5, 36 Stat. 445; July 9, 1921, ch. 42, § 306, 42 Stat. 118, gave commissioner, with approval of governor, right to give preferences in purchasing of public lands. Section was also classified to section 1511 of this title.

Section 672, acts Apr. 30, 1900, ch. 339, § 73(k), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, § 5, 36 Stat. 445; July 9, 1921, ch. 42, § 307, 42 Stat. 118, gave commissioner, with approval of governor, power to issue patents to churches or religious organizations. Section was also classified to section 1512 of this title.

Section 673, acts Apr. 30, 1900, ch. 339, § 73(*l*), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, § 5, 36 Stat. 446; July 9, 1921, ch. 42, § 308, 42 Stat. 118; Aug. 7, 1946, ch. 771, 60 Stat. 871; July 9, 1952, ch. 616, § 1, 66 Stat. 514; Apr. 6, 1956, ch. 185, § 1, 70 Stat. 104; Aug. 21, 1958, Pub. L. 85–718, 72 Stat. 709; Aug. 28, 1958, Pub. L. 85–803, § 2, 72 Stat. 971, created board of public lands and set restrictions upon sale and lease of agricultural lands and exchange of lands.

Section 674, acts Apr. 30, 1900, ch. 339, § 73(m), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56, May 27, 1910, ch. 258, § 5, 36 Stat. 446; July 9, 1921, ch. 42, § 309, 42 Stat. 119, opened agricultural lands for settlement.

Section 675, acts Apr. 30, 1900, ch. 339, § 73(n), (p), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, § 5, 36 Stat. 446; July 9, 1921, ch. 42, §§ 310, 311, 42 Stat. 119, provided for survey and opening of homestead entry agricultural lands.

Section 676, acts Apr. 30, 1900, ch. 339, § 73(*o*), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, § 5, 36 Stat. 446; July 9, 1921, ch. 42, § 310, 42 Stat. 119, permitted any person under a general lease from Territory, to continue in possession of such land after expiration of lease until such time as homesteader takes actual possession thereof under any form of homestead agreement.

Section 677, acts Apr. 30, 1900, ch. 399, § 73(q), 31 Stat. 154; Apr. 2, 1908, ch. 124, 35 Stat. 56; May 27, 1910, ch. 258, § 5, 36 Stat. 447; July 9, 1921, ch. 42, § 311, 42 Stat. 119; Aug. 21, 1941, ch. 394, § 1, 55 Stat. 658; July 18, 1958, Pub. L. 85–534, § 1, 72 Stat. 379; Aug. 14, 1958, Pub. L. 85–650, § 2, 72 Stat. 606, improved commissioner with control, management, and disposition of public lands and included within this making of leases by Hawaiian Aeronautics commission.

Section 677–1, act Apr. 30, 1900, ch. 339, § 73(r), as added Aug. 1, 1956, ch. 820, § 1, 70 Stat. 785, provided for disposition of remnants of public lands.

Section 677a, act Apr. 30, 1900, ch. 339, § 73(par.), as added June 12, 1940, ch. 336, § 1, 54 Stat. 345, provided for reamortization of indebtedness under homestead agreements.

Section 677b, act Apr. 30, 1900, ch. 339, § 73(par.), as added June 12, 1940, ch. 336, § 1, 54 Stat. 346, provided for refunds on account of reamortization of homestead agreements.

Section 678, act Apr. 30, 1900, ch. 339, § 107, as added July 9, 1921, ch. 42, § 315, 42 Stat. 121, cited the Act of April 30, 1900, ch. 339, 31 Stat. 141, as the ''Hawaiian Organic Act''.

§§ 691 to 718. Omitted

CODIFICATION

Sections 691 to 718, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 691, act July 9, 1921, ch. 42, title I, § 1, 42 Stat. 108, cited sections 691–704 and 705–716 of this title, as the ''Hawaiian Homes Commission Act, 1920''.

Section 692, acts July 9, 1921, ch. 42, title II, § 201, 42 Stat. 108; June 18, 1954, ch. 321, § 2, 68 Stat. 263, defined ''Commission'', ''public lands'', ''fund'', ''Territory'', ''Hawaiian home lands'', ''tract'', ''native Hawaiian'' and ''irrigated pastoral land'' as used in ''Hawaiian Homes Commission Act, 1920''.

Section 693, acts July 9, 1921, ch. 42, title II, § 202, 42 Stat. 109; July 26, 1935, ch. 420, § 1, 49 Stat. 504; May 31, 1944, ch. 216, § 1, 58 Stat. 260; July 9, 1952, ch. 618, §§ 1, 3, 66 Stat. 515, 516, established Hawaiian Homes Commission.

Section 694, acts July 9, 1921, ch. 42, title II, § 222, 42 Stat. 115; Nov. 26, 1941, ch. 544, § 7, 55 Stat. 787; June 14, 1948, ch. 646, § 8, 62 Stat. 394, empowered commission to make such regulations and with approval of Governor, such expenditures as are necessary to efficient execution of his office.

Section 695, act July 9, 1921, ch. 42, title II, § 222, 42 Stat. 115, required commission to make a biennial report to legislature of Territory.

Section 696, act July 9, 1921, ch. 42, title II, § 222, 42 Stat. 115, directed that executive officer and secretary give bond for faithful performance of his duties.

Section 697, acts July 9, 1921, ch. 42, title II, § 203, 42 Stat. 109; May 16, 1934, ch. 290, § 1, 48 Stat. 777; Aug. 29, 1935, ch. 810, § 1, 49 Stat. 966; July 10, 1937, ch. 482, 50 Stat. 497; Nov. 26, 1941, ch. 544, § 1, 55 Stat. 782; May 31, 1944, ch. 216, § 2, 58 Stat. 260; June 3, 1948, ch. 384, 62 Stat. 295; June 3, 1948, ch. 397, 62 Stat. 303; July 9, 1952 ch. 614, §§ 1, 2, 66 Stat. 511, designated certain lands in Territory as ''available land''.

Section 698, acts July 9, 1921, ch. 42, title II, § 204, 42 Stat. 110; Mar. 7, 1928, ch. 142, § 1, 45 Stat. 246; July 10, 1937, ch. 482, 50 Stat. 503; Feb. 20, 1954, ch. 10, § 1, 68 Stat. 116; June 18, 1954, ch. 319, § 1, 68 Stat. 262, provided that after July 9, 1921, all available lands would assume status of Hawaiian home lands and be under control of Commission.

Section 699, act July 9, 1921, ch. 42, title II, § 205, 42 Stat. 110, provided for sale or lease of available lands.

Section 700, act July 9, 1921, ch. 42, title II, § 206, 42 Stat. 110, declared that available lands were not subject to disposition by Governor, Commissioner of Public Lands, or Board of Public Lands.

Section 701, acts July 9, 1921, ch. 42, title II, § 207, 42 Stat. 110; Feb. 3, 1923, ch. 56, § 1, 42 Stat. 1122; May 16, 1934, ch. 290, § 2, 48 Stat. 779; July 10, 1937, ch. 482, 50 Stat. 504; May 31, 1944, ch. 216, §§ 3, 4, 58 Stat. 264; June 14, 1948, ch. 464, §§ 1, 2, 62 Stat. 390; June 18, 1954, ch. 321, § 1, 68 Stat. 263; Aug. 23, 1958, Pub. L. 85–733, 72 Stat. 822, authorized Commission to lease lands to native Hawaiians.

Section 702, acts July 9, 1921, ch. 42, title II, § 208, 42 Stat. 111; July 10, 1937, ch. 482, 50 Stat. 504; Nov. 26, 1941, ch. 544, § 2, 55 Stat. 783; Aug. 21, 1958, Pub. L. 85–710, § 1, 72 Stat. 706, set up certain conditions to be included in leases of lands by Commission.

Section 703, acts July 9, 1921, ch. 42, title II, § 209, 42 Stat. 111; July 10, 1937, ch. 482, 50 Stat. 504; Nov. 26, 1941, ch. 544, § 3, 55 Stat. 783; July 9, 1952, ch. 614, § 4, 66 Stat. 514, established rules governing successors to lessees.

Section 704, act July 9, 1921, ch. 42, title II, § 210, 42 Stat. 111, gave Commission power to cancel leases.

Section 704a, acts May 16, 1934, ch. 200, § 3, 48 Stat. 779; July 9, 1952, ch. 614, § 3, 66 Stat. 513, gave a preference to residents in leasing of lands.

Section 705, act July 9, 1921, ch. 42, title II, § 211, 42 Stat. 112, provided for community pastures adjacent to each district in which agricultural lands were leased.

Section 706, act July 9, 1921, ch. 42, title II, § 212, 42 Stat. 112, gave Commission power to return lands not leased to control of Commissioner of Public Lands.

Section 707, acts July 9, 1921, ch. 42, title II, § 213, 42 Stat. 112; Feb. 3, 1923, ch. 56, § 2, 42 Stat. 1222; Mar. 7, 1928, ch. 142, § 2, 45 Stat. 246; Nov. 26, 1941, ch. 544, § 4, 55 Stat. 784; June 14, 1948, ch. 464, § 3, 62 Stat. 390; July 9, 1952, ch. 615, §§ 1, 2, 66 Stat. 514; Aug. 21, 1958, Pub. L. 85–708, 72 Stat. 705, established in Treasury of Territory two revolving funds to be known as Hawaiian home-loan fund and Hawaiian home-operating fund, and two special funds to be known as Hawaiian home-development fund and Hawaiian home administration account.

Section 707a, act July 9, 1921, ch. 42, title II, § 225, as added Nov. 26, 1941, ch. 544, § 8, 55 Stat. 787, and amended June 14, 1948, ch. 464, § 9, 62 Stat. 394, gave Commission power to invest and reinvest any of moneys in loan fund.

Section 708, act July 9, 1921, ch. 42, title II, § 214, 42 Stat. 112, authorized Commission to make loans from fund to lessee of any tract or successor to his interest therein.

Section 709, acts July 9, 1921, ch. 42, title II, § 215, 42 Stat. 112; Feb. 3, 1923, ch. 56, § 3, 42 Stat. 1222; July 10, 1937, ch. 482, 50 Stat. 505; Nov. 26, 1941, ch. 544, § 5, 55 Stat. 785; June 14, 1948, ch. 464, §§ 4, 5, 62 Stat. 392; July 9, 1952, ch. 616, §§ 3, 4, 66 Stat. 514, set up conditions to be followed in contracts of loan.

Section 710, acts July 9, 1921, ch. 42, title II, § 216, 42 Stat. 113; July 10, 1937, ch. 482, 50 Stat. 506; June 14, 1948, ch. 464, § 6, 62 Stat. 393, gave Commission power to require borrower to insure all livestock and dwellings and other permanent improvements upon his tract purchased or constructed out of any moneys loaned from fund.

Section 711, act July 9, 1921, ch. 42, title II, § 217, 42 Stat. 113, gave Commission power to bring an ejectment action against lessee or borrower for noncompliance with Commission orders.

Section 712, act July 9, 1921, ch. 42, title II, § 218, 42 Stat. 114, provided that lessees of land were not to receive loans under Territorial Farm Land.

Section 713, act July 9, 1921, ch. 42, title II, § 219, 42 Stat. 114, authorized Commission to employ agricultural experts.

Section 714, acts July 9, 1921, ch. 42, title II, § 220, 42 Stat. 114; July 10, 1937, ch. 482, 50 Stat. 507; Nov. 26, 1941, ch. 544, § 6, 55 Stat. 786; June 14, 1948, ch. 464, § 7, 62 Stat. 393; Aug. 1, 1956, ch. 855, § 1, 70 Stat. 915, authorized Commission to undertake development projects.

Section 715, acts July 9, 1921, ch. 42, title II, § 221, 42 Stat. 114; Aug. 1, 1956, ch. 855, §§ 2, 3, 70 Stat. 915, defined ''water license'' and ''surplus water'', subjected water licenses issued after July 9, 1921, to Commission and authorized Commission to use free of all charge, Government-owned water.

Section 715a, act July 9, 1921, ch. 42 title II, § 224, as added July 26, 1935, ch. 420, § 2, 49 Stat. 505, authorized Secretary of the Interior to designate a sanitation and reclamation expert.

Section 716, act July 9, 1921, ch. 42 title II, § 223, 42 Stat. 115, reserved right in Congress, to alter, amend, or repeal provisions of sections 691 to 704 and 705 to 716 of this title.

Section 717, act July 9, 1921, ch. 42, § 401, 42 Stat. 121, related to acts repealed.

Section 718, act July 9, 1921, ch. 42, § 402, 42 Stat. 121, related to savings provisions.

§§ 721 to 723. Omitted

CODIFICATION

Sections 721 to 723, relating to Territory of Hawaii, were omitted in view of admission of Hawaii into the Union.

Section 721, acts July 18, 1950, ch. 466, title I, § 101, 64 Stat. 344; Aug. 11, 1955, ch. 783, title I, § 107(3), (7), (9), 69 Stat. 637, 638, authorized Hawaiian government to undertake slum clearance and urban redevelopment and renewal projects.

Section 721a, acts July 18, 1950, ch. 466, title I, § 102, 64 Stat. 344; Aug. 11, 1955, ch. 783, title I, § 107(3), 69 Stat. 637, authorized government of Hawaii to assist slum

clearance and urban redevelopment projects through cash donations, loans conveyances of real and personal property, facilities and services.

Section 721b, act July 18, 1950, ch. 466, title I, § 103, 64 Stat. 345, ratified all legislation enacted by Legislature of Territory of Hawaii dealing with subject matter of sections 721 to 722 of this title.

Section 722, acts July 10, 1937, ch. 484, 50 Stat. 508; July 18, 1950, title II, § 202(a), 64 Stat. 345, gave Legislature of Territory of Hawaii power to create public corporate authorities to engage in slum clearance, or housing undertaking.

Section 723, act June 27, 1934, ch. 847, § 214, as added Apr. 23, 1949, ch. 89, § 2(a), 63 Stat. 57, and amended, related to insurance of mortgages on property in Hawaii. See section 1715d of Title 12, Banks and Banking.

§ 724. Repealed. Aug. 2, 1954, ch. 649, title II, § 205, 68 Stat. 622

Section, acts Apr. 23, 1949, ch. 89, § 2(b), 63 Stat. 58; June 30, 1953, ch. 170, § 25(b), 67 Stat. 128, related to purchase of insured mortgage loans by Federal National Mortgage Association, with respect to property in Hawaii.

CHAPTER 4—PUERTO RICO

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SUBCHAPTER I—GENERAL PROVISIONS

§ 731. Territory included under name Puerto Rico

The provisions of this chapter shall apply to the island of Puerto Rico and to the adjacent islands belonging to the United States and waters of those islands; and the name Puerto Rico, as used in this chapter, shall be held to include not only the island of that name, but all the adjacent islands as aforesaid.