86TH CONGRESS 2d Session } HOUSE OF REPRESENTATIVES { REPORT No. 1564

# AMENDING CERTAIN LAWS OF THE UNITED STATES IN LIGHT OF THE ADMISSION OF THE STATE OF HAWAII INTO THE UNION

MAY 2, 1960.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. O'BRIEN of New York, from the Committee on Interior and Insular Affairs, submitted the following

## REPORT

[To accompany H.R. 11602]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 11602) to amend certain laws of the United States in light of the admission of the State of Hawaii into the Union, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

### INTRODUCTION

H.R. 11602 was introduced by Representative Inouye after hearings on five predecessor bills (H.R. 10434 by Representative Aspinall, H.R. 10443 by Congressman Inouye, H.R. 10456 by Representative O'Brien of New York, H.R. 10463 by Representative Saylor, and H.R. 10475 by Representative Westland). H.R. 11602 includes the amendments agreed upon in committee when H.R. 10443 was marked up. All of the predecessor bills except H.R. 10443 were identical and were introduced as a result of an executive communication from the Deputy Director of the Bureau of the Budget dated February 12, 1960, enclosing a draft of a bill which he recommended be enacted. This draft bill had been prepared after consultation with all agencies of the executive branch administering Federal statutes which were, or might be thought to have been, affected by the admission of Hawaii into the Union on August 24, 1959. H.R. 11602 follows in general the bill recommended in the executive communication but omits a few of the latter's provisions and contains several additions which are pointed out in this report.

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Since the bill recommended by the Bureau of the Budget included many subjects which, if taken separately, would ordinarily be handled by other standing committees of the House, the chairman of the Committee on Interior and Insular Affairs on February 17, 1960, addressed letters to the chairmen of the Committees on Agriculture, Armed Services, Banking and Currency, Education and Labor, Government Operations, Interstate and Foreign Commerce, Judiciary, Merchant Marine and Fisheries, Public Works, Veterans' Affairs, and Ways and Means inviting their attention to the bill and requesting any suggestions they might care to offer. The replies received were carefully considered by the committee. Certain of the comments referred to matters which, the committee was advised, will be handled by other standing committees.

## Summary

The largest number of the provisions of H.R. 11602 are merely perfecting amendments to existing statutes. They delete now inappropriate references to the "Territory of Hawaii" or make other similar changes. These include the whole or parts of sections 4 (a), (b), (c); 5; 6; 7 (a), (b), (d); 8; 9(b); 10; 11; 12; 13; 14(a); 15 (b), (c); 17; 18(a); 19 (except (a)); 20; 21(a); 22; 23; 24(b); 26 (a), (c); 27; 28 (b), (d); 30(a); 31 (d), (e), (f), (g); 35; 38; 39; and 40 of the bill.

The second largest number of amendments are designed primarily to make equally applicable in Hawaii various laws which now apply differently there from the way in which they apply elsewhere in the United States. Such are sections 2; 3; 4(d); 7(c); 9(a); 14 (b), (c); 15 (a), (d); 16; 18; 21(b); 24(a); 26(b); 28 (a), (c); 29; 30 (c), (d); 31 (a), (b), (c); 32; 33; 34; 36; and 46.

A third group includes provisions intended to maintain the status quo, at least temporarily, where there appears to be sound reason for doing so. Sections 19(a), 25, 30(b), 37, 45, and 48 fall in this category.

Finally, there are a few miscellaneous substantive provisions, growing out of Hawaii's admission to statehood, which will be discussed separately. These are sections 15(e), 41, 42, and 44.

It will be noted that a few sections are applicable to Alaska as well as Hawaii. The bill thus helps to round out the picture developed in the Alaska Omnibus Act (73 Stat. 141). These sections are 3; 14 (b), (c); 18; 19(a); 35; and 46.

Since details on all sections are supplied in the section-by-section analysis of this report, only a few of the more important subjects are treated in the following paragraphs.

## Equalized Treatment

Of those sections of the bill which will put the conduct of Federal activities in Hawaii on a par with their conduct elsewhere, the most important are those which revise the method for computing various Federal grants-in-aid in Hawaii. These include the sections dealing with the Defense Education Act (sec. 15(a)), the Smith-Hughes Vocational Education Act (sec. 15(b)), the Impacted Areas Act (sec. 15(c)), the Interstate and Defense Highways Act (sec. 18), the Vocational Rehabilitation Act (sec. 21), the Water Pollution Control

Act (sec. 24), the Public Health Service Act (sec. 30(d)), and the Social Security Act, including its provisions for old-age assistance, aid to dependent children, aid to the blind, aid to the permanently and totally disabled, and child welfare services (sec. 31). Heretofore, these grants have been computed in a different manner for Hawaii from the way in which they are computed elsewhere. Under H.R. 11602, the method of allocation will become uniform. The dates upon which the new allocation formulas become effective are prescribed in section 49. In some cases, these are slightly delayed in order to avoid disturbing allotments that have already been made to other States or in order to avoid a too sudden transition from the old formula to the new.

## Maintenance of Existing Arrangements

In a few instances it has been found desirable, notwithstanding Hawaii's admission to statehood, to maintain existing arrangements in Hawaii or between Hawaii and the mainland which differ from those in or between the other States. These cases do not affect the "equal footing" doctrine, but grow out either of Hawaii's geographical location or of historical developments which cannot be ignored. The partial exemption from the Federal transportation tax which travelers to and from Hawaii have heretofore enjoyed is continued by section 19(a); the power of officers of the Coast and Geodetic Survey to act as notaries public outside the continental United States is retained by section 25; provision is made in section 30(b) for continuation of the present arrangements for treatment of lepers, in appropriate cases, in Hawaii instead of at Carville, La.; provision is likewise made in section 37 for maintenance (at least until the Federal Communications Commission reviews the matter thoroughly) of the treatment of telegraphic operations between the mainland and Hawaii as international rather than domestic in character; the provisions of section 91 of the Hawaii Organic Act respective payment into the treasury of the Territory of rentals received for certain properties will remain in force for the State until 1964 under section 43; the existing arrangements for purchases by the State of Hawaii through, and its utilization of space controlled by, the General Services Administration are continued until 1964 by section 45; and the privilege of American vessels and aircraft operating between Hawaii and the west coast of the United States in competition with foreign carriers and with carriers operating from the east coast and the Gulf of Mexico to withdraw supplies from bonded warehouses and the like free of duty and internal revenue taxes is reinstated by section 48.

## Lands and Records

Section 41 is intended to assure uniformity in the reporting procedure prescribed in section 5(e) of the Hawaii Admission Act. This subsection provided that all Federal agencies having control over land and property in Hawaii which is retained by the United States under the terms of the act shall report to the President on their continued need therefor and that such land and property as the President determines is no longer needed for Federal use shall be conveyed to the State of Hawaii. The committee takes this opportunity to make clear that

subsection (e)'s reference to "land or property that is retained by the United States" includes, in some cases (namely, those covered by subsec. (c)), all land whether it falls within the definition of public land given in the act or not and, in other cases (namely, those covered by subsec. (d)), only public land as that term is there defined.

Section 42 is a clarifying amendment to section 5(b) of the Hawaii Admission Act to make certain that it is in line with section 4 of the same act. The latter refers to "available land" under the Hawaiian Homes Commission Act, where the quoted term is defined. Section 5(b), on the other hand, refers to "public lands." Although it is believed that the latter term is comprehensive enough to include the former, all possibility of doubt concerning the extent of the grant made by section 5(b) will be removed by the amendment.

Section 44 will assist the courts and administrative agencies of the State of Hawaii in performing their functions by transferring to them records, papers, and other materials accumulated by the United States and the Territory of Hawaii in connection with functions which have been transferred to the new State.

## Palmyra, Midway, and Wake Islands

The admission of Hawaii as a State of the Union under the terms of Public Law 86–3 left Palmyra Island, which had been a part of the Territory of Hawaii, without any statutorily defined government except with respect to judicial matters. Section 50 of the bill fills this void by providing that executive and legislative authority over the island shall be vested in such person or agency as the President may direct. Similar provision is made for the government of Midway and Wake Islands. Section 50 also permits the administrator, in the case of Palmyra, to have the assistance of the U.S. District Court for the District of Hawaii in connection with civil affairs.

## Provisions in Budget Draft Omitted in H.R. 11602

The draft bill prepared by the Bureau of the Budget contained four provisions which are omitted in H.R. 11602. The section proposing amendments to the Sugar Act of 1948 has been omitted in view of the fact that the Agriculture Committee is now considering various changes in this act and will be in a better position than is the Committee on Interior and Insular Affairs to evaluate the various problems which may be involved in the Bureau of the Budget's proposed section 3.

Subsection (d) of section 15, as proposed by the Bureau of the Budget, which relates to parole and the Federal Youth Corrections Act, has also been omitted. Between the time the bill was drafted and the time it was considered by the committee, the President issued the Executive order referred to in the subsection, thus making its enactment unnecessary.

Two other sections (secs. 36 and 40 of the original draft of bill) which relate to the operation of railroads in Hawaii and the jurisdiction of the Interstate Commerce Commission have been omitted at the request of the Budget Bureau and the Commission. The latter is proposing a reexamination of its position with respect to the matters covered by these sections and will, if it is determined to be appropriate, recommend legislation at a later date.

## Provisions Added by H.R. 11602 to Budget Draft

H.R. 11602 also includes several items which were not included in the Budget draft of bill. The first is its section 15(e) which, if enacted, will grant $6 million to the State of Hawaii to assist in the endowment of higher educational institutions in that State for teaching agriculture and the mechanic arts. This provision will, in effect, accord the State of Hawaii treatment similar to that accorded other States admitted to the Union since enactment of the Morrill Act of 1862.

A second addition is section 48 of H.R. 11602 which provides, as has already been pointed out, for restoring to carriers operating between the west coast and Hawaii or Alaska the privilege of withdrawing supplies from bonded warehouses and the like free-of-duty and internal revenue taxes. This is believed by the committee to be justified by the fact that other carriers operating in competition with those just mentioned have this privilege under the Tariff Act of 1930.

## Cost

The added costs to the Federal Government involved in H.R. 11602 will arise principally in connection with sections 15(e) and 31(a). Section 15(e) authorizes the appropriation of $6 million for payment to the State of Hawaii for the same uses as under the Morrill Act of July 2, 1862. Section 31(a) eliminates special treatment for Hawaii so that henceforth the determination of its Federal percentage of public assistance grants will be based on relative per capita income as in other States. These are "open-ended" grants and will result in Hawaii receiving about $215,000 a year more in Federal funds for assistance to the aged, dependent children, blind, and disabled than it now does. Very small increases in cost, a total of less than $10,000 annually, are also provided in section 15(b).

## Section-by-Section Analysis

The following analysis of the bill, section by section, which was furnished by the Bureau of the Budget with its original draft of bill has been modified only to the extent necessary to make it correspond to the provisions of H.R. 11602.

### SHORT TITLE

Section 1 provides that the act may be cited as the Hawaii Omnibus Act.

### PRINTING OUTSIDE UNITED STATES

Section 2 would amend the law which authorizes the Secretary of State, notwithstanding the limitations contained in an 1895 statute, to provide for printing and binding outside the "continental United States" (5 U.S.C. 170g). To remove ambiguity, such phrase would be amended to refer instead to the "States of the United States and the District of Columbia." The 1895 statute (44 U.S.C. 111), requires, with exceptions not now pertinent, that printing for the U.S. Government be done at the Government Printing Office.

SOIL BANK ACT

Section 3 would amend section 113 of the Soil Bank Act (7 U.S.C. 1837), so that henceforth the States of Hawaii and Alaska would be accorded the treatment received by other States under the Conservation Reserve Program. Section 5 of the Alaska Omnibus Act perpetuated the special treatment which Alaska had received as a Territory, so that under the terms of that section, the program applied to the State of Alaska (and to the Territory of Hawaii), only if the Secretary of Agriculture determined that the national interest required it. Section 3 of the Hawaii omnibus legislation proposes to treat both Alaska and Hawaii in the same manner as the other States, and the application of the program to those areas would not be dependent upon a determination by the Secretary of Agriculture.

ARMED FORCES

Section 4 would provide perfecting amendments to title 10 of the United States Code. Subsection (a) amends the definition of the term "Territory" to delete the existing reference to Hawaii. Subsection (b) would amend two definitions in article 2 of the Uniform Code of Military Justice to delete references to "the main group of the Hawaiian Islands." Such references are unnecessary with Hawaii's admission because Hawaii is now a part of the United States. Subsection (c) strikes the special and now unnecessary reference to Hawaii in a section which comprehends all of the States. Subsection (d) deletes authority by which sea transportation may be made available to "Officers and employees of the Territory of Hawaii."

HOME LOAN BANK BOARD

Section 5 would provide perfecting amendments to two statutes administered by the Federal Home Loan Bank Board. The Federal Home Loan Bank Act and the Home Owners' Loan Act of 1933 would each be amended by striking references to Hawaii as a Territory. The sections to be amended are codified at 12 U.S.C. 1422(3) and 1466, respectively.

NATIONAL HOUSING ACT

Section 6 provides perfecting amendments to certain sections of the National Housing Act. The sections, which are codified at 12 U.S.C. 1706d, 1707(d), 1713(a)(7), 1736(d), 1747l(q), and 1748(g), would all be amended to remove superfluous references to Hawaii.

SECURITIES AND EXCHANGE COMMISSION

Section 7 provides amendments to certain statutes administered by the Securities and Exchange Commission. The amendments are perfecting only, merely removing unnecessary references to Hawaii in definitions of the term "State," except for the amendment to section 6(a)(1) of the Investment Company Act of 1940. Such amendment relates to the provision in the Investment Company Act which provides an exemption from the provisions of the act to companies organized under the laws of the territories or possessions which confine offerings of their securities to residents of such territories or possessions.

The effect of the amendment would be to remove Hawaii from the areas (all ot which are territories or possessions) to which the special exemption applies, and to accord to Hawaii the same treatment as the other States receive. The sections to be amended are codified at 15 U.S.C. 77b(6), 78c(a)(16), 80a–2(a)(37), 80a–6(a)(1), and 80b–2(a)(18).

SMALL BUSINESS INVESTMENT ACT

Section 8 provides a perfecting amendment to section 103(4) of the Small Business Investment Act of 1958 (15 U.S.C. 662(4)). The amendment would remove a superfluous reference to the Territories of Alaska and Hawaii.

SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

Subsection (a) of section 9 would amend the section of the Soil Conservation and Domestic Allotment Act, codified at 16 U.S.C. 590h(b), which relates to the Secretary of Agriculture's utilization of elected county committees in administering the act. In the Territory of Hawaii, county committees have been appointed rather than elected. The amendment would have the effect of extending to Hawaii the same elected committee system as applies elsewhere in the States. Alaska is excepted from the proposed new language in light of the provision contained in section 13(a) of the Alaska Omnibus Act, which was enacted in recognition of the fact that fewer committees are required in Alaska than elsewhere in the States because of Alaska's relatively small soil conservation program.

Subsection (b) would provide an amendment to section 17(a) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590q(a)), to remove superfluous references to the Territory of Hawaii.

WATER STORAGE AND UTILIZATION

Section 10 amends the law by which the Federal Government assists the States and territories in providing facilities for water storage and utilization. The amendment is perfecting only, merely reflecting the new status of both Alaska and Hawaii. The section to be amended is codified at 16 U.S.C. 590r.

WILDLIFE RESTORATION

Section 11 provides a perfecting amendment to section 2 of the Wildlife Restoration Act (16 U.S.C. 669a), to remove the definition of the term "State". The term is defined by existing law to include the States and the Territory of Hawaii.

FISHERY RESOURCES

Section 12 contains perfecting amendments to the statute, codified at 16 U.S.C. 758–758d, which authorizes the Secretary of the Interior to undertake exploration, investigation, development, and maintenance projects for fishery resources in the Pacific. Inappropriate references to the "Territory" of Hawaii and to the "Hawaiian Islands" would be deleted or modified by the amendments.

FISH RESTORATION

Section 13 provides a perfecting amendment to section 2(d) of the Fish Restoration Act (16 U.S.C. 777a(d)), to remove the definition of the term "State." The term is defined by existing law to include the States and the territory of Hawaii.

CRIMINAL CODE

Subsection (a) of section 14 amends the definition of the term "United States" for purposes of provisions of the Criminal Code relating to narcotics by deleting superfluous references to the territories of Alaska and Hawaii.

Subsections (b) and (c) amend the Federal Youth Corrections Act and a 1958 statute (18 U.S.C. 4208, 4209), relating to parole to make them applicable in the U.S. District Court for the District of Hawaii, which court came into being upon the admission of Hawaii.

EDUCATION

*Defense Education Act*

Subsection (a) of section 15 of the bill amends section 103(a), paragraphs (2) and (3) of section 302(a), and section 1008 of the National Defense Education Act of 1958 (20 U.S.C. 403, 442, 588), so as to eliminate the special treatment of Hawaii. The amendments to paragraphs (2) and (3) of section 302(a) would provide for treating Hawaii the same as the States in the continental United States so that the per capita income of each State would be compared with the per capita income of the continental United States and Hawaii for purposes of determining the allocation of funds to the States for acquisition of math, science, or modern foreign language equipment. The amendments to sections 103(a) and 1008 would put Hawaii on the same basis as the other States for purposes of allocations to Hawaii of funds for the acquisition of such equipment, funds for State programs of expansion or improvement of public school supervisory services in mathematics, science, or modern foreign language, and funds for counseling and guidance testing programs.

These amendments would, under section 49 of the bill, be effective in the case of allotments for acquisition of equipment based on allotment ratios which are promulgated after August 21, 1959, the date Hawaii was admitted into the Union as a State. They would be effective in the case of allotments for State programs of expansion or improvement of supervisory services, or for counseling and guidance and testing programs, for fiscal years beginning after Hawaii was admitted.

*Vocational education*

Subsection (b) of section 15 would repeal section 4 of the act of March 10, 1924 (20 U.S.C. 29), which extended the benefits of the Smith-Hughes vocational education law to Hawaii. With the advent of statehood, Hawaii would be entitled to those benefits anyway. Such section 4 also authorized a separate appropriation of $30,000 annually for this purpose.

Subsection (b) would, in addition, amend sections 2 and 4 of the Smith-Hughes vocational education law (20 U.S.C. 12, 14). These sections provide for allotments to the States for salaries of teachers

and supervisors of agricultural subjects and for teacher-training in agriculture, trades and industries, and home economics, respectively. Both sections include separate appropriations for a $10,000 minimum allotment provided for the States. The amounts appropriated for the purpose of paying these minimums ($27,000 and $98,500, respectively) would be insufficient to provide the minimums for Hawaii as well as the other States, and hence they would be increased by the bill to $28,500 and $105,200, respectively.

These amendments would be applicable for fiscal years beginning after Hawaii was admitted into the Union as a State.

Subsection (b) also amends the Vocational Education Act of 1946 to eliminate from the definitions of "State" and "States and Territories" the specific mention of Hawaii (20 U.S.C. 15i, 15jj, and 15ggg). These are purely technical amendments having no substantive effect.

*School construction assistance in federally affected areas*

Subsection (c) of section 15 of the bill amends paragraph (13) of section 15 of Public Law 815 (81st Cong.), as amended (20 U.S.C. 645), which defines the term "State". The amendment would eliminate the specific reference to Hawaii. This is a purely technical amendment.

*School operation assistance in federally affected areas*

Subsection (d) of section 15 of the bill amends section 3(d) of Public Law 874 (81st Cong.), as amended (20 U.S.C. 238). This section of the law sets forth the method of determining the local contribution rate used in computing the amount of the payments to local school districts on account of federally connected children attending their schools. The determination of the rate for the territories and possessions, including Hawaii, and for States with substantial unorganized territory for which a State agency is the local educational agency is, however, separately provided for, with the Commissioner of Education authorized to make the determination consistently with the policies and principles provided for the determination of the rate in the case of school districts in other States.

The amendments to this section of the law would eliminate the specific mention of Hawaii as one of the "States" to which the special provision applies, but would make the special provision applicable also to any State in which there is only one local educational agency. This would include Hawaii at present. These amendments would also specifically include Hawaii along with the 49 other States and the District of Columbia for purposes of determining the average per pupil expenditure therein, which is used, in turn, in determining the minimum local contribution rate.

These amendments would be applicable for fiscal years beginning after Hawaii was admitted into the Union as a State.

This subsection also amends paragraph (8) of section 9 of Public Law 874 (20 U.S.C., sec. 244), which defines the term "State." The amendment would eliminate the specific reference to Hawaii. This is a purely technical amendment.

*Land-grant college aid*

Subsection (e) of section 15 of the bill would authorize the appropriation of $6 million to the State of Hawaii to be held and used subject to the terms of the Morrill Act of July 2, 1862. That act

granted certain public lands to the States and provided that the proceeds from the sale and use of the granted lands be used for the endowment, support, and maintenance of colleges whose leading objective is to teach subjects related to agriculture and mechanic arts. Under the terms of the Morrill Act, the amount granted to the State of Hawaii would have to be safely invested by the State so that the principal will remain forever unimpaired. The interest on the investment may be used only to support the teaching of agriculture and mechanic arts. It may not be used to construct or repair buildings, purchase land, pay administrative personnel, or for research or extension work. It has also been held that funds derived from Morrill Act grants may not be used to support courses in foreign languages, government, history, ethics, logic, military science, psychology, and certain other fields.

### IMPORTATION OF MILK AND CREAM

The act of February 15, 1927, as amended by the Alaska Omnibus Act, now applies to importation of milk and cream into the continental United States, including Alaska. Section 16 of the bill would, effective on the date of enactment of this legislation, make this law applicable also to importation of milk and cream into Hawaii. The section to be amended is codified at 21 U.S.C. 149(b).

### OPIUM POPPY CONTROL

Section 17 would provide a perfecting amendment to section 12 of the Opium Poppy Control Act of 1942 (21 U.S.C. 188k). It would strike a superfluous reference to the Territory of Hawaii.

### HIGHWAYS

Section 18 provides amendments to the highway laws. Subsection (a) amends the definition of the term "State" to reflect Hawaii's admission. Subsection (b) repeals two subsections applicable solely to Hawaii which provide, first, that the system of highways on which funds are to be expended in Hawaii shall be agreed upon by the Secretary of Commerce and the Governor of the Territory; and secondly, that the Secretary is to give preference in Hawaii to projects which will expedite the completion of highways for the national defense or which will connect seaports with units of national parks.

Subsection (c) extends to Hawaii and Alaska the National System of Interstate and Defense Highways, and the succeeding subsections implement that extension with respect to Hawaii. Subsection (d) provides for the apportionment to Hawaii of the sum of $12,375,000 for the fiscal year 1962. This sum results from applying to Hawaii for the fiscal year 1962 the formula (set forth at 23 U.S.C., sec. 104(b)), which was used in fiscal years 1957 through 1959 in apportioning interstate funds to the States. For purposes of Hawaii, that formula has been applied to the amount estimated to be available for the Interstate System for fiscal year 1962, after an estimated deduction of 1 percent for administrative purposes has been made. In fiscal years subsequent to 1962, Hawaii would receive apportionments under the formula (23 U.S.C. 104(d)(5)) which applies to the other States.

Subsection (e) would amend 23 U.S.C., section 127, which relates to sizes and weights for vehicles using the Interstate System, so that in the case of Hawaii, laws or regulations in effect on February 1, 1960, rather than on July 1, 1956, would apply.

### INTERNAL REVENUE

Section 19 contains amendments to the Internal Revenue Code of 1954. All, except for that contained in subsection (a), are perfecting in nature, merely removing references to Hawaii which are now superfluous. Subsection (a) relates to the definition of the term "continental United States" for purposes of the transportation tax. As originally enacted, the term was defined to mean "the existing 48 States and the District of Columbia." Both Alaska and Hawaii were excluded under that definition, and consequently a partial exemption from the transportation tax applied to travel to and from those two areas. Alaska's exclusion from "the continental United States," notwithstanding statehood, was preserved by section 22(b) of the Alaska Omnibus Act, which amended the definition to mean "the District of Columbia and the States other than Alaska." Subsection (a) of this section would preserve the same status for Hawaii, and the arguments for maintaining the existing exemption, which were accepted by the Congress in connection with the Alaska Omnibus legislation, are equally compelling in the case of Hawaii.

The Treasury Department considers that it would be contrary to the intent of the Congress, as expressed in 1956, to remove this partial exemption. The exemption was inserted in the law in 1956 in recognition of the fact that Hawaii is far removed from the States and that transportation between the States and Hawaii involves travel over the high seas. When the exemption amendment was considered in the Senate in 1956, the possible effect of future statehood was discussed in a memorandum submitted by Senator Morse (Congressional Record, Mar. 29, 1956, p. 5212). His statement asserted that statehood should not change the exemption. On this basis, together with the legislative history of the Alaska Omnibus Act, the Treasury Department considers that the partial exemption continues, not withstanding Hawaii's admission to the Union. Enactment of subsection (a) would confirm that conclusion.

### JUDICIARY

Section 20 contains amendments to a section of the judicial code and to a 1950 statute (48 U.S.C. 644a), both of which relate to the special jurisdiction of the U.S. District Court for the District of Hawaii with respect to cases arising on particular Pacific islands. The amendment would strike the reference to Kure Island in each statute, inasmuch as Kure is a part of the State of Hawaii and therefore need not be and should not be specified in the law. Kure, then referred to as Ocean Island, was a part of the official list of the Hawaiian Islands compiled at the time of annexation (S. Doc. 16, 55th Cong., 3d sess., 1898), and it was included in the islands admitted as the new State (see sec. 2 of the Hawaiian Statehood Act).

VOCATIONAL REHABILITATION

Subsection (a) of section 21 of the bill amends section 11(g) of the Vocational Rehabilitation Act (29 U.S.C. 41). This section of the act defines the term "State." The amendment would eliminate the specific reference to Hawaii. This is a purely technical amendment.

Subsection (b) of this section of the bill amends subsections (h) and (i) of section 11 of the Vocational Rehabilitation Act. These subsections define the terms "allotment percentage" and "Federal share." The amendments would eliminate the special provisions under which the allotment percentage for Hawaii is set at 50 percent and the Federal share at 60 percent, and would provide for the determination of these to be made in accordance with the relative per capita income of Hawaii, as is done in the case of other States. The amendments would also provide that in determining the allotment percentages and Federal shares for the States, the relative per capita income of each State will be compared with the per capita income of the 50 States (including Hawaii) and the District of Columbia.

These amendments would be effective in the case of allotment percentages and Federal shares promulgated after August 21, 1959. (The present promulgation will be effective until July 1, 1961.) The provisions relating to computations made before per capita income data for a full 3 years are available for Alaska have been transferred from the Alaska Omnibus Act (Public Law 86–70) to this bill and the amendments made by it. Also transferred to this bill (in sec. 49, relating to effective dates) are the provisions of the Alaska Omnibus Act which were designed to make more gradual the reduction, under the Vocational Rehabilitation Act, in the allotment percentage and Federal share for Alaska which resulted from treating Alaska fully as a State.

LABOR

Section 22 would provide perfecting amendments to three statutes administered by the Labor Department: the act establishing the U.S. Employment Service, the Fair Labor Standards Act, and the Welfare and Pension Plans Disclosure Act. The sections to be amended are codified at 29 U.S.C. 49b(b), 213(f), 217, and 302(a)(9), respectively. Subsections (a) and (b) delete obsolete references to Alaska and Hawaii; subsection (c) deletes an obsolete reference to the District Court for the Territory of Alaska; and subsection (d), which amends a law enacted after the Alaska Statehood Act, strikes a reference to Hawaii only.

NATIONAL GUARD

Section 23 would strike a reference to Hawaii in the definition of the term "Territory" for purposes of title 32, United States Code, relating to the National Guard.

WATER POLLUTION CONTROL ACT

Subsection (a) of section 24 of the bill amends section 5(h) of the Federal Water Pollution Control Act (33 U.S.C. 466d). This section defines the term "Federal share" which is used for determining the portion of the cost of the water pollution control program in each

State which will be borne by the Federal Government. The amendments would eliminate the special treatment of Hawaii so that Hawaii would have its Federal share determined, as in the case of the other States, on the basis of its relative per capita income and so that, in determining the Federal shares for the States, the per capita income of each State would be compared with the per capita income of the 50 States (including Hawaii) and the District of Columbia.

These amendments would be effective for promulgations of the Federal shares made after Hawaii is admitted. The provisions relating to computations made before per capita income data for a full 3 years are available for Alaska have been transferred from the Alaska Omnibus Act (Public Law 86–70) to this bill and the amendments made by it.

Subsection (b) of this section of the bill amends section 11(d) of the Federal Water Pollution Control Act (33 U.S.C. 466j), which defines State, to eliminate the special mention of Hawaii. This is a purely technical amendment.

### COAST AND GEODETIC SURVEY

Section 25 amends the act of August 3, 1956 (33 U.S.C. 875), so as to continue the authority of officers of the Coast and Geodetic Survey to serve as notaries public for personnel of the Survey serving in isolated areas outside the 48 States and the District of Columbia. With the admission of Alaska and Hawaii into the Union, designated officers of the Coast and Geodetic Survey are no longer authorized to exercise the power of notaries public in those areas. Frequently personnel serving outside the continental United States or in Alaska find it necessary to utilize the services of a notary public and are unable to do so without undue personal expense or disruption of the work of the party to which they are attached.

### VETERANS' ADMINISTRATION

Subsection (a) of section 26 would amend the law which relates to the authority of the Administrator of Veterans' Affairs to provide hospital care and medical services abroad. The amendment would not change the law, but would merely recognize Hawaii's admission to the Union.

Subsection (b) relates to the authority of the Veterans' Administration under section 903(b) of title 38 (Public Law 85–857), to transport the bodies of veterans who have died in VA facilities. Existing law, as amended by the Alaska Omnibus Act, provides that (a) when a death occurs in the continental United States (including Alaska), transportation may be provided "to the place of burial in the United States (including Alaska)"; and (b) when a death occurs in a Territory, Commonwealth, or possession, transportation may be provided to the place of burial within such Territory, Commonwealth, or possession. Under existing law, therefore, no explicit provision is included for the transportation of deceased veterans from Hawaii to the other States. Similarly, there is no explicit provision for the transportation of deceased veterans from the other States to Hawaii. Moreover, doubt exists whether authority now exists to transport bodies within Hawaii. Subsection (b) of the proposed bill would

confer these three powers on the Administrator, and in so doing would remove the statutory distinctions between Hawaii and the other States. The term "continental United States," as used in the amendment carried in subsection (b), includes Alaska, since section 48 of the Alaska Omnibus Act makes clear that in any law enacted after the Alaska Omnibus Act, the term "continental United States" means the 49 States and the District of Columbia, unless otherwise expressly provided.

Subsection (c) is a perfecting amendment only, to remove an unnecessary reference to Hawaii in the definition of the term "State."

DAVIS-BACON ACT

Section 27 strikes out superfluous references to the Territories of Alaska and Hawaii in the Davis-Bacon Act (40 U.S.C. 276a), which relates to wage rates on certain public projects.

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

Section 28 provides perfecting amendments to the Federal Property and Administrative Services Act of 1949, as amended. By removing references to the continental United States, the first three would have the effect of providing the same treatment for Hawaii as the other States receive. The fourth removes an unnecessary reference to Hawaii in the definition of the term "State." The sections to be amended are codified, respectively at 40 U.S.C. 472(f), 491(j), 514(c), and 522(a).

BUY AMERICAN ACT

Section 29 amends the Buy American Act to remove Hawaii from the definition of the terms "public use," "public building," and "public work". The act will continue to apply to Federal activities in Hawaii, but will not apply to acquisitions by the State of Hawaii. The section to be amended is codified at 41 U.S.C. 10c(b). A similar amendment in the case of Alaska is contained in section 43 of the Alaska Omnibus Act.

PUBLIC HEALTH SERVICE ACT

Subsection (a) of section 30 of the bill amends section 2(f) of the Public Health Service Act (42 U.S.C. 201), which defines the term "State" for purposes of the act. This is a purely technical amendment eliminating the specific inclusion of Hawaii as a State.

Subsection (b) amends section 331 of the Public Health Service Act (42 U.S.C. 255), which relates to treatment of persons afflicted with leprosy. Generally, all such persons are treated at the Carville, La., Leprosarium. However, provision is made for payments from Public Health Service appropriations to Hawaii (when authorized by the appropriations) to enable the latter to provide such care at its own facilities. Subsection (b) of the bill would continue this special provision and merely makes technical amendments to section 331.

Subsection (c) amends section 361 of the Public Health Service Act (42 U.S.C. 264), relating to apprehension and detention of individuals with communicable disease who may be coming into one of the States or a possession from a foreign country, Hawaii, or a possession. The amendment would make this inapplicable to persons coming from

Hawaii, thereby equating Hawaii to the other States insofar as the foreign quarantine provisions are concerned.

Subsection (d) amends section 631(a) of the Public Health Service Act (42 U.S.C. 291i). This section describes the method of determining allotment percentages which are used in the allocation of the appropriations for hospital and medical service facilities construction under title VI of the Public Health Service Act. They are also used in connection with determining the Federal share of the cost of construction. The amendments would eliminate the special treatment for Hawaii so that it would have its percentage based, as in the case of the other States, on its relative per capita income. The amendments would also provide that in determining the allotment percentages of the States, the per capita income of each State will be compared with the per capita of the 50 States (including Hawaii) and the District of Columbia. The Federal share of Hawaii would also be determined in the manner provided for the other States.

These amendments would be applicable in the case of promulgations of allotment percentages and Federal shares made after Hawaii's admission into the Union as a State. The provisions relating to computations made before per capita income data for a full 3 years are available for Alaska have been transferred from the Alaska Omnibus Act (Public Law 86–70) to this bill and the amendments made by it.

This subsection also amends section 631(d) of the Public Health Service Act, which defines the term "States," to eliminate the specific reference to Hawaii. This is a purely technical amendment.

SOCIAL SECURITY ACT

Subsection (a) of section 31 of the bill amends section 1101(a)(8) of the Social Security Act (42 U.S.C. 1301). This section defines the term "Federal percentage" which is used in determining the portion of the expenditures in each State for old-age assistance, aid to dependent children, aid to the blind, or aid to the permanently and totally disabled which will be borne by the Federal Government. The amendments would eliminate the special treatment for Hawaii so that it would have the determination of its Federal percentage made, as in the case of the other States, on the basis of its relative per capita income and so that, in determining the Federal percentages for the States, the per capita income of each State would be compared with the per capita income of the 50 States (including Hawaii) and the District of Columbia.

The amendments to section 1101(a)(8) of the Social Security Act, basing its Federal percentage on its relative per capita income, would be effective for calendar quarters beginning with the calendar quarter in which the bill is enacted. The others would be effective for promulgations of the Federal percentages made after Hawaii's admission into the Union as a State.

Subsection (b) amends section 524 of the Social Security Act (42 U.S.C. 724). This section defines the terms "allotment percentage" and "Federal share" for purposes of determining the allocation of the appropriations for child welfare services under part 3 of title V of the Social Security Act among the States and the portion of the expenditures for this purpose in each State which will be borne by the Federal Government.

The amendments would provide for treating Hawaii the same as the States in the continental United States so that the per capita income of each State would be compared with the per capita income of the 50 States (including Hawaii) and the District of Columbia for purposes of determining the Federal percentages and Federal shares for the States.

The amendments made by this subsection of the bill would be effective for promulgations of allotment percentages and Federal shares made after Hawaii was admitted into the Union as a State.

The provisions relating to computations (of allotment percentages and Federal percentages), under sections 524 and 1101(a)(8) of the Social Security Act, made before per capita income data for a full 3 years are available for Alaska have been transferred from the Alaska Omnibus Act (Public Law 86–70) to this bill and the amendments made by it.

Subsection (c) of this section of the bill amends the last sentence of section 202(i) of the Social Security Act (42 U.S.C. 402). This section of the act provides for lump-sum payments in certain cases of death of an individual insured under the old-age, survivors, and disability insurance program. The application for such payments must be filed within 2 years of the date of death, except that, in the case of the death outside the 49 States and the District of Columbia of a member of the Armed Forces (including commissioned officers of the Public Health Service and the Coast and Geodetic Survey) who is "returned" to any of the 49 States, the District, or any U.S. territory or possession for interment or reinterment, the 2-year period begins with such interment or reinterment. This special treatment would no longer be provided in case of deaths in Hawaii. It should be noted that the 2 years may be extended for as much as an additional 2 years if good cause for the failure to file within the initial 2-year period is shown.

These amendments would be effective in the case of deaths occurring on or after the date of Hawaii's admission into the Union as a State.

This subsection of the bill also amends subsections (h) and (i) of section 210 of the Social Security Act (42 U.S.C. 410), which define "State" and "United States" for purposes of the old-age, survivors, and disability insurance program. These are purely technical amendments eliminating the specific inclusion of Hawaii in these terms.

Subsection (d) of this section of the bill amends paragraphs (1) and (2) of section 1101(a) of the Social Security Act (42 U.S.C. 1301), which define "State" and "United States" for purposes of the act. These are also purely technical amendments eliminating the specific inclusion of Hawaii in these terms.

Subsections (e) and (f) contain technical amendments to section 218 of the Social Security Act (42 U.S.C. 418), relating to voluntary agreements for coverage of State and local employees. The amendments would remove references to Hawaii as a territory.

Subsection (g) removes superfluous references to Alaska and Hawaii in a definition of the term "State" (42 U.S.C. 1361(a)).

### SMALL RECLAMATION PROJECTS

Section 32 would extend to Hawaii the provisions of the Small Reclamation Projects Act of 1956 (43 U.S.C. 422a et seq.). The act now authorizes the Bureau of Reclamation to make loans and grants

for the construction and rehabilitation and betterment of small projects in the 17 western reclamation States, and it appears that conditions in Hawaii are such that a considerable portion of its irrigation potential could be developed through projects within the scope of the small projects program. In general a small project, for purposes of the act, is a project the cost of which does not exceed $5 million. A project the estimated cost of which is between $5 and $10 million may also qualify, however, under certain circumstances.

### CONGRESSIONAL RECORD

Section 33 amends the law relating to the gratituous distribution of copies of the Congressional Record. Existing law provides that the Governors of the States shall receive one copy in both daily and bound form, while the Governors of the territories receive five in both daily and bound form. The amendment would strike the reference to Hawaii in the latter provision so that the Governor of the new State would be accorded the treatment of a State Governor rather than a territorial Governor. The section to be amended is codified at 44 U.S.C. 183.

### FEDERAL REGISTER

Section 34 amends the Federal Register Act so that henceforth publication in the Federal Register of notice of hearing will be regarded as notice to persons residing in Hawaii, just as it is regarded as notice to persons residing in all other States. Under circumstances described in the statute, such publication is, under existing law, adequate with respect to residents of the continental United States, including Alaska. The amendment would extend the provision to Hawaii as well. The section to be amended is codified at 44 U.S.C. 308.

### HOME PORTS OF VESSELS

Section 35 would amend the law (46 U.S.C. 18), which requires "every vessel of the United States" to have a home port in the United States, Alaska, Hawaii, or Puerto Rico. The amendment would strike unnecessary references to Alaska and Hawaii.

### MERCHANT MARINE ACT, 1936

Section 36 amends three sections of the Merchant Marine Act, 1936 in order to include shipyards in Hawaii and Alaska among shipyards in which construction and repair work can be carried on for vessels covered by construction and operating subsidies awarded under that act. The sections to be amended are codified at 46 U.S.C. 1155(a), 1176, and 1192, respectively.

### COMMUNICATIONS ACT

Section 37 would amend the definition of the term "continental United States" for purposes of section 222 of the Federal Communications Act of 1934 (47 U.S.C. 222), to preserve, at least for the immediate future, Hawaii's exclusion from the definition. As will appear below, further consideration by the Federal Communications Com-

mission may at a later date indicate that other or different amendments are desirable.

Hawaii has historically been regarded as outside the United States for purposes of the transmission of telegraph messages. Section 222 of the Federal Communications Act, which deals with consolidations, and mergers of telegraph carriers, recognized this fact by excluding Hawaii from "domestic telegraph operations" for purposes of that section. This exclusion was apparently based on geographical considerations, rather than on considerations of political status, as evidenced by the fact that Alaska (which at the time of enactment of section 222 in 1943 occupied the same political status as Hawaii), was placed within the continental United States and thus included within domestic telegraph operations. The proposed amendment would preserve Hawaii's exclusion from the continental United States for purposes of section 222. It would, additionally, confirm current practices under which telegraph messages between the mainland and Hawaii are "international telegraph operations" on international frequencies and under an international rate structure.

The amendment to section 222 is necessary now to maintain the status quo, inasmuch as without such an amendment, it could reasonably be argued that Hawaii has, with its admission, become a part of "domestic telegraph operations" for purposes of the section. It may later develop, however, that different amendments may prove more suitable. The Federal Communications Commission has instituted an inquiry (docket No. 13188, In the Matter of Amendment of the Communications Act of 1934, as amended, relating to telegraph service with Hawaii), the purpose of which is to enable the Commission to receive from interested parties their views as to what changes in the Communications Act, if any, the Commission should recommend to the Congress. Before making a determination as to what changes it recommends, other than the foregoing which would merely preserve current arrangements, the Federal Communications Commission will require more time to complete its inquiry.

### AIRCRAFT LOAN GUARANTEES

Section 38 would provide a perfecting amendment to the 1957 statute (set out as a note following 49 U.S.C. 1324), which authorizes loans for the purchase of aircraft and equipment. The amendment removes a reference to the "Territory" of Hawaii.

### REAL PROPERTY TRANSACTIONS

Section 39 amends the statute which requires the Director of the Office of Civil and Defense Mobilization to come into agreement with the Armed Services Committees of the Congress with respect to certain real property transactions. The amendment would in effect remove a superfluous reference to Hawaii. The section to be amended is codified at 50 U.S.C. 2285(c).

### SELECTIVE SERVICE

Section 40 would remove an unnecessary reference to Hawaii in the section of the Universal Military Training and Service Act which

defines the term "United States" (50 U.S.C., app. 466(b)). The amendment is perfecting only.

REPORTS ON FEDERAL LAND USE

Section 41 would implement section 5(e) of the Hawaiian Statehood Act, which requires each Federal agency to report within 5 years following Hawaii's admission to the Union on certain Federal land or property in Hawaii over which it has control. The report must state "the facts regarding (the agency's) * * * continued need for such land or property," and if the President decides that it is no longer needed by the United States, it must be conveyed to the State. The amendment carried in section 43 would require the President to prescribe uniform procedures governing the agency reports. Unless such procedures are prescribed, agency reports can be expected to differ materially in nature and extent, and they may lack sufficient coordination with other agencies.

HAWAIIAN HOMES COMMISSION LANDS

Section 42 would correct a possible defect in the conveyance of lands to Hawaii under the Statehood Act. Section 5(b) conveys to the new State, with exceptions not now pertinent, all public lands ceded and transferred by the Republic of Hawaii to the United States at the time of annexation. The definition of the lands conveyed by that section, however, contained in section 5(g), differs from the definition of the lands which could, as a matter of law, comprise lands made available to the Hawaiian Homes Commission (see 48 U.S.C. 692(a)(2), 663(3), 697). The "available lands" for Hawaiian Homes Commission purposes may not, in fact, include lands that were not ceded land, but in order to establish with certainty that all "available lands" have been transferred to Hawaii, the further phrase proposed to be added by section 44 is necessary.

LEASE BY UNITED STATES OF PUBLIC PROPERTY OF HAWAII

Section 43 relates to section 91 of the Hawaiian Organic Act (48 U.S.C. 511), under which the public property of the Republic of Hawaii which had been ceded to the United States at the time of annexation was placed in the possession, use, and control of the Territory until taken for the uses and purposes of the United States. If so taken, but if not used for public purposes, the section further provided that any rent or consideration received by the United States from such public property, if leased, rented, or granted upon revocable permit to private parties, would be covered into the treasury of the Territory. Section 46 would provide that during the 5-year period immediately following Hawaii's admission, any such rentals or other consideration would continue to be paid to the treasury of Hawaii. The 5-year term was selected because by the end of that period, Federal agencies will have assessed their need for retaining all such property, and that which is no longer required by the United States will be conveyed to the State.

TRANSFER OF RECORDS

Section 44(a) provides for the transfer to the State of records, and other papers, noncurrent as well as current, accumulated in connection with functions which have been assumed by the State. Certain court records, for example, created by courts and court officers established by the Organic Act, might have the status of Federal records, yet their successor State courts and officers can be expected to have a continuing need for such records. There would also be transferred records and other papers in the custody of the Public Archives of Hawaii.

Subsection (b) relates to books and other materials, principally legal reference materials, which have been made available to Territorial courts and agencies to enable them better to perform functions conferred upon them by the Hawaiian Organic Act and related statutes.

USE OF GSA SERVICES OR FACILITIES

Section 45 would permit the State of Hawaii to use services or facilities of the General Services Administration, upon payment of compensation therefor, for an interim period ending August 21, 1964. Under this provision the State of Hawaii could make purchases through the General Services Administration, as the Territory was enabled to do under a provision contained in annual Interior Department appropriation acts. It could also utilize space in certain Federal properties in Hawaii under the control of the General Services Administration.

PURCHASES OF TYPEWRITERS

Section 46 amends a paragraph of the current Independent Offices Appropriation Act (Public Law 86–255), which prohibits the use of funds "Within the continental limits of the United States" for the purchase of typewriters unless the purchase conforms to regulations issued under the Federal Property and Administrative Services Act. The amendment would have the effect of placing Hawaii (and Alaska) within the continental limits of the United States for this purpose. The language to be amended is contained in the paragraph headed "General Provisions" under the portion of title I which is devoted to the General Services Administration (73 Stat. 500, 507).

FEDERAL MARITIME BOARD

Section 47 corrects a typographical error in section 18(a) of the Hawaii Statehood Act which, as enacted, provides that nothing contained in the act shall be construed "is conferring" certain jurisdiction on the Interstate Commerce Commission.

TARIFF ACT OF 1930

Section 48 would amend section 309(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1309(a)) to restore to United States and foreign vessels and aircraft the privilege of withdrawing supplies from customs and internal-revenue custody free of duty and internal-revenue taxes for use in domestic trade between Hawaii and the rest of the United States and between Alaska and the rest of the United States. Such a

privilege existed while Hawaii and Alaska were Territories but ceased, under the terms of the Tariff Act, when Hawaii and Alaska became States. The privilege extends to carriers in foreign trade, including those traveling from the rest of the United States through Hawaii and Alaska to foreign ports. With few exceptions, it does not now extend to carriers in domestic trade.

### EFFECTIVE DATES

The provisions of section 49 of the bill, which contains the effective dates for certain of the amendments included in the earlier sections, have been discussed for the most part in the above discussion of the amendments.

### ADMINISTRATION OF PALMYRA, MIDWAY, AND WAKE

Section 50 confers upon such officers and agencies as the President designates all executive and legislative authority necessary for discharging the responsibilities of civil government on Palmyra, Midway, and Wake. The first sentence of the section is similar to the authority already conferred by the Congress in the case of American Samoa (48 U.S.C. 1431a(c) and the Trust Territory of the Pacific Islands (68 Stat. 330). The section confers more limited judicial authority, however, inasmuch as the act of June 15, 1950 (48 U.S.C. 644a), as amended by the Hawaiian Statehood Act, already confers certain jurisdiction over civil and criminal cases arising on such islands to the Federal District Court in Hawaii. Under the terms of existing law, Federal admiralty law applies to such cases. Under the provisions of the proposed section 50, judicial authority, other than that contained in the 1950 act, is also conferred. Under the authority contained in the section, those charged with the administration of the islands in question could create local courts and could vest in them jurisdiction over matters not covered by the 1950 statute, such as automobile traffic offenses.

The second sentence of the section authorizes the person designated by the President to administer Palmyra to place additional jurisdiction, judicial functions, and duties in the District Court of Hawaii. Prior to statehood, Palmyra was a part of the Territory of Hawaii, and Hawaiian laws thus applied to it. These included the Territory's land registration laws, a matter of significance in the case of Palmyra in light of the litigation which has arisen on this subject (see *United States* v. *Fullard-Leo*, 331 U.S. 256 (1947)). It is therefore likely that the agency charged with Palmyra's administration, now the Interior Department, will wish to arrange for a land registration system for the island, and use of the District Court of Hawaii for this purpose would seem appropriate. Given the virtually uninhabitated nature of Palmyra, it would be unwise for the administrator to create a local court solely for the purpose of providing a land registration system. The authority contained in the last sentence is not restricted to land registration, for it may develop that the services of the District Court will be required in other judicial matters as well, but it currently appears that land registration may be the only subject involved.

OTHER SUBJECTS

Section 51 is designed to avoid any inference, from the inclusion of amendments to certain statutes and the omission of amendments to others, that it is intended to affect the applicability in or to Hawaii of statutes not so amended.

SEPARABILITY

Section 52 provides a separability clause.

## EXECUTIVE COMMUNICATION

The executive communication of February 12, 1960, and a statement dated February 29, 1960, from the Bureau of the Budget concerning costs to the Federal Government are set forth below:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
*Washington, D.C., February 12, 1960.*

Hon. SAM RAYBURN,
*Speaker of the House of Representatives,*
*Washington, D.C.*

MY DEAR MR. SPEAKER: There is forwarded herewith a draft of legislation "To amend certain laws of the United States in light of the admission of the State of Hawaii into the Union, and for other purposes."

This proposal is designed to make those changes in Federal laws which have become necessary and desirable because of Hawaii's admission into the Union "on an equal footing with the other States in all respects whatever." The President noted in his 1961 budget message to the Congress that "as in the case of Alaska, comprehensive legislation will be necessary to enable Hawaii to take its place as the equal of the other 49 States. Recommendations will be transmitted to the Congress concerning those changes needed in Federal laws in order to bring Hawaii under the same general laws, rules and policies as are applicable to the other States."

The proposed legislation would (1) make Hawaii eligible to participate in a number of Federal programs on a comparable basis with the other States; (2) authorize measures to facilitate an orderly transition; (3) determine the applicability or inapplicability of certain Federal laws to Hawaii; (4) delete inappropriate references to the "Territory of Hawaii" in Federal statutes and make other necessary technical and perfecting amendments; and (5) provide for the civil government of Palmyra, Midway, and Wake Islands

Hawaii already participates in the majority of Federal grant-in-aid programs on the same basis as other States. There are a number of Federal grant-in-aid programs, however, under which Hawaii is still accorded, as it was when a Territory, treatment different from that of other States. In accordance with the principle that Hawaii, as a full and equal member of the Union, should not receive more or less favorable treatment than other States, the proposed legislation would amend pertinent laws providing Federal assistance for national defense education, vocational education, school construction and operation in federally affected areas, construction of interstate and defense highways, vocational rehabilitation, water pollution control, hospital and

medical facilities construction, old-age assistance, aid to dependent children, aid to the blind, aid to the permanently and totally disabled, and child welfare services to bring Hawaii under the apportionment and matching formulas or other provisions applicable to the 49 States as soon as possible.

Under the provisions of the legislative proposal both Hawaii and Alaska would be accorded the treatment received by other States under the conservation reserve program. At present the program applies to these States only if the Secretary of Agriculture determines that the national interest requires it. Hawaii also would be brought under the Small Reclamation Projects Act of 1956 which now authorizes Federal assistance for the development of small irrigation projects in the 17 Western States. The Soil Conservation and Domestic Allotment Act would be amended to provide for the election of members of county committees as in the other States. Members of such committees in Hawaii are at present appointed by the Secretary of Agriculture.

Several sections of the draft bill are concerned primarily with transitional problems. To assist the State in achieving an orderly transition, the General Services Administration would be authorized to provide space in Federal buildings and other services to the State of Hawaii during an interim period. The bill also would provide for transfer to the State of official records and papers. For a 5-year transitional period the State would be accorded the same rights as formerly possessed by the Territorial government with respect to income derived by the Federal Government from the lease or rental of public properties of the Republic of Hawaii which were ceded to the United States at the time of annexation. Section 5(e) of the Hawaii Statehood Act requires each Federal agency to report within 5 years following Hawaii's admission into the Union on its need for certain Federal lands or properties in Hawaii over which it has control. The proposed legislation would require the President to prescribe procedures to assure that the reports on Federal land needs in Hawaii are prepared in accordance with uniform policies and properly coordinated.

The proposed legislation would extend the applicability of certain Federal laws to Hawaii. These include a portion of the Investment Company Act of 1940, not hitherto applicable to certain Hawaiian companies; the Federal Youth Corrections Act; certain provisions relating to parole; the act of February 15, 1927 relating to the importation of milk and cream; a statute relating to the transportation of bodies of veterans who have died in Veterans' Administration facilities; section 29 of the Federal Register Act relating to notice of hearings; and sections of the Merchant Marine Act of 1936 which designate shipyards authorized to construct and repair vessels receiving Federal subsidies. Those parts of the Interstate Commerce Act dealing with regulation of railroad and pipeline carriers, motor carriers, water carriers, and freight forwarders and related laws would be made inapplicable to Hawaii. Due to the peculiarities of Hawaii's geographical position and the character of its transportation services, the Interstate Commerce Commission has recommended that Hawaii be exempt from its jurisdiction. Jurisdiction over water transportation between ports of Hawaii and ports of other States is vested by the Hawaii Statehood Act in the Federal Maritime Board and would be unaffected. Hawaii also would retain its partial exemption from the tax on transportation.

The draft bill would amend the definition of the term "continental United States" in section 222 of the Federal Communications Act of 1934 so as to preserve Hawaii's exclusion from that definition. Section 222, which deals with consolidations and mergers of telegraph carriers, excluded Hawaii from "domestic telegraph operations" for purposes of the section. The amendment would preserve present arrangements under which telegraph messages between the mainland and Hawaii are classified as "international telegraph operations" pending the outcome of proceedings which have been instituted by the Federal Communications Commission to determine whether Hawaii should remain in the international, rather than the domestic, category.

Section 5(b) of the Hawaii Statehood Act would be amended to correct a possible defect in the conveyance of lands to Hawaii. Section 5(b) conveys to the new State, with certain exceptions, all public lands ceded and transferred by the Republic of Hawaii to the United States at the time of annexation. It is not entirely certain, however, whether the definition of lands conveyed by section 5(b) includes all the lands defined as "available lands" for Hawaiian Homes Commission purposes. The proposed amendment would establish with certainty that all "available lands" have been transferred to Hawaii. Many of the provisions of the draft bill are essentially technical and perfecting in nature and either eliminate inappropriate references to Hawaii or make other language changes which are considered appropriate because of Hawaii's changed status.

The Hawaii Statehood Act provides that the State boundaries shall include all of the islands and territorial waters of the Territory of Hawaii, except the island of Palmyra. The Statehood Act makes no provision for the civil government of Palmyra, other than including Palmyra within the Hawaii Federal judicial district and extending the criminal and civil jurisdiction of the U.S. District Court for the District of Hawaii to the island. The proposed legislation would confer upon such persons and agencies as the President may designate all executive and legislative authority necessary for discharging the responsibilities of civil government on Palmyra Island. The provision would apply also to Midway and Wake Islands whose status is comparable to that of Palmyra. The person designated by the President to administer Palmyra would be authorized to place additional jurisdiction and functions in the District Court of Hawaii, including a land registration system for the Island.

The Bureau of the Budget urges early and favorable consideration of the proposed legislation, since its enactment is required to provide for the orderly transition of Hawaii from territorial status to full statehood.

Sincerely yours,

(Signed) ELMER B. STAATS,
*Deputy Director.*

A BILL To amend certain laws of the United States in light of the admission of the State of Hawaii into the Union, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Hawaii Omnibus Act".

PRINTING OUTSIDE UNITED STATES

SEC. 2. 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".

SUGAR ACT

SEC. 3. Section 101(j), 203, 205(a), 209(a), 209(c), and 307 of the Sugar Act of 1948, as amended, are each amended by striking out the words "the Territory of" in each place where they appear therein.

SOIL BANK ACT

SEC. 4. 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."

ARMED FORCES

SEC. 5. (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; 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)".

HOME LOAN BANK BOARD

SEC. 6. (a) Paragraph (3) 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".

NATIONAL HOUSING ACT

SEC. 7. The National Housing Act is amended by striking out the word "Hawaii," in sections 9, 201(d), 207(a)(7), 601(d), 713(q), and 801(g).

SECURITIES AND EXCHANGE COMMISSION

SEC. 8. (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,".

SMALL BUSINESS INVESTMENT ACT

SEC. 9. Paragraph (4) of section 103 of the Small Business Investment Act of 1958 is amended by striking out the words "the Territories of Alaska and Hawaii,".

SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

SEC. 10. (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."

WATER STORAGE AND UTILIZATION

SEC. 11. 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".

WILDLIFE RESTORATION

SEC. 12. Section 2 of the Act of September 2, 1937 (50 Stat. 917), 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".

FISHERY RESOURCES

SEC. 13. The Act of August 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 sections 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.

FISH RESTORATION

SEC. 14. 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".

CRIMINAL CODE

SEC. 15. (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".

(d) Notwithstanding subsections (b) and (c) of this section, sections 4208 and 4209 and chapter 402 of title 18, United States Code, shall not apply in Alaska until July 7, 1961, or until the effective date of the Executive order referred to in section 18 of the Act of July 7, 1958 (72 Stat. 339, 350), providing for the admission of the State of Alaska into the Union, whichever occurs first.

EDUCATION

National Defense Education Act

SEC. 16. (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,".

Vocational Education

(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,".

School Construction Assistance in Federally-Affected Areas

(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,".

School Operation Assistance in Federally Affected Areas

(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,".

IMPORTATION OF MILK AND CREAM

SEC. 17. 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."

OPIUM POPPY CONTROL

SEC. 18. Section 12 of the Opium Poppy Control Act of 1942, as amended, is further amended by deleting therefrom the words "the Territory of Hawaii,".

HIGHWAYS

SEC. 19. (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."

INTERNAL REVENUE

SEC. 20. (a) Section 4262(c)(1) of the Internal Revenue Code of 1954 (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 1954 (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 1954 (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 1954 (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 1954 (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 1954 (relating to definition of "United States") is amended by striking out "the Territory of Hawaii,".

(g) Section 4774 of the Internal Revenue Code of 1954 (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 1954 (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 1954 (relating to the definition of "United States") is amended by striking out ", the Territory of Hawaii,".

(j) Section 7701(a)(10) of the Internal Revenue Code of 1954 (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.

JUDICIARY

SEC. 21. 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 Islands,".

VOCATIONAL REHABILITATION

SEC. 22. (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).

LABOR

SEC. 23. (a) Section 3(b) of the Act of June 6, 1933 (48 Stat. 114), as amended, is further amended by striking out the words "Alaska, Hawaii, Puerto Rico," and inserting in lieu thereof the words "Puerto Rico".

(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) of the Welfare and Pension Plans Disclosure Act is amended by striking out the word "Hawaii,".

NATIONAL GUARD

SEC. 24. Title 32, United States Code, section 101(1), is amended by striking out the words "Hawaii or".

WATER POLLUTION CONTROL ACT

SEC. 25. (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 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) Subsection (d) of section 11 of such Act, relating to definition of State, is amended by striking out "Hawaii,".

COAST AND GEODETIC SURVEY

SEC. 26. 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".

VETERANS' ADMINISTRATION

SEC. 27. (a) Title 38, 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), 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), is amended by striking out the word "Hawaii,".

DAVIS-BACON ACT

SEC. 28. 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,".

FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

SEC. 29. 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).

BUY AMERICAN ACT

SEC. 30. Section 1(b) of title III of the Act of March 3, 1933 (47 Stat. 1520), as amended, is amended by striking out the word "Hawaii,".

PUBLIC HEALTH SERVICE ACT

SEC. 31. (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 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;".

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

SOCIAL SECURITY ACT

SEC. 32. (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 presribe 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) Subparagraphs (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 herein.

(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,".

SMALL RECLAMATION PROJECTS

SEC. 33. The Small Reclamation Projects Act of 1956 (70 Stat. 1044), as heretofore and hereafter amended, shall apply to the State of Hawaii.

CONGRESSIONAL RECORD

SEC. 34. Section 73 of the Act of January 12, 1895 (28 Stat. 617), as amended, is further amended by striking out the words "Hawaii, Puerto Rico," and inserting in lieu thereof the words "Puerto Rico".

FEDERAL REGISTER

SEC. 35. 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".

RAILROADS

SEC. 36. (a) The following laws shall not apply to railroads operating in the State of Hawaii:

(1) the Act of March 2, 1893 (27 Stat. 531), as amended;
(2) the Act of March 2, 1903 (32 Stat. 943), as amended;
(3) the Act of April 14, 1910 (36 Stat. 298), as amended;
(4) the Act of May 30, 1908 (35 Stat. 476), as amended;
(5) the Act of February 17, 1911 (36 Stat. 913), as amended;
(6) the Act of May 6, 1910 (36 Stat. 350);
(7) the Act of March 4, 1907 (34 Stat. 1415), as amended; and
(8) the Act of September 3, 5, 1916 (39 Stat. 721).

The regulation of railroads in Hawaii by the State of Hawaii with respect to safety and hours of service of employees shall not be considered to be a burden on interstate or foreign commerce.

(b) Section 1(e) of the Railroad Retirement Act of 1937 and subsections (s) and (t) of section 1 of the Railroad Unemployment Insurance Act are each amended by striking out the words ", Alaska, Hawaii,".

HOME PORTS OF VESSELS

SEC. 37. 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".

MERCHANT MARINE ACT, 1936

SEC. 38. (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."

COMMUNICATIONS ACT

SEC. 39. 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".

INTERSTATE COMMERCE COMMISSION

SEC. 40. (a) Section 1(2) of the Interstate Commerce Act, as amended, is further amended by adding the word "or" at the end of subsection (a) thereof and by inserting the following as subsection (b):

"(b) To operations of carriers or other persons within the State of Hawaii, which operations are hereby exempt from all requirements of this part; but this exemption from the requirements of this part shall not be construed to render inapplicable to such carriers or other persons any other laws of the United States relating to railroads which, by their terms, are applicable to such carriers or other persons as are subject to this part, unless such laws are expressly inapplicable to railroads operating in the State of Hawaii; and it shall not be considered to be a burden on interstate or foreign commerce for the State of Hawaii to regulate such operations or to regulate the carriers or other persons engaged therein; or".

(b) Section 204(a)(4a) of the Interstate Commerce Act is amended by adding at the end thereof the following new sentence: "Transportation by motor vehicle within the State of Hawaii shall be exempt from the Interstate Commerce Act, and the regulation of such transportation and persons engaged therein by the State of Hawaii shall not be considered to be a burden on interstate or foreign commerce."

(c) Section 303(f) of the Interstate Commerce Act is amended by adding at the end thereof the following new paragraph:

"(3) to transportation by water between ports of the State of Hawaii and between such ports and ports in other States."

(d) Section 402(a)(7) of the Interstate Commerce Act is amended by striking out the period at the end thereof and adding the following: ", or for the performance of which transportation between places in the State of Hawaii, or water transportation between a port in the State of Hawaii and a port in any other State, is utilized. The regulation by the State of Hawaii of transportation by freight forwarders between places in the State of Hawaii shall not be considered to be a burden on interstate or foreign commerce."

AIRCRAFT LOAN GUARANTEES

SEC. 41. 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".

REAL PROPERTY TRANSACTIONS

SEC. 42. 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,".

SELECTIVE SERVICE

SEC. 43. Section 16(b) of the Universal Military Training and Service Act, as amended, is further amended by striking out the word "Hawaii,".

REPORTS ON FEDERAL LAND USE

SEC. 44. 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.

HAWAIIAN HOMES COMMISSION LANDS

SEC. 45. 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,".

LEASE BY UNITED STATES OF PUBLIC PROPERTY OF HAWAII

SEC. 46. 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 Hawaiian Organic Act and thereafter by the United States leased, rented, or granted upon revocable permits to private parties.

TRANSFER OF RECORDS

SEC. 47. (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 into 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.

USE OF GSA SERVICES OR FACILITIES

SEC. 48. 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.

PURCHASES OF TYPEWRITERS

SEC. 49. 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".

FEDERAL MARITIME BOARD

SEC. 50. 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".

EFFECTIVE DATES

SEC. 51. (a) The amendments made by section 16(a)(2)(A), by section 22(b), by section 25(a), by paragraphs (1), (2), and (3) of section 31(d), by subsection (b), and paragraphs (1) and (3) of subsection (a), of section 32, and, except as provided in subsection (g), by paragraphs (1), (2), (3), and (4) of section 22(b) shall be applicable in the case of promulgations or computations of Federal shares, allotment 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 32(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 16 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 16(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 16(a) is applicable, are promulgated under such section 302(a).

(e) The amendment made by section 32(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 16, by section 22(a), by section 25(b), by subsections (a), (b), and (c), and paragraph (4) of subsection (d), of section 31, and by subsection (d), and paragraph (2) of subsection (c), of section 32 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.

ADMINISTRATION OF PALMYRA, MIDWAY, AND WAKE

Sec. 52. 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), functions, and duties as he or they may deem appropriate for the civil administration of such island.

OTHER SUBJECTS

Sec. 53. 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.

SEPARABILITY

Sec. 54. 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.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
*Washington, D.C., February 29, 1960.*

Hon. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,*
*House of Representatives, Washington, D.C.*

MY DEAR MR. CHAIRMAN: In the course of the hearing on February 23 on the proposed Hawaii Omnibus Act, you requested that the Bureau of the Budget furnish to the committee data on the extent to which the bill would authorize or require new appropriations and expenditures by the Federal Government. As Mr. Seidman indicated during the hearing, such additional costs would be minor.

Only section 32(a), dealing with public-assistance grants, would require definite additional expenditures to place Hawaii on an equal footing with the other States. Section 32(a) would amend section 1101(a)(8) of the Social Security Act which defines the term "Federal percentage" used in determining the portion of expenditures in each State for old-age assistance, aid to dependent children, aid to the blind, or aid to the permanently and totally disabled which will be borne by the Federal Government. The amendment would eliminate special treatment for Hawaii so that the determination of its Federal percentage would be based on relative per capita income as in the other States. The public-assistance grants are "open-end" grants, and the change in the manner of determining the Federal percentage in Hawaii, it is estimated, would result in Hawaii receiving about $215,000 a year more in Federal funds for assistance to the aged, dependent children, blind, and disabled than it now does. Section 51(b), on effective dates, would make the amendment of section 32(a) effective for calendar quarters beginning with the quarter in which the bill is enacted.

Section 16(b) of the bill, dealing with grants under the Smith-Hughes vocational education law, does provide for increases in the amounts appropriated for the purpose of making minimum allotments to the States for salaries of teachers and supervisors. Such appropriations would be increased by $8,200 to provide for Hawaii's coverage under provisions applicable to all States. However, no real change would result in the payments going to Hawaii under that law, since Hawaii has been receiving grants equivalent to those which it would receive as a State under a separate section of the Smith-Hughes Act. That separate section would be repealed by section 16(a) of the bill, and Hawaii would, instead, be treated under the provisions applicable to the other States.

Section 4 of the bill would extend the conservation reserve program to Hawaii and Alaska, and would supersede the present provisions of law which make such extension discretionary with the Secretary of Agriculture. No new appropriations are required for such extension, and it is not anticipated that any lands in the new States will be eligible for participation in the program at this time in any case. Section 16 on educational grants, section 19 on Federal-aid highway grants, section 22 on vocational rehabilitiation grants, section 25 on water pollution control grants, section 31 on certain grants for hospitals and section 33 on the Small Reclamation Projects Act of 1956 provide for Hawaii's participating in those programs on an equal basis. No additional appropriations would be required for such equal treatment.

Any increases in funds going to Hawaii as a result of those amendments would be derived from funds now available to all the States.

Sections 8(c), 15(b), 15(c), 17, and 27(b) extend to Hawaii certain provisions of the Investment Company Act of 1940, the Federal Youth Corrections Act, a 1958 statute on parole, the act of February 15, 1927, on importation of milk and cream, and section 903(b) of title 38, United States Code, relating to transportation of bodies of persons dying in Veterans' Administration facilities, respectively. Those amendments may result in small increases in administrative costs of the agencies involved. However, no new appropriations will be required as a result.

The other sections of the bill would not result in any changes in Federal expenditures in Hawaii or in the other States.

During the hearing you also asked where receipts from the repayment of, and interest on loans under the Small Reclamation Projects Act of 1956 are deposited. I am informed that the Department of the Interior plans to deposit such receipts in the reclamation fund.

Sincerely yours,

PHILLIP S. HUGHES,
*Assistant Director for Legislative Reference.*

## COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends the enactment of H.R. 11602.

## CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

### ACT OF AUGUST 1, 1956 (70 STAT. 890; 5 U.S.C. 170(q))

The Secretary of State is authorized to establish, maintain, and operate passport and despatch agencies.

SEC. 2. The Secretary of State, when funds are appropriated therefor, may—

(a) provide for printing and binding outside [the continental United States] *the States of the United States and the District of Columbia* without regard to section 11 of the Act of March 1, 1919 (44 U.S.C. 111); * * *

### SOIL BANK ACT (70 STAT. 188; 7 U.S.C. 1837)

SEC. 113. [This subtitle B shall apply to the continental United States, except Alaska, and, if the Secretary determines it to be in the national interest, to the State of Alaska, the Territory of Hawaii, the Commonwealth of Puerto Rico, and the Virgin Islands, and as used in this subtitle B, the term "State" includes Hawaii, Puerto Rico, and the Virgin Islands.] *This subtitle B shall apply to the several States and, if the Secretary determines it to be in the national interest, to the Common-*

*wealth of Puerto Rico and the Virgin Islands; and as used in this subtitle B, the term "State" includes Puerto Rico and the Virgin Islands.*

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## TITLE 10, UNITED STATES CODE

**§ 101. DEFINITIONS.**

In addition to the definitions in sections 1–5 of title 1, the following definitions apply in this title:

(1) "United States", in a geographic sense, means the States and the District of Columbia.

(2) "Territory" means [Hawaii or] any Territory organized after this title is enacted, so long as it remains a Territory.

* * * * * * *

**§ 802. ART. 2. PERSONS SUBJECT TO THIS CHAPTER.**

The following persons are subject to this chapter:

* * * * * * *

(11) Subject to any treaty or agreement to which the United States is or may be a party or to any accepted rule of international law, persons serving with, employed by, or accompanying the armed forces outside the United States and outside the following: the Canal Zone, [the main group of the Hawaiian Islands,] Puerto Rico, and the Virgin Islands.

(12) Subject to any treaty or agreement to which the United States is or may be a party or to any accepted rule of international law, persons within an area leased by or otherwise reserved or acquired for the use of the United States which is under the control of the Secretary concerned and which is outside the United States and outside the following: the Canal Zone, [the main group of the Hawaiian Islands,] Puerto Rico, and the Virgin Islands.

* * * * * * *

**§ 2662. REAL PROPERTY TRANSACTIONS: AGREEMENT WITH ARMED SERVICES COMMITTEE: REPORTS.**

(a) The Secretary of a military department, or his designee, must come to an agreement with the Committees on Armed Services of the Senate and the House of Representatives before entering into any of the following transactions by or for the use of that department:

* * * * * * *

(c) This section applies only to real property in the United States [, Hawaii,] and Puerto Rico. It does not apply to real property for river and harbor projects or flood-control projects, or to leases of Government-owned real property for agricultural or grazing purposes.

* * * * * * *

**§ 4744. PERSONS AND SUPPLIES: SEA TRANSPORTATION.**

Whenever the Secretary of the Army considers that space is available, the following persons and supplies may be transported on vessels operated by Army transport agencies or, within bulk space allocations made to the Department of the Army, on vessels operated by any military transport agency of the Department of Defense:

(1) Members of the Navy, Marine Corps, or Coast Guard.

(2) Officers and employees of the Department of the Army, the Department of the Navy, the Department of the Air Force, or the Coast Guard.

(3) Supplies of the Department of the Navy.
(4) Members of Congress.
(5) Other officers of the United States traveling on official business.
[(6) Officers and employees of the Territory of Hawaii.]
[(7) *(6)* Secretaries and supplies of the Armed Services Department of the Young Men's Christian Association.
[(8)] *(7)* Officers and employees of the Commonwealth of Puerto Rico on official business.
[(9)] *(8)* The families of persons described in clauses (1), (2), (4), (5), [(6), and (8)] *and (7)*.

However, a person described in [clause (8) or (9)] *clause (7) or (8)* may be so transported only if the transportation is without expense to the United States.

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## FEDERAL HOME LOAN BANK ACT (47 STAT. 725) AS AMENDED (12 U.S.C. 1422)

SEC. 2. As used in this Act—
(1) The term "board" means the Home Loan Bank Board.
(2) The term "Federal Home Loan Bank" means a bank established by the board under authority of this chapter.
(3) The term "State" includes the District of Columbia, Guam, Puerto Rico, [the Virgin Islands of the United States, and the Territory of Hawaii] *and the Virgin Islands of the United States.*

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## HOME OWNERS' LOAN ACT OF 1933 (48 STAT. 128) AS AMENDED (12 U.S.C. 1466)

SEC. 7. The provisions of this Act shall apply to the continental United States (including Alaska), to the [Territory of Hawaii] *State of Hawaii,* and to Puerto Rico, Guam and the Virgin Islands.

---

## NATIONAL HOUSING ACT (48 STAT. 1246) AS AMENDED

SEC. 9. The provisions of sections 2 and 8 shall be applicable in the several States and [Hawaii,] Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * * * *

SEC. 201. (d) The term "State" includes the several States, and [Hawaii,] Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * * * *

SEC. 207.(a)(7) The term "State" includes the several States and [Hawaii,] Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * * * *

SEC. 601. (d) The term "State" includes the several States, and [Hawaii,] Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * * * *

SEC. 713. (q) "State" shall include the several States and [Hawaii,] Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

* * * * * * *

SEC. 801. (g) The term "State" includes the several States, and [Hawaii,] Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Canal Zone, and Midway Island.

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## SECURITIES ACT OF 1933 (48 STAT. 74) AS AMENDED (15 U.S.C. 77b(6))

SEC. 2. When used in this title, unless the context otherwise requires—

* * * * * * *

(6) The term "Territory" means [Hawaii,] Puerto Rico, Canal Zone, the Virgin Islands, and the insular possessions of the United States.

---

## SECURITIES EXCHANGE ACT OF 1934 (48 STAT. 881) AS AMENDED (15 U.S.C. 78c(a)(16))

SEC. 3. (b) When used in this title, unless the context otherwise requires—

* * * * * * *

(16) The term "State" means any State of the United States, the District of Columbia, [Hawaii,] Puerto Rico, the Canal Zone, the Virgin Islands, or any other possession of the United States.

---

## INVESTMENT COMPANY ACT OF 1940 (54 STAT. 789) AS AMENDED (15 U.S.C. 80a-2(a)(37) AND 80a-6(a)(1))

SEC. 2. (a) When used in this title, unless the context otherwise requires—

* * * * * * *

(37) "State" means any State of the United States, the District of Columbia, [Hawaii,] Puerto Rico, the Canal Zone, the Virgin Islands, or any other possession of the United States.

* * * * * * *

SEC. 6. (a) The following investment companies are exempt from the provisions of this title:

(1) Any company organized or otherwise created under the laws of and having its principal office and place of business in [Hawaii,] Puerto Rico, the Canal Zone, the Virgin Islands, or any other possession of the United States; but such exemption shall terminate if any security of which such company is the issuer is offered for sale or sold after the effective date of this title, by such company or any underwriter therefor, to a resident of any State other than the State in which such company is organized.

## INVESTMENT ADVISERS ACT OF 1940 (54 STAT. 847) AS AMENDED (15 U.S.C. 80b-2(a)(18))

SEC. 202. (a) When used in this title, unless the context otherwise requires—

* * * * * * *

(18) "State" means any State of the United States, the District of Columbia, [Hawaii,] Puerto Rico, the Canal Zone, the Virgin Islands, or any other possession of the United States.

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## SMALL BUSINESS INVESTMENT ACT OF 1958 (72 STAT. 689 690; 15 U.S.C. 662(4))

SEC. 103. As used in this Act—

* * * * * * *

(4) the term "United States" means the several States, [the Territories of Alaska and Hawaii,] the District of Columbia, and the Commonwealth of Puerto Rico; * * *

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## SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT (49 STAT. 163) AS AMENDED (16 U.S.C. 590h(b) AND 590g(a))

SEC. 8. (b) * * * In carrying out the provisions of this section [in the continental United States, except in Alaska,] *in the States of the Union, except Alaska.* the Secretary is directed to utilize the services of local and State committees selected as hereinafter provided. * * *

* * * * * * *

SEC. 17. (a) [This Act shall apply to the States, the Territory of Hawaii, and the possessions of Puerto Rico and the Virgin Islands, and, as used in this Act, the term "State" includes Hawaii, Puerto Rico, and the Virgin Islands.] *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.*

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## ACT OF AUGUST 28 1937 (50 STAT. 869) AS AMENDED (16 U.S.C. 590r)

It is hereby recognized that the wastage and inadequate utilization of water resources on farm, grazing, and forest lands resulting from inadequate facilities for water storage and utilization contribute to the destruction of natural resources, injuries to public health and public lands, droughts, periodic floods, crop failures, decline in standards of living, and excessive dependence upon public relief, and thereby menace the national welfare. It is therefore hereby declared to be the policy of Congress to assist in providing facilities for water storage and utilization in [the United States, including the Territories of Alaska and Hawaii, and Puerto Rico and the Virgin Islands] *the States of the United States and in Puerto Rico and the Virgin Islands.*

## ACT OF SEPTEMBER 2, 1937 (50 STAT. 917), AS AMENDED (16 U.S.C. 699a)

SEC. 2. For the purposes of this Act the term "wild-life-restoration project" shall be construed to mean and include the selection, restoration, rehabilitation, and improvement of areas of land or water adaptable as feeding, resting, or breeding places for wildlife, including acquisition by purchase, condemnation, lease, or gift of such areas or estates or interests therein as are suitable or capable of being made suitable therefor, and the construction thereon or therein of such works as may be necessary to make them available for such purposes and also including such research into problems of wildlife management as may be necessary to efficient administration affecting wildlife resources, and such preliminary or incidental costs and expenses as may be incurred in and about such projects; the term "State fish and game department" shall be construed to mean and include any department or division of department of another name, or commission, or official or officials, of a State empowered under its laws to exercise the functions ordinarily exercised by a State fish and game department[; and the term "State" shall be construed to mean and include the several States and the Territory of Hawaii].

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## ACT OF AUGUST 4, 1947 (61 STAT. 726; 16 U.S.C. 758–758d)

It is the policy of the United States to provide for the exploration, investigation, development, and maintenance of the fishing resources and development of the high seas fishing industry of [the Territories and island possessions of the United States] *the United States and its island possessions* in the tropical and subtropical Pacific Ocean and intervening seas, for the benefit of the residents of the [Territory of Hawaii and] Pacific island possessions and of the people of the United States.

SEC. 2. The Secretary of the Interior, through the Fish and Wildlife Service of the Department of the Interior, is authorized and hereby directed to conduct such fishing explorations and such necessary related work as oceanographical, biological, technological, statistical, and economic studies to insure maximum development and utilization of the high seas fishery resources of [the Territories and island possessions of the United States] *the United States and its island possessions* in the tropical and subtropical Pacific Ocean and intervening areas as may be consistent with developing and sustaining such fishery resources at maximum levels of production in perpetuity and to provide for the best possible utilization thereof.

SEC. 3. In carrying out the purposes and objectives of the foregoing sections, the Secretary of the Interior may cooperate with appropriate agencies of the [Territorial] *State* and island governments, and with such educational, industrial, or other organizations, enterprises, and individuals as may be expedient.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary for the construction, including architectural services, and for furnishings and equipment of a fishery research laboratory and experiment station in the [Hawaiian Islands] *State of Hawaii*

and necessary sub-stations at suitable locations, together with suitable dock and storehouse facilities to be used in conjunction with the operation of research and experimental fishing vessels and for the procurement and for the modification, refitting, and equipment of two experimental high-seas fishing vessels, together with all necessary gear and appurtenances, and of one multiple purpose high-seas fishing and oceanographical research vessel, together with all necessary gear and appurtenances, including necessary naval architectural and engineering services: *Provided, however,* That no part of said appropriation shall be expended for the acquisition of lands for sites for said laboratory, experiment station, or substations in the [Territory of Hawaii] *State of Hawaii: Provided further,* That there are authorized to be transferred to the Fish and Wildlife Service not to exceed three surplus vessels suitable for conversion and use in oceanographic and biological research and exploratory fishing, by any disposal agency of the Government without reimbursement or transfer of funds.

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## ACT OF AUGUST 9, 1950 (64 STAT. 430), AS AMENDED (16 U.S.C. 777a(d))

SEC. 2. For the purpose of this Act the term "fish restoration and management projects" shall be construed to mean projects designed for the restoration and management of all species of fish which have material value in connection with sport or recreation in the marine and/or fresh waters of the United States and include—

* * * * * * *

(d) the selection, restoration, rehabilitation, and improvement of areas of water or land adaptable as hatching, feeding, resting, or breeding places for fish, including acquisition by purchase, condemnation, lease, or gift of such areas or estates or interests therein as are suitable or capable of being made suitable therefor, and the construction thereon or therein of such works as may be necessary to make them available for such purposes, and such preliminary or incidental costs and expenses as may be incurred in and about such works; the term "State fish and game department" shall be construed to mean and include any department or division of department of another name, or commission, or official or officials, of a State empowered under its laws to exercise the functions ordinarily exercised by a State fish and game department[; and the term "State" shall be construed to mean and include the several States and the Territory of Hawaii].

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## TITLE 18, UNITED STATES CODE

**§ 1401. DEFINITIONS**

As used in this chapter—

The term "heroin" shall mean any substance identified chemically as diacetylmorphine or any salt thereof.

The term "United States" shall include the District of Columbia, [the Territory of Alaska, the Territory of Hawaii,] the Common-

wealth of Puerto Rico, the insular possessions of the United States, the Trust Territory of the Pacific, and the Canal Zone.

* * * * * * *

§ 5024. WHERE APPLICABLE.

[This chapter shall apply in the continental United States including Alaska] *This chapter shall apply in the States of the United States*, and to youth offenders convicted in the District of Columbia of offenses under any law of the United States not applicable exclusively to such District, and to other youth offenders convicted in the District to the extent authorized under section 5025.

---

## PUBLIC LAW 85–752, ACT OF AUGUST 25, 1958 (72 STAT. 845, 847) AS AMENDED

SEC. 6. [Sections 3 and 4 of this Act shall apply in the continental United States including Alaska] *Sections 3 and 4 of this Act shall apply in the States of the United States*, and in the District of Columbia so far as they relate to persons charged with or convicted of offenses under any law of the United States not applicable exclusively to the District of Columbia.

---

## NATIONAL DEFENSE EDUCATION ACT OF 1958 (72 STAT. 1580; 20 U.S.C. 403, 442, AND 588)

SEC. 103. As used in this Act—

(a) The term "State" means a State, [Hawaii,] Puerto Rico, the District of Columbia, the Canal Zone, Guam, or the Virgin Islands, except that as used in sections 302 and 502, such term does not include [Hawaii,] Puerto Rico, the Canal Zone, Guam, or the Virgin Islands.

* * * * * * *

SEC. 302. (a) (1) * * *.

(2) The "allotment ratio" for any State shall be 100 per centum less the product of (A) 50 per centum and (B) the quotient obtained by dividing the income per child of school age for the State by the income per child of school age for the [continental United States] *United States*, except that the allotment ratio shall in no case be less than 33⅓ per centum or more than 66⅔ per centum. The allotment ratios shall be promulgated by the Commissioner as soon as possible after enactment of this Act, and again between July 1 and August 31 of the year 1959, on the basis of the average of the incomes per child of school age for the States and for the [continental United States] *United States* for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. The first such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1, 1958, and ending June 30, 1960, and the second shall be conclusive for each of the two fiscal years in the period beginning July 1, 1960, and ending June 30, 1962.

(3) For the purposes of this title—

(A) The term "child of school age" means a member of the population between the ages of five and seventeen, both inclusive.

(B) [The term "continental United States" includes Alaska.] *The term "United States" means the continental United States (excluding Alaska) and Hawaii.*[1]

(C) The term "income per child of school age" for any State or for the [continental United States] *United States* means the total personal income for the State and the [continental United States] *United States*, respectively, divided by the number of children of school age in such State and in the [continental United States] *United States*, respectively.

* * * * * * *

SEC. 1008. The amounts reserved by the Commissioner under sections 302 and 502 shall be allotted by the Commissioner among [Hawaii,] Puerto Rico, the Canal Zone, Guam, and the Virgin Islands, according to their respective needs for the type of assistance furnished under the part or title in which the section appears.

---

## ACT OF MARCH 10 1924 (43 STAT. 18; 20 U.S.C. 29)

[SEC. 4. The Territory of Hawaii shall be entitled to share in the benefits of the Act entitled "An Act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved February 23, 1917, and any Act amendatory thereof or supplementary thereto, upon the same terms and conditions as any of the several States. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1925, and annually thereafter, the sum of $30,000, to be available for allotment under such Act to the Territory.]

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## ACT OF FEBRUARY 23, 1917 (39 STAT. 930; 20 U.S.C. 12 AND 14)

SEC. 2. * * * Said sums shall be allotted to the States in the proportion which their rural population bears to the total rural population in the United States, not including outlying possessions, according to the last preceding United States census: *Provided,* That the allotment of funds to any State shall be not less than a minimum of $5,000 for any fiscal year prior to and including the fiscal year ending June thirtieth, nineteen hundred and twenty-three, nor less than $10,000 for any fiscal year thereafter, and there is hereby appropriated the following sums, or so much thereof as may be necessary, which shall be used for the purpose of providing the minimum allotment to the States provided for in this section: For the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of $48,000; * * * for the fiscal year ending June thirtieth, nineteen hundred and twenty-

[1] Effective in the case of promulgations of allotment ratios made 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. After such data for a full year are available from the Department of Commerce, subparagraph (B) of paragraph (3) of section 302 is amended to read:

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

five, the sum of $34,000; and annually thereafter the sum of [$27,000] *$28,500.*

* * * * * * *

SEC. 4. * * * And there is hereby appropriated the following sums, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotment provided for in this section: * * * and annually thereafter, the sume of [$98,500] *$105,200.*

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## VOCATIONAL EDUCATION ACT OF 1946 (60 STAT. 775) AS AMENDED (20 U.S.C. 15i, 15jj, AND 15qqq)

SEC. 2. As used in this Act—

(1) the term "States and Territories" means the several States, [the Territory of Hawaii,] the island of Puerto Rico, and the District of Columbia;

* * * * * * *

SEC. 210. (e) The term "State" includes [Hawaii,] the Virgin Islands, Puerto Rico, and the District of Columbia.

* * * * * * *

SEC. 307. For purposes of this Act—

(a) The term "State" includes [Hawaii,] the Virgin Islands, Puerto Rico, the District of Columbia, and Guam.

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## ACT OF SEPTEMBER 23, 1950 (64 STAT. 967) AS AMENDED (20 U.S.C. 645)

SEC. 15. For the purposes of this Act—

* * * * * * *

(13) The term "State" means a State, [Hawaii,] Puerto Rico, Guam, the Virgin Islands, or Wake Island.

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## ACT OF SEPTEMBER 30, 1950 (64 STAT. 1100) AS AMENDED (20 U.S.C. 238 AND 244)

SEC. 3. (d) The local contribution rate for a local educational agency (other than a local educational agency in [Hawaii,] 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*) for any fiscal year shall be computed by the Commissioner of Education, after consultation with the State educational agency and the local educational agency, in the following manner:

(1) he shall determine which school districts within the State are in his judgment generally comparable to the school district of the agency for which the computation is being made; and * * *

The local contribution rate shall be an amount equal to the quotient obtained under clause (2) of this subsection. * * * In no event shall the local contribution rate for any local educational agency in any

State [in the continental United States (including Alaska)] *(other than Puerto Rico, Wake Island, Guam, or the Virgin Islands)* for any fiscal year be less than (i) 50 per centum of the average per pupil expenditure in such State or (ii) 50 per centum of the average per pupil expenditure in the [continental United States] *United States (which for purposes of this sentence and the next sentence means the fifty States and the District of Columbia)*, but not to exceed the average per pupil expenditure in the State: *Provided*, That if, for the fiscal year ending June 30, 1959, the application of clause (ii) of this sentence results in a lower local contribution rate than resulted from the application of such clause during the fiscal year ending June 30, 1958, as such clause was then in effect, then such clause, as in effect during the fiscal year ending June 30, 1958, shall be in effect during the fiscal year ending June 30, 1959. For the purposes of the preceding sentence the "average per pupil expenditure" in a State, or in the [continental] United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies in the State, or in the [continental] United States [(including Alaska)], as the case may be (without regard to the sources of funds from which such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding fiscal year. The local contribution rate for any local educational agency in [Hawaii,] Puerto Rico, Wake Island, Guam, or the Virgin Islands, or in any 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 any State in which there is only one local educational agency*, shall be determined for any fiscal year by the Commissioner in accordance with policies and principles which will, in his judgment, best effectuate the purposes of this Act and most nearly approximate the policies and principles provided herein for determining local contribution rates in other States.

* * * * * * *

SEC. 9. For the purposes of this Act—

* * * * * * *

(8) The term "State" means a State, [Hawaii,] Puerto Rico, Wake Island, Guam, or the Virgin Islands.

---

## ACT OF FEBRUARY 15, 1927 (44 STAT. 1101) AS AMENDED (21 U.S.C. 149(b))

SEC. 9. When used in this Act—

(a) The term "person" means an individual, partnership, association, or corporation.

(b) The term "United States" means [continental United States, including Alaska] *the fifty States and the District of Columbia.*

## OPIUM POPPY CONTROL ACT OF 1942 (56 STAT. 1045) AS AMENDED (21 U.S.C. 188k)

SEC. 12. The provisions of this Act shall apply to the several States, the District of Columbia, [the Territory of Hawaii,] the Canal Zone, Puerto Rico, and the other insular possessions of the United States.

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## TITLE 23, UNITED STATES CODE

**§ 101. DEFINITIONS AND DECLARATION OF POLICY.**

(a) As used in this title, unless the context requires otherwise—

* * * * * * *

The term "State" means any one of the [forty-nine States, the District of Columbia, Hawaii, or Puerto Rico] *fifty States, the District of Columbia, or Puerto Rico.*

* * * * * * *

**§ 103. FEDERAL-AID SYSTEMS.**

* * * * * * *

(d) The Interstate System shall be designated within the [continental] 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.

(e) * * *.

(f) * * *.

[(g) The system of highways on which funds apportioned to the Territory of Hawaii under this chapter shall be expended may be determined and agreed upon by the Governor of said Territory and the Secretary.]

* * * * * * *

**§ 105. PROGRAMS.**

* * * * * * *

[(e) In approving programs in Hawaii, the Secretary shall give preference to such projects as will expedite the completion of highways for the national defense or which will connect seaports with units of the national parks.]

* * * * * * *

**§ 127. VEHICLE WEIGHT AND WIDTH LIMITATIONS—INTERSTATE SYSTEM.**

* * * This section shall not be construed to deny apportionment to any State allowing the operation within such State of any vehicles or combinations thereof that could be lawfully operated within such State on July 1, 1956. *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.*

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## INTERNAL REVENUE CODE OF 1954

**§ 2202. MISSIONARIES IN FOREIGN SERVICE.**

Missionaries duly commissioned and serving under boards of foreign missions of the various religious denominations in the United States, dying while in the foreign missionary service of such boards, shall not, by reason merely of their intention to permanently remain in such foreign service, be deemed nonresidents of the United States, but shall be presumed to be residents of [the State, the District of Columbia, or Hawaii] *the State or the District of Columbia* wherein they respectively resided at the time of their commission and their departure for such foreign service.

* * * * * * *

**§ 3121. DEFINITIONS.**

* * * * * * *

(e) STATE, UNITED STATES, AND CITIZEN.—For purposes of this chapter—

(1) STATE.—The term "State" includes [Hawaii,] the District of Columbia, Puerto Rico, and the Virgin Islands.

(2) UNITED STATES.—The term "United States" when used in a geographical sense includes Puerto Rico and the Virgin Islands. An individual who is a citizen of Puerto Rico (but not otherwise a citizen of the United States) shall be considered, for purposes of this section, as a citizen of the United States.

* * * * * * *

**§ 3306. DEFINITIONS.**

* * * * * * *

(j) STATE.—For purposes of this chapter, the term "State" includes [Hawaii, and] the District of Columbia.

* * * * * * *

**§ 4221. CERTAIN TAX-FREE SALES.**

* * * * * * *

(d) DEFINITIONS.—For the purposes of this section—

* * * * * * *

(4) STATE OR LOCAL GOVERNMENT.—The term "State or local government" means any [State, Hawaii, the District of Columbia, or any political subdivision of any of the foregoing] *State, any political subdivision thereof, or the District of Columbia.*

* * * * * * *

**§ 4233. EXEMPTIONS.**

(a) ALLOWANCE.—No tax shall be imposed under section 4231 in respect of:

* * * * * * *

(b) STATE DEFINED.—For purposes of subsection (a), the term "State" includes [Hawaii, and] the District of Columbia.

* * * * * * *

**§ 4262. DEFINITION OF TAXABLE TRANSPORTATION.**

* * * * * * *

(c) DEFINITIONS.—For purposes of this section—

(1) CONTINENTAL UNITED STATES.—The term "continental United States" means the District of Columbia and the States other than [Alaska] *Alaska and Hawaii.*

(2) 225-MILE ZONE.—The term "225-mile zone" means that portion of Canada and Mexico which is not more than 225 miles from the nearest point in the continental United States.

* * * * * * *

**§ 4502. DEFINITIONS.**

For the purposes of this subchapter—

* * * * * * *

(5) UNITED STATES.—The term "United States" shall be deemed to include the States, [the Territory of Hawaii,] the District of Columbia, and Puerto Rico.

* * * * * * *

**§ 4774. TERRITORIAL EXTENT OF LAW.**

The provisions of sections 4701 to 4707, inclusive, and sections 4721 to 4776, inclusive, shall apply to the several States, the District of Columbia, [the Territory of Hawaii,] and the insular possessions of the United States; and, in the case of narcotic drugs, shall also apply to the Trust Territory of the Pacific Islands and to the Canal Zone. * * *

* * * * * * *

**§ 7653. SHIPMENTS FROM THE UNITED STATES.**

* * * * * * *

(d) All customs duties and Federal income taxes derived from Guam, the proceeds of all taxes collected under the internal-revenue laws of the United States on articles produced in Guam and transported to the United States, [its possessions or the Territory of Hawaii] *or its possessions,* or consumed in Guam, and the proceeds of any other taxes which may be levied by the Congress on the inhabitants of Guam, and all quarantine, passport, immigration, and naturalization fees collected in Guam shall be covered into the treasury of Guam and held in account for the government of Guam, and shall be expended for the benefit and government of Guam in accordance with the annual budgets.

* * * * * * *

**§ 7701. DEFINITIONS.**

(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—

* * * * * * *

(9) UNITED STATES.—The term "United States" when used in a geographical sense includes only the States [, the Territory of Hawaii,] and the District of Columbia.

(10) STATE.—The term "State" shall be construed to include [the Territory of Hawaii and] the District of Columbia, where such construction is necessary to carry out provisions of this title.

---

## TITLE 28, UNITED STATES CODE

**§ 91. HAWAII.**

Hawaii constitutes one judicial district which includes the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, [Kure Island,] Palmyra Island, Baker Island, Howland Island, Jarvis Island, Canton Island, and Enderbury Island: *Provided,* That the inclusion of Canton and Enderbury Islands in such judicial district shall in no way be construed to be prejudicial to the claims of the United Kingdom to said Islands in accordance with the 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.

Court shall be held at Honolulu.

---

## ACT OF JUNE 15, 1950 (64 STAT. 217), AS AMENDED (48 U.S.C. 644a)

The jurisdiction of the United States District Court for the District of Hawaii is hereby extended to all civil and criminal cases arising on or within the Midway Island, Wake Island, Johnston Island, Sand Island, Kingman Reef, [Kure Island,] 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: * * *

---

## VOCATIONAL REHABILITATION ACT (41 STAT. 735) AS AMENDED (29 U.S.C. 41 (g), (h) and (i))

SEC. 11. For the purposes of this Act—

* * * * * * *

(g) The term "State" includes the District of Columbia, [Hawaii,] the Virgin Islands and Puerto Rico, and Guam.

(h)(1) The "allotment percentage" for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the [continental United States (including Alaska)] *United States,* except that (A) the allotment percentage shall in no case be more than 75 per centum or less than 33⅓ per centum, and (B) [the allotment percentage for Hawaii shall be 50 per centum, and] the

allotment percentage for Puerto Rico, Guam, and the Virgin Islands shall be 75 per centum.

(2) * * *

*(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.*

(i) The "Federal share" for any State for any fiscal year (other than the fiscal year ending June 30, 1954) shall be 100 per centum less that percentage which bears the same ratio to 40 per centum as the per capita income of such State bears to the per capita income of the [continental United States (including Alaska)] *United States*, except that (A) the Federal share shall in no case be more than 70 per centum or less than 50 per centum, and (B) [the Federal share for Hawaii shall be 60 per centum, and] the Federal share for Puerto Rico, Guam, and the Virgin Islands shall be 70 per centum. * * *

---

## ACT OF JUNE 6, 1933 (48 STAT. 114), AS AMENDED (29 U.S.C. 49b(b))

SEC. 3. (a) * * *.

(b) Whenever in this Act the word "State" or "States" is used, it shall be understood to include [Hawaii, Alaska,] Puerto Rico, Guam, and the Virgin Islands.

---

## FAIR LABOR STANDARDS ACT OF 1938 (52 STAT. 1060), AS AMENDED (29 U.S.C. 213(f) AND 217)

SEC. 13. (f) The provisions of sections 6, 7, 11, and 12 shall not apply with respect to any employee whose services during the workweek are performed in a workplace within a foreign country or within territory under jurisdiction of the United States other than the following: a State of the United States; the District of Columbia; [Alaska; Hawaii;] Puerto Rico; the Virgin Islands; outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act; American Samoa; Guam; Wake Islands; and the Canal Zone.

* * * * * * *

SEC. 17. The district courts, together with [the District Court for the Territory of Alaska,] the United States District Court for the District of the Canal Zone, the District Court of the Virgin Islands, and the District Court of Guam shall have jurisdiction, for cause shown, to restrain violations of section 15 of this Act: *Provided*, That no court shall have jurisdiction, in any action brought by the Secre-

tary of Labor to restrain such violations, to order the payment to employees of unpaid minimum wages or unpaid overtime compensation or an additional equal amount as liquidated damages in such action.

---

## WELFARE AND PENSION PLANS DISCLOSURE ACT (72 STAT. 997; 29 U.S.C. 302(a)(9))

SEC. 3. (a) When used in this Act—

* * * * * * *

(9) The term "State" means any State of the United States, the District of Columbia, [Hawaii,] Puerto Rico, the Virgin Islands, and the Canal Zone.

## TITLE 32, UNITED STATES CODE

**§ 101. DEFINITIONS.**

In addition to the definitions in sections 1–5 of title 1, the following definitions apply in this title:

(1) "Territory" means [Hawaii or] any Territory organized after this title is enacted, so long as it remains a Territory.

* * * * * * *

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## FEDERAL WATER POLLUTION CONTROL ACT (62 STAT. 1155) AS AMENDED (33 U.S.C. 466(d) AND 466(j))

SEC. 5. (h)(1) The "Federal share" for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the [continental United States (including Alaska)] *United States*, except that (A) the Federal share shall in no case be more than 66⅔ per centum or less than 33⅓ per centum, and (B) the Federal share [for Hawaii shall be 50 per centum, and] for Puerto Rico and the Virgin Islands shall be 66⅔ per centum.

(2) * * *.

*(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.*

* * * * * * *

SEC. 11. When used in this Act—

* * * * * * *

(d) The term "State" means a State, the District of Columbia, [Hawaii,] Puerto Rico, or the Virgin Islands.

## ACT OF AUGUST 3, 1956 (70 STAT. 988; 33 U.S.C. 875)

In places where the Coast and Geodetic Survey is serving which are not within the jurisdiction of any one of [the several States] *the States of the continental United States, excluding Alaska,* commanding officers of Coast and Geodetic Survey vessels, and such other officers of the Coast and Geodetic Survey as the Secretary of Commerce may designate, may exercise the general powers of the notary public in the administration of oaths for the execution, acknowledgment, and attestation of instruments and papers, and the performance of all other notarial acts. The powers conferred shall be limited to acts performed in behalf of the personnel of the Coast and Geodetic Survey or in connection with the proper execution of the functions of that agency.

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## TITLE 38, UNITED STATES CODE

**§ 624. HOSPITAL CARE AND MEDICAL SERVICES ABROAD.**

(a) Except as provided in subsections (b) and (c), the Administrator shall not furnish hospital or domiciliary care or medical services [outside the continental limits of the United States, or a Territory, Commonwealth, or possession of the United States] *outside any State.*

* * * * * * *

**§ 903. DEATH IN VETERANS' ADMINISTRATION FACILITY.**

(a) Where death occurs in a Veterans' Administration facility to which the deceased was properly admitted for hospital or domiciliary care under authority of section 610 or 611(a) of this title, the Administrator shall pay the actual cost (not to exceed $250) of the burial and funeral.

(b) [In addition to the foregoing, when such a death occurs in the continental United States (including Alaska), the Administrator shall transport the body to the place of burial in the continental United States (including Alaske)] *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.* Where such a death occurs in a Territory, a Commonwealth, or a possession of the United States, the Administrator shall transport the body to the place of burial within such Territory, Commonwealth, or possession.

(c) Within the limits prescribed in subsection (a), the Administrator may make contracts for burial and funeral services without regard to the laws requiring advertisement for proposals for supplies and services for the Veterans' Administration.

* * * * * * *

**§ 2007. DEFINITIONS.**

When used in this subchapter—

(a) The term "Korean conflict veteran" means any person who has served in the active service in the Armed Forces at any time on or after June 27, 1950, and before February 1, 1955, and who has been discharged or released from such active service under conditions other than dishonorable after continuous service of ninety days or more, or by reason of an actual service-incurred injury or disability.

(b) The term "unemployment compensation" means the money payments to individuals with respect to their unemployment.

(c) The term "State" includes [Hawaii,] Puerto Rico, the Virgin Islands, and the District of Columbia.

---

## ACT OF MARCH 3, 1931 (46 STAT. 1494), AS AMENDED (40 U.S.C. 276a)

The advertised specifications for every contract in excess of $2,000, to which the United States or the District of Columbia is a party, for construction, alteration, and/or repair, including painting and decorating, of public buildings or public works of the United States or the District of Columbia within the geographical limits of the States of the Union [, the Territory of Alaska, the Territory of Hawaii,] or the District of Columbia, and which requires or involves the employment of mechanics and/or laborers shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics which shall be based upon the wages that will be determined by the Secretary of Labor to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the city, town, village, or other civil subdivision of the State [, or the Territory of Alaska, or the Territory of Hawaii] in which the work is to be performed, or in the District of Columbia if the work is to be performed there; and every contract based upon these specifications shall contain a stipulation that the contractor or his subcontractor shall pay all mechanics and laborers employed directly upon the site of the work, unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account, the full amounts accrued at time of payment, computed at wage rates not less than those stated in the advertised specifications, regardless of any contractual relationship which may be alleged to exist between the contractor or subcontractor and such laborers and mechanics, and that the scale of wages to be paid shall be posted by the contractor in a prominent and easily accessible place at the site of the work; and the further stipulation that there may be withheld from the contractor so much of accrued payments as may be considered necessary by the contracting officer to pay to laborers and mechanics employed by the contractor or any subcontractor on the work the difference between the rates of wages required by the contract to be paid laborers and mechanics on the work and the rates of wages received by such laborers and mechanics and not refunded to the contractor, subcontractors, or their agents.

## FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949 (63 STAT. 378) AS AMENDED (40 U.S.C. 472(f), 491(j), 514(c), AND 522(a)

SEC. 3. As used in this Act—

* * * * * * *

(f) The term "foreign excess property" means any excess property located outside the [continental United States (including Alaska), Hawaii.] *States of the Union, the District of Columbia,* Puerto Rico, and the Virgin Islands.

* * * * * * *

SEC. 211. (j) The United States Civil Service Commission shall issue regulations to govern executive agencies in authorizing civilian personnel to operate Government-owned motor vehicles for official purposes within the [continental United States, its Territories and possessions] *States of the Union, the District of Columbia, Puerto Rico, and the possessions of the United States.* * * *

* * * * * * *

SEC. 404. (c) The head of each executive agency responsible for the disposal of foreign excess property hereunder may, as may be necessary to carry out his functions under this title, (1) subject to the civil-service and classification laws, appoint and fix the compensation of personnel, and (2) without regard to the civil-service laws, appoint personnel outside the [continental limits of the United States] *States of the Union and the District of Columbia.*

* * * * * * *

SEC. 702. As used in this title—

(a) The term "State" means each of the several States of the United States [and the Territory of Hawaii].

---

## TITLE III OF THE ACT OF MARCH 3, 1933 (47 STAT. 1520) AS AMENDED (41 U.S.C. 10c)

SEC. 1. When used in this title—

(a) The term "United States", when used in a geographical sense, includes the United States and any place subject to the jurisdiction thereof;

(b) The terms "public use", "public building", and "public work" shall mean use by, public building of, and public work of, the United States, the District of Columbia, [Hawaii,] Puerto Rico, American Samoa, the Canal Zone, and the Virgin Islands.

---

## PUBLIC HEALTH SERVICE ACT (58 STAT. 682) AS AMENDED (42 U.S.C. 201, 255, 264, AND 291i)

SEC. 2. When used in this Act—

* * * * * * *

(f) The term "State" means a State or the District of Columbia, [Hawaii,] Puerto Rico, or the Virgin Islands, except that as used in section 361(d) such term means a State or the District of Columbia.

* * * * * * *

SEC. 331. The Service shall, in accordance with regulations, receive into any hospital of the Service suitable for his accommodation any person afflicted with leprosy who presents himself for care, detention, or treatment, or who may be apprehended under section 332 or 361 of this Act, and any person afflicted with leprosy duly consigned to the care of the Service by the proper health authority of any State [, Territory, or the District of Columbia]. * * * When so provided in appropriations available for any fiscal year for the maintenance of hospitals of the Service, the Surgeon General is authorized and directed to make payments to the Board of Health of [the Territory of Hawaii] *Hawaii* for the care and treatment in its facilities of persons afflicted with leprosy at a per diem rate, determined from time to time by the Surgeon General, which shall, subject to the availability of appropriations, be approximately equal to the per diem operating cost per patient of such facilities, except that such per diem rate shall not be greater than the comparable per diem operating cost per patient at the National Leprosarium, Carville, Louisiana.

* * * * * * *

SEC. 361. (c) Except as provided in subsection (d), regulations prescribed under this section, insofar as they provide for the apprehension, detention, examination, or conditional release of individuals, shall be applicable only to individuals coming into a State or possession from a foreign country [, the Territory of Hawaii,] or a possession.

* * * * * * *

SEC. 631. For the purposes of this title—

(a) the allotment percentage for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the [continental United States (including Alaska)] *United States*, except that (1) the allotment percentage shall in no case be more than 75 per centum or less than 33⅓ per centum, and (2) [the allotment percentage for Hawaii shall be 50 per centum, and] the allotment percentage for Puerto Rico, Guam, and the Virgin Islands shall be 75 per centum;

(b) (*1*) the allotment percentages shall be promulgated by the Surgeon General between July 1 and August 31 of each even-numbered year, on the basis of the average of the per capita incomes of the States and of the [continental] United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. * * *

(*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:*

(c) * * * .

(d) the term "State" includes [Hawaii,] Puerto Rico, Guam, the Virgin Islands, and the District of Columbia.

---

## SOCIAL SECURITY ACT (49 STAT. 620) AS AMENDED (42 U.S.C. 402 410 418 724 1301 AND 1361(a))

SEC. 202. (i) * * * In the case of any individual who died outside the [forty-nine] *fifty* States and the District of Columbia after December 1956 while he was performing service, as a member of a uniformed service, to which the provisions of section 210(m)(1) are applicable, and who is returned to any of such States, or the District of Columbia, or to any Territory or possession of the United States, for interment or reinterment, the provisions of the third sentence of this subsection shall not prevent payment to any person under the second sentence of this subsection if application for a lump-sum death payment with respect to such deceased individual is filed by or on behalf of such person (whether or not legally competent) prior to the expiration of two years after the date of such interment or reinterment.

* * * * * * *

SEC. 210. (h) The term "State" includes [Hawaii,] the District of Columbia [,] and the Virgin Islands; and on and after the effective date specified in section 219 such term includes Puerto Rico.

(i) the term "United States" when used in a geographical sense means the States, [Hawaii,] the District of Columbia, and the Virgin Islands; and on and after the effective date specified in section 219 such term includes Puerto Rico.

* * * * * * *

SEC. 218. (d)(6) * * *.

(C) For the purposes of this subsection, any retirement system established by the State of California, Connecticut, Florida, Georgia, Massachusetts, Minnesota, New York, North Dakota, Pennsylvania, Rhode Island, Tennessee, Vermont, Washington, Wisconsin, or [the Territory of] Hawaii, or any political subdivision of any such State [or Territory], which, on, before, or after August 1, 1956, is divided into two divisions or parts, one of which is composed of positions of members of such system who desire coverage under an agreement under this section and the other of which is composed of positions of members of such system who do not desire such coverage, shall, if the State [or Territory] so desires and if it is provided that there shall be included in such division or part composed of members desiring such coverage the positions of individuals who become members of such system after such coverage is extended, be deemed to be a separate retirement system with respect to each such division or part.

(D) * * *.

(E) * * *.

(F) * * *.

(G) For the purposes of this subsection, in the case of any retirement system of the State of Florida, Georgia, Minnesota, North Dakota, Pennsylvania, Washington, or [the Territory of] Hawaii which covers positions of employees of such State [or Territory] who are

compensated in whole or in part from grants made to such State [or Territory] under title III, there shall be deemed to be, if such State [or Territory] so desires, a separate retirement system with respect to any of the following:

(i) the positions of such employees;

(ii) the positions of all employees of such State [or Territory] covered by such retirement system who are employed in the department of such State [or Territory] in which the employees referred to in clause (i) are employed; or

(iii) employees of such State [or Territory] covered by such retirement system who are employed in such department of such State [or Territory] in positions other than those referred to in clause (i).

* * * * * * *

(p) * * * Any agreement with the State of Alabama, California, Florida, Georgia, Kansas, Maryland, New York, North Carolina, North Dakota, Oregon, South Carolina, South Dakota, Tennessee, Vermont, Washington, or [Territory of] Hawaii entered into pursuant to this section prior to August 1, 1956 may, notwithstanding the provisions of subsection (d)(5)(A) of this section and the references thereto in subsections (d)(1) and (d)(3) of this section, be modified pursuant to subsection (c)(4) of this section to apply to service performed by employees of such State or any political subdivision thereof in any policeman's or fireman's position covered by a retirement system in effect on or after August 1, 1956, but only upon compliance with the requirements of subsection (d)(3) of this section. For the purposes of the preceding sentence, a retirement system which covers positions of policemen or firemen, or both, and other positions shall, if the State concerned so desires, be deemed to be a separate retirement system with respect to the positions of such policemen or firemen, or both, as the case may be.

* * * * * * *

SEC. 524. (a) The "allotment percentage" for any State shall be 100 per centum less the State percentage; and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the [continental United States (including Alaska)] *United States*; except that (A) the allotment percentage shall in no case be less than 30 per centum or more than 70 per centum, and (B) the allotment percentage shall be 70 per centum in the case of Puerto Rico, the Virgin Islands, and Guam.

(b) For the fiscal year ending June 30, 1960, and each year thereafter, the "Federal share" for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the [continental United States (including Alaska)] *United States*, except that (1) in no case shall the Federal share be less than 33⅓ per centum or more than 66⅔ per centum, and (2) the Federal share shall be 66⅔ per centum in the case of Puerto Rico, the Virgin Islands, and Guam. For the fiscal year ending June 30, 1959, the Federal share shall be determined pursuant to the provisions of section 521 as in effect prior to the enactment of the Social Security Amendments of 1958.

(c) The Federal share and the allotment percentage for each State shall be promulgated by the Secretary between July 1 and August 31

of each even-numbered year, on the basis of the average per capita income of each State and of the [continental United States (including Alaska)] *United States* for the three most recent calendar years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1 next succeeding such promulgation: *Provided,* That the Secretary shall promulgate such Federal shares and allotment percentages as soon as possible after the enactment of the Social Security Amendments of 1958, which promulgation shall be conclusive for each of the 3 fiscal years in the period ending June 30, 1961.

*(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.*

* * * * * * *

SEC. 1101. (a) When used in this Act—

(1) The term "State" includes [Hawaii and] the District of Columbia, and when used in title I, IV, V, VII, X, and XIV of this Act includes Puerto Rico, the Virgin Islands, and Guam.

(2) The term "United States" when used in a geographical sense means the States [, Hawaii,] and the District of Columbia.

* * * * * * *

(8) (A) The "Federal percentage" for any State (other than Puerto Rico, the Virgin Islands, and Guam) shall be 100 per centum less the State percentage; and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the square of the per capita income of such State bears to the square of the per capita income of the [continental United States (including Alaska)] *United States*; except that [(i)] the Federal percentage shall in no case be less than 50 per centum or more than 65 per centum [, and (ii) the Federal percentage shall be 50 per centum for Hawaii].

(B) The Federal percentage for each State (other than Puerto Rico, the Virgin Islands, and Guam) shall be promulgated by the Secretary between July 1 and August 31 of each even-numbered year, on the basis of the average per capita income of each State of the [continental United States (including Alaska)] *United States* for the three most recent calendar years for which satisfactory data are available from the Department of Commerce. * * *

*(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.*

* * * * * * *

SEC. 1501. (a) * * * For the purpose of paragraph (5) of this subsection, the term "United States" when used in a geographical sense means the States, [Alaska, Hawaii,] the District of Columbia, Puerto Rico, and the Virgin Islands.

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## ACT OF JANUARY 12, 1895 (28 STAT. 617), AS AMENDED (44 U.S.C. 183)

SEC. 73. The Public Printer shall furnish the Congressional Record as follows and shall furnish gratuitously no others in addition thereto: * * * To the offices of the Governors of [Hawaii,] Puerto Rico, Guam, and the Virgin Islands, each, five copies in both daily and bound form. * * * To the governor of each State, one copy in both daily and bound form. * * *

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## FEDERAL REGISTER ACT (49 STAT. 500), AS AMENDED (44 U.S.C. 308)

SEC. 8. Whenever notice of hearing or of opportunity to be heard is required or authorized to be given by or under an Act of the Congress, or may otherwise properly be given, the notice shall be deemed to have been duly given to all persons residing within the [continental United States (including Alaska)] *States of the Union and the District of Columbia*, except in cases where notice by publication is insufficient in law, if said notice shall be published in the Federal Register at such time that the period between the publication and the date fixed in such notice for the hearing or for the termination of the opportunity to be heard shall be (a) not less than the time specifically prescribed for the publication of the notice by the appropriate Act of the Congress; or (b) not less than fifteen days when no time for publication is specifically prescribed by the Act, without prejudice, however, to the effectiveness of any notice of less than fifteen days where such shorter period is reasonable.

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## ACT OF FEBRUARY 16, 1925 (43 STAT. 947), AS AMENDED (46 U.S.C. 18)

SEC. 1. For the purposes of the navigation laws of the United States and of the Ship Mortgage Act of 1920, every vessel of the United States shall have a "home port" in the United States, including [Alaska, Hawaii, and] Puerto Rico, which port the owner of such vessel, subject to the approval of the Commissioner of Customs, shall specifically fix and determine, and subject to such approval may from time to time change. * * *

## MERCHANT MARINE ACT, 1936 (49 STAT. 1985), AS AMENDED (46 U.S.C. 1155(a), 1176, AND 1192)

SEC. 505. (a) All construction in respect of which a construction-differential subsidy is allowed under this title shall be performed in a shipyard within the continental limits of the United States as the result of competitive bidding, after due advertisement, with the right reserved in the applicant to reject, and in the Federal Maritime Board to disapprove, any or all bids. * * * *For the purposes of this subsection, the term "continental limits of the United States" includes the States of Alaska and Hawaii.*

* * * * * * *

SEC. 606. Every contract for an operating-differential subsidy under this title shall provide (1) * * *; and (7) what whenever practicable, the operator shall use only articles, materials, and supplies of the growth, production, and manufacture of the United States,* * * except when it is necessary to purchase supplies and equipment outside the United States to enable such vessel to continue and complete her voyage, and the operator shall perform repairs to subsidized vessels within the continental limits of the United States, except in an emergency. *For the purposes of this section, the term "continental limits of the United States" includes the States of Alaska and Hawaii.*

* * * * * * *

SEC. 702. The Secretary of Commerce is authorized to have constructed in shipyards in the continental United States such new vessels as he shall determine may be required to carry out the objects of this Act, and to have old vessels reconditioned or remodeled in such yards: *Provided,* That if satisfactory contracts for such new construction or reconstruction, in accordance with the provisions of this Act, cannot be obtained from private shipbuilders, the Secretary is authorized to have such vessels constructed, reconditioned, or remodeled in United States navy yards. *For the purposes of this section, the term "continental United States" includes the States of Alaska and Hawaii.*

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## COMMUNICATIONS ACT OF 1934 (48 STAT. 1064), AS AMENDED (47 U.S.C. 222)

SEC. 222. (a) (10) The term "continental United States" means [the several States and the District of Columbia] *the District of Columbia and the States of the Union, except Hawaii.*

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## ACT OF SEPTEMBER 7, 1957 (71 STAT. 629), AS AMENDED

SEC. 3. The Board is hereby authorized to guarantee any lender against loss of principal or interest on any aircraft purchase loan made by such lender to any air carrier holding a certificate of public convenience and necessity issued by the Board (a) designated therein to be for local or feeder air service, or (b) providing for operations wholly within the [Territory] *State* of Hawaii, or (c) providing for operations (the major portion of which are conducted either within Alaska or

between Alaska and the United States) within the State of Alaska (including service between Alaska and the United States, and between Alaska and adjacent Canadian territory), or (d) providing for operations within the Commonwealth of Puerto Rico (including service to the Virgin Islands and the Dominican Republic), or (e) providing for operations between Florida and the British West Indies (including service to Cuba), or (f) for the purpose of authorizing metropolitan helicopter service. Such guaranty shall be made in such form, on such terms and conditions, and pursuant to such regulations, as the Board deems necessary and which are not inconsistent with the provisions of this Act.

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## ACT OF AUGUST 10, 1956 (70A STAT. 636) AS AMENDED (50 U.S.C. 2285(c))

SEC. 43. (c) This section applies only to real property in the [United States, Hawaii,] *States of the Union, the District of Columbia,* and Puerto Rico. It does not apply to real property for river and harbor projects or flood-control projects, or to leases of Government-owned real property for agricultural or grazing purposes.

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## UNIVERSAL MILITARY TRAINING AND SERVICE ACT (62 STAT. 624), AS AMENDED (50 U.S.C., APP. SEC. 466(b))

SEC. 16. (b) The term "United States", when used in a geographical sense, shall be deemed to mean the several States, the District of Columbia, [Hawaii,] Puerto Rico, the Virgin Islands, and Guam.

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## ACT OF MARCH 18, 1959 (73 STAT. 5)

SEC. 5. (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.

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## INDEPENDENT OFFICES APPROPRIATION ACT, 1960 (73 STAT. 500, 507)

No part of any money appropriated by this or any other Act for any agency of the executive branch of the Government shall be used during the current fiscal year [for the purchase within the continental limits of the United States of any typewriting machines] *for the purchase within the States of the Union and the District of Columbia of any*

*typewriting machines* except in accordance with regulations issued pursuant to the provisions of the Federal Property and Administrative Services Act of 1949, as amended.

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## ACT OF MARCH 18, 1959 (73 Stat. 12)

SEC. 18. (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 is conferring] *or as conferring* on the Interstate Commerce Commission jurisdiction over transportation by water between any such ports.

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## TARIFF ACT OF 1930, AS AMENDED (19 U.S.C. 1309(a))

SEC. 309. (a) Articles of foreign or domestic origin may be withdrawn, under such regulations as the Secretary of the Treasury may prescribe, from any customs bonded warehouse, from continuous customs custody elsewhere than in a bonded warehouse, or from a foreign-trade zone free of duty and internal-revenue tax, or from any internal-revenue bonded warehouse, from any brewery, or from any winery premises or bonded premises for the storage of wine, free of internal-revenue tax—

(1) for supplies (not including equipment) of (A) vessels or aircraft operated by the United States, (B) vessels of the United States employed in the fisheries or in the whaling business, or actually engaged in foreign trade or trade between the Atlantic and Pacific ports of the United States or between the United States and any of its possessions *or between Hawaii and any other part of the United States or between Alaska and any other part of the United States*, or (C) aircraft registered in the United States and actually engaged in foreign trade or trade between the United States and any of its possessions *or between Hawaii and any other part of the United States or between Alaska and any other part of the United States*; or

(2) for supplies (including equipment) or repair of (A) vessels of war of any foreign nation, or (B) foreign vessels employed in the fisheries or in the whaling business, or actually engaged in foreign trade or trade between the United States and any of its possessions *or between Hawaii and any other part of the United States or between Alaska and any other part of the United States*, where such trade by foreign vessels is permitted; or

(3) for supplies (including equipment), ground equipment, maintenance, or repair of aircraft registered in any foreign country and actually engaged in foreign trade or trade between the United States and any of its possessions *or between Hawaii and any other part of the United States or between Alaska and any other part of the United States*, where trade by foreign aircraft is permitted. With respect to articles for ground equipment, the exemption hereunder shall apply only to duties and to taxes imposed upon or by reason of importation.

## ALASKA OMNIBUS ACT (PUBLIC LAW 86-70; 73 STAT. 141)

SEC. 47. (a) The amendments made by paragraph (2) of subsection (a) of section 18, by subsection (a) of section 28, by paragraph (1) of subsection (c) of section 31, by subsections (a) and (b) of section 32, and, except as provided in subsection (c) of this section, by subsection (b) of section 24, shall be applicable in the case of promulgations of Federal shares, allotment percentages, allotment ratios, and Federal percentages, as the case may be, made after satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska, and for this purpose such promulgations shall, before such data for the full period required by the applicable statutory provision as so amended are available from the Department of Commerce, be based on satisfactory data available from such Department for such one full year or, when such data for a two-year period are available, for such two years.

(b) The amendments made by paragraphs (1) and (3) of subsection (a) of section 18 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 July 1, 1959, and, in the case of allotments under section 302(a) of such Act, in the case of allotments based on allotment ratios, promulgated under such section 302(a), to which the amendment made by paragraph (2) of subsection (a) of section 18 of this Act is applicable.

[(c)(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 the amendments made by this Act are applicable to such section 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 the amendments made by this Act are applicable to such section shall be increased by 70 percentum of the difference between such Federal share for such year and 60 per centum.

[(3) If such first year for which such amendments made by this Act are applicable in 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.]

(d) The amendents made by paragraphs (2) and (3) of subsection (b), by subsection (c), and by paragraph (4) of subsection (d) of section 18; by subsection (a) of section 24; by subsection (b) of section 28; by subsection (a), by subparagraphs (2), (3), and (4) of subsection (b), and by paragraph (2) of subsection (c) of section 31; by paragraph (2) of subsection (c) and by subsection (d) of section 32; and, except as provided in subsection (b) of this section by paragraph (1) of subsection (a) of section 18, shall be effective on January 3, 1959.

(e) The amendment made by paragraph (1) of subsection (c) of section 32 shall apply in the case of deaths occurring on or after January 3, 1959.

(f) The amendments made by paragraph (1) of subsection (b) and paragraph (1), (2), and (3) of subsection (d) of section 18 shall be applicable for fiscal years beginning July 1, 1959.

(g) The amendments in sections 40 and 42 shall take effect when enacted: *Provided, however,* That with respect to injuries or deaths occurring on or after January 3, 1959, and prior to the effective date of these amendments, claims filed by employees engaged in the State of Alaska in any of the employments covered by the Defense Base Act (and their dependents) may be adjudicated under the Workmen's Compensation Act of Alaska instead of the Defense Base Act.

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