

vide technical advice and information and to cooperate with and assist the Alaska Housing Authority.

Section 484b, act Apr. 23, 1949, ch. 89, § 5, 63 Stat. 69, provided for retention of permanent housing by the Housing and Home Finance Administrator.

Section 484c, act Apr. 23, 1949, ch. 89, § 6, 63 Stat. 60, authorized transfer of real or personal property of other Government departments or agencies to Alaska Housing Authority.

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

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 Repealed.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

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

**§§ 485 to 486j. Omitted**

CODIFICATION

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

Section 485, acts May 28, 1948, ch. 354, § 1, 62 Stat. 277; Aug. 23, 1958, Pub. L. 85-726, title XIV, § 1402(d)(1), 72 Stat. 807, authorized Administrator of Civil Aeronautics to construct, protect, operate, improve, and maintain within Territory of Alaska a public airport at or near Anchorage and a public airport at or near Fairbanks.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 486i, act Aug. 24, 1949, ch. 504, § 11, 63 Stat. 629, provided for appropriations to carry out purposes of sections 486 to 486j.

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

**§§ 487 to 487b. Transferred**

CODIFICATION

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

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

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

**§§ 488 to 488f. Omitted**

CODIFICATION

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

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

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

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

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

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

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

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

**CHAPTER 3—HAWAII**

Sec.

491 to 636. Repealed or Omitted.

**DISTRICT COURT**

641 to 644. Repealed.

Sec.

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

645 to 724. Repealed or Omitted.

## ADMISSION AS STATE

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

## HAWAII STATEHOOD

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

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

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

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

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

the United States; and (3) that all proceeds and income from the 'available lands', as defined by said Act, shall be used only in carrying out the provisions of said Act.

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

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

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

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

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

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