

HAWAII STATEHOOD

HEARINGS

BEFORE THE

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

UNITED STATES SENATE

EIGHTY-FIRST CONGRESS

SECOND SESSION

ON

H. R. 49

AN ACT TO ENABLE THE PEOPLE OF HAWAII TO FORM A CONSTITUTION AND STATE GOVERNMENT AND TO BE ADMITTED INTO THE UNION ON AN EQUAL FOOTING WITH THE ORIGINAL STATES

S. 156

A BILL TO ENABLE THE PEOPLE OF HAWAII TO FORM A CONSTITUTION AND STATE GOVERNMENT AND TO BE ADMITTED INTO THE UNION ON AN EQUAL FOOTING WITH THE ORIGINAL STATES

S. 1782

A BILL TO ENABLE THE PEOPLE OF HAWAII TO FORM A CONSTITUTION AND STATE GOVERNMENT AND TO BE ADMITTED INTO THE UNION ON AN EQUAL FOOTING WITH THE ORIGINAL STATES

WASHINGTON, D. C.

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CONTENTS

Statement of—	Page
Aguilar, Manuel R., Jr., member of the Territorial senate, Kapaa, Kauai, T. H.-----	397
Akana, Thelma M. (Mrs.), member of the Territorial senate, 4585 Kahala Avenue, Honolulu, T. H.-----	391
Ansai, Toshio, member of the Territorial senate, Wailuku, Maui, T. H.-----	251
Anthony, J. Garner, member of the Hawaii State Constitutional Convention, Castle and Cooke Building, Honolulu, T. H.-----	268
Apaka, Alfred, member of the Territorial house of representatives, Hoolchua, Molokai, T. H.-----	400
Blaisdell, Neal S., member of the Territorial senate, Hawaiian Pine-apple Co., Honolulu, T. H.-----	393
Burke, Edward R., legal adviser, Hawaii Statehood Commission (former United States Senator from Nebraska), 514 Southern Building, Washington, D. C.-----	383, 485
Bush, Gavien A., member of Hawaii Statehood Commission, Post Office Box 396, Hilo, Hawaii, T. H.-----	376
Chapman, Oscar L., Secretary of the Department of the Interior, Washington, D. C.-----	54, 67, 293
Churchill, Arthur M., 2491 S. W. Sherwood Drive, Portland, Oregon.-----	496
Crawford, Fred L., United States Representative from the State of Michigan-----	144
Crossley, Randolph, president, Hawaiian Fruit Packers, Ltd., member of the Hawaii State Constitutional Convention, Castle and Cooke Building, Honolulu, T. H.-----	192
Ellis, William, chairman, board of supervisors, county of Kauai, Lihue, Kauai, T. H.-----	375
Ezell, Allan, member of the Territorial house of representatives, Waikapu, Maui, T. H.-----	404
Farrington, Joseph R., Delegate to Congress from Hawaii-----	109, 431
Fong, Hiram A., speaker of the Territorial house of representatives, cochairman, Hawaii Legislative Hold-over Committee of 1949, 197 S. King St., Honolulu, T. H.-----	187
Godbold, Wilford D., city and county attorney of Honolulu, Honolulu Hale, Honolulu, T. H.-----	372
Greene, Ernest W., vice president, Hawaiian Sugar Planters Association, 731 Investment Building, Washington, D. C.-----	240
Heen, William H., member of the Territorial senate, cochairman, Hawaii Legislative Hold-Over Committee of 1949, member of the Hawaii State Constitutional Convention, Hawaiian Trust Co. Building, Honolulu, T. H.-----	202
Hickerson, John D., Assistant Secretary of the Department of State (in charge of the Bureau of United Nations Affairs), Washington, D. C.-----	92
Houston, Victor S. K., chairman of the Hawaiian Homes Commission (former Delegate to Congress from Hawaii), 448 Lewers Road, Honolulu, T. H.-----	288, 314
Itagaki, Joseph, member of the Territorial house of representatives, Wahiawa Transport Service, Wahiawa, Oahu, T. H.-----	412
Kam, Frank Y., member of the Hawaii State Constitutional Convention, Frankie's Market, Honolulu, T. H.-----	420
Kauhane, Charles E., member of the Territorial house of representatives, member of the Hawaii State Constitutional Convention, 159 North Hotel Street, Honolulu, T. H.-----	406
Kealoha, James Kimo, chairman, board of supervisors, county of Hawaii, Hilo, Hawaii, T. H.-----	373
Kefauver, Estes, United States Senator from the State of Tennessee.-----	130

Statement of—Continued

Page

Kendall, C. H., secretary, Hawaiian Government Employees' Association, 1010 Alakea Street, Honolulu, T. H.	279
King, Samuel Wilder, chairman, Hawaii Statehood Commission, president, Hawaii State Constitutional Convention (former Delegate to Congress from Hawaii), 210 Hawaiian Trust Co. Building, Honolulu, T. H.	158, 276, 402
Knowland, William F., United States Senator from the State of California	100
Larcade, Henry D., Jr., United States Representative from the State of Louisiana	148
Lee, Herbert K. H., member of the Territorial senate, member of the Hawaii State Constitutional Convention, Hawaiian Trust Co. Building, Honolulu, T. H.	305
Masnoka, Mike, national legislative director, Japanese American Citizens League, 300 Fifth Street NE., Washington, D. C.	423
Matsunaga, Spark Masayuki (formerly president of Disabled Veterans of Hawaii), disabled veteran of World War II, 400 B Road, Honolulu, T. H.	246
Mau, Chuck, member of board of supervisors, city and county of Honolulu, member of the Hawaii State Constitutional Convention, Hawaiian Trust Co. Building, Honolulu, T. H.	367
McGuire, Walter F., member of the Territorial house of representatives, 5344 Kalaniana'ole Highway, Honolulu, T. H.	400
Miho, Katsuro, member of Hawaii Statehood Commission, 197 South King Street, Honolulu, T. H.	377
Miyake, Noburu, member of the Territorial house of representatives, Waimea, Kauai, T. H.	410
Nobriga, Wm. J., member of the Territorial senate, 40 Haili Street, Hilo, Hawaii, T. H.	338
Noda, Steere G., member of the Territorial house of representatives, 119 North King Street, Honolulu, T. H.	417
Peterson, J. Hardin, United States Representative from the State of Florida	135-143
Pule, Akoni, member of the Territorial house of representatives, Halaula, Hawaii, T. H.	417
Richardson, Esther K. (Mrs.), member of the Territorial house of representatives, Kealakekua, Hawaii, T. H.	419
Rice, Charles A., member of the Hawaii Statehood Commission, member of the Hawaii State Constitutional Convention, Lihue, Kauai, T. H.	184
Richardson, Seth W., chairman, President's Loyalty Review Board (former Assistant Attorney General of the United States), 815 Fifteenth Street NW., Washington, D. C.	179
Sakakihara, Thomas T., member of the Territorial house of representatives, 210 Lyeurgus Building, Hilo, Hawaii, T. H.	412
Sanders, J. T., legislative counsel of the National Grange, 744 Jackson Place NW., Washington, D. C.	197
Silva, Charles H. (Dr.), member of the Territorial senate, Kohala, Hawaii, T. H.	389
Sinclair, Gregg M. (Dr.), president of the University of Hawaii, Honolulu, T. H.	213
Soares, Oliver P., chairman of the Republican Party of Hawaii, Union Trust Building, Honolulu, T. H.	282
Stainback, Ingram M., Governor of Hawaii, Iolani Palace, Honolulu, T. H.	70
Tavares, C. Nils, president of the Bar Association of Hawaii, member of the Hawaii State Constitutional Convention, Alexander and Baldwin Building, Honolulu, T. H.	255
Tsukiyama, Wilfred C., president of the Territorial senate, room 12 Campbell Block, Honolulu, T. H.	208
Velde, Harold H., United States Representative from the State of Illinois	260, 467
Walter, Francis E., United States Representative from the State of Pennsylvania	153, 469
Warren, Earl, Governor of the State of California, Sacramento, Calif.	85
Weinstein, Israel, 34-35 Seventy-sixth Street, Jackson Heights, New York, N. Y.	427

Statement of—Continued	Page
White, Henry A., president, Hawaiian Pineapple Co., member of the Hawaii State Constitutional Convention, Honolulu, T. H.	230
Wild, Urban E., president, Chamber of Commerce of Honolulu, Bishop Trust Co. Building, Honolulu, T. H.	241
Williamson, John C., assistant legislative representative, Veterans of Foreign Wars of the United States, 1026 Seventeenth Street N.W., Washington, D. C.	491
Woolaway, Arthur D., member of the Hawaii Statehood Commission, member of the Hawaii State Constitutional Convention, Makawao, Maui, T. H.	379

EXHIBITS

H. R. 49, a bill to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States.	1
House Report No. 254 (House Committee on Public Lands), to accompany H. R. 49.	8
S. 156, a bill to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States.	33
S. 1782, a bill to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States.	40
Agriculture Department, official report on H. R. 49.	31
Amendments, proposed, to H. R. 49, recommended by the Hawaii Statehood Commission.	489
Annexation of Hawaiian Islands, Senate Joint Resolution 55, Fifty-fifth Congress, adopted July 7, 1898.	18
Birth rates by races, submitted by Arthur M. Churchill.	501, 505
Chamber of Commerce of Maui, T. H., resolution of.	379
Congregational Christian Churches, 289 Fourth Avenue, New York 10, N. Y.	532
Congressional investigations of Statehood for Hawaii, 1935 to 1949, record of.	116, 305
Constitutional Convention, delegates to, with their biographies.	168, 178
Constitution, United States, ratification of, by the thirteen original States, their population and area.	136
Constitution, United States, States admitted into the Union since the adoption of, population and area.	136
Defense Department, official report on H. R. 49.	51
Delegates to Hawaii State Constitutional Convention, biographies of.	168, 178
Economy of Hawaii Today, a report of department of business research, prepared by the Bank of Hawaii.	431, 448
Editorial comments re statehood for Hawaii, summary of.	459
Employment, statement re, by Arthur M. Churchill.	517
Federal grants-in-aid to Hawaii, summary of.	456
Federal internal revenue collections, calendar year 1949.	456
Federal Reserve System, official report on H. R. 49.	52
Governors' conference, resolutions favoring statehood for Hawaii and Alaska.	87-89
Harrison, Burr P., United States Representative from the State of Virginia, news story re Hawaii.	468
Hawaiian annexation resolution, legislative action and references to congressional debates on.	152
Hawaiian Homes Commission Act, legislative history and background on.	339
Hawaiian Homes Commission lands on all islands, summary of.	460
Hawaiian Homes Commission, opponents to, telegrams as follows:	
Aguiar, Edwin, Hilo, T. H.	332
Andrade, John, Haina, T. H.	334
Andrade, Rose (Mrs.), Honokaa, T. H.	334
Andrade, William, Honokaa, T. H.	333
Antone, Adam, Honokaa, T. H.	333
Arakigi, Sohei, Honolulu, T. H.	336
Arruda, Manuel, Sr., Hilo, T. H.	332
Awong, William, Honokaa, T. H.	336
Barris, Charles, Honokaa, T. H.	339
Botelho, D., Haina, T. H.	335

Hawaiian Homes Commission, opponents to, telegrams- Continued		Page
Branco, Ralph, Honokaa, T. H.	.....	337
Carvalho, Alexander, Hilo, T. H.	.....	334
Carvalho, George, Haina, T. H.	.....	333
Carvalho, James, Honokaa, T. H.	.....	332
Cordeiro, Herman, Honokaa, T. H.	.....	331
Correira, Dan, Honokaa, T. H.	.....	333
Costa, George, Honokaa, T. H.	.....	334
de Mello, Joseph, Hilo, T. H.	.....	335
de Silva, Ben, Jr., Hilo, T. H.	.....	333
Ferreira, William, Hamakua, T. H.	.....	333
Feliciano, Laur, Haina, T. H.	.....	337
Fujii, Masuo, Kopulea, T. H.	.....	337
Fujino, Kazukoshi, T. H.	.....	336
Furtado, David, Hilo, T. H.	.....	335
Gomes, Raymond, Honokaa, T. H.	.....	336
Gonsalves, Walter, Honokaa, T. H.	.....	332
Higashi, T., Honokaa, T. H.	.....	332
Hirako, K., Kamuela, T. H.	.....	332
Hirata, Ruth, Honokaa, T. H.	.....	334
Hart, William, Honokaa, T. H.	.....	334
Ignacio, Amos, Haina, T. H.	.....	335
Jenkins, C. L., Honokaa, T. H.	.....	337
Johansen, D. L., Honokaa, T. H.	.....	337
Kaneshiro, E. Y., Honokaa, T. H.	.....	337
Kawabata, M., Kamuela, T. H.	.....	337
Kitagawa, Isao, Haina, T. H.	.....	332
Kotake, Janet, Honokaa, T. H.	.....	335
Lawrence, Manuel, Haina, T. H.	.....	334
Leon, Robert, Honokaa, T. H.	.....	333
Marques, Joseph, Honokaa, T. H.	.....	336
Matsuda, Douglas, Haina, T. H.	.....	337
Matsunami, Masaru, Haina, T. H.	.....	335
Medeiros, Joe, Honokaa, T. H.	.....	334
Melvin, Souza, Hilo, T. H.	.....	335
Mendes, Charles, Haina, T. H.	.....	334
Menino, George, Hilo, T. H.	.....	337
Miura, Hidetsura, Haina, T. H.	.....	331
Moniz, Stanley, Honokaa, T. H.	.....	338
Murakami, Kiyoshi, Honokaa, T. H.	.....	336
Nakao, James, Honokaa, T. H.	.....	337
Okura, M., Kamuela, T. H.	.....	335
Oliveira, G. R., Honokaa, T. H.	.....	338
Oliveira, Tony, Hilo, T. H.	.....	338
Onaga, Herbert, Honokaa, T. H.	.....	336
Paiva, Charles, Honokaa, T. H.	.....	332
Paresa, Walter, Haina, T. H.	.....	332
Paulos, Fred, Hilo, T. H.	.....	333
Perreira, John, Hilo, T. H.	.....	333
Pestana, Joaquin, Honokaa, T. H.	.....	332
Phillips, Tony, Hilo, T. H.	.....	334
Ramos, Mary, Honokaa, T. H.	.....	334
Rapoza, John, Hilo, T. H.	.....	337
Sasaki, Masashi, Honokaa, T. H.	.....	337
Serrao, Joseph, Hilo, T. H.	.....	333
Shigematsu, Shioichi, Honokaa, T. H.	.....	338
Shimobata, Wallace, Kalopa, T. H.	.....	332
Silva, Albert, Honokaa, T. H.	.....	332
Soares, Manuel, Honokaa, T. H.	.....	336
Souza, James, Hilo, T. H.	.....	334
Takae, Morio, Kukuiaele, T. H.	.....	335
Tamore, William, Honokaa, T. H.	.....	337
Tanaka, Sadao, Honokaa, T. H.	.....	337
Teves, John, Haina, T. H.	.....	335
Texira, Ernest, Honokaa, T. H.	.....	335
Thomatokaa, Adam, T. H.	.....	332
Thompson, Kehauani, Hawaii National Park, T. H.	.....	336
Vincent, Boyd, Hilo, T. H.	.....	333

	Page
Hawaiian Homes Commission, opponents to, telegrams - Continued	
Yahata, Taichi, Kopulema, T. H.	335
Yamada, Jennie, Hilo, T. H.	333
Yamamoto, Harris, Kopulema, T. H.	336
Yohsikani, S., Kamaela, T. H.	336
Hawaiian Organic Act, legislative action and references to congressional debates on	152
Hearings, congressional, on statehood for Hawaii, index of	305
Honolulu Star-Bulletin, 10 clippings, submitted by Senator Hugh Butler	538
Incorporated Territories, obligation to grant statehood, legal memorandum re	96
Interior Department, official report on H. R. 49	27, 17
Judicial Conference Committee, amendments to H. R. 49 proposed by Hon. Albert B. Maris, United States circuit judge, United States Court of Appeals for the Third Circuit, Philadelphia 7, Pa.	102
Kurisaki, Harry L., memorandum submitted by Senator Hugh Butler, re	522
Land ownership, Territory of Hawaii, June 30, 1948	461
Land use classification, summary of	460
Larcade report to House Committee on Territories	19
McSweeney, John, United States Representative from the State of Ohio, news story re Hawaii	467
Maris, Hon. Albert B., amendments to H. R. 49, proposed by Methodist Church, board of missions and church extension of, 110 Fifth Avenue, New York 11, N. Y.	102
National organizations adopting resolutions supporting statehood for Hawaii	532
National Party planks on statehood	119
Navy Department, official report on H. R. 49	116
Nixon, Richard M., United States Representative from the State of California, news release re Hawaii	32
Obligation to grant statehood to Alaska and Hawaii, legal memorandum re	406, 520
Organic act, legislative action re and references to congressional debates on	339
Pacific territories and island possessions, report by special committee, on H. R. 49	305
Payments, balance of, from Hawaii to mainland	110
Plebiscite, Hawaii, held November 5, 1940, results of	436
Population, comparison of number of Hawaiians, part-Hawaiians, and Caucasians, 1896-1950	78
Population, Hawaii compared to 13 States	91
Population of Hawaiian Islands at time of annexation	456
Population, Territory of Hawaii, July 1 1948 and July 1, 1949, civilian estimates	62
Public Health, California Department of, 608 Phelan Building, San Francisco 2, Calif.	59
Public Lands Committee, House of Representatives, committee print of report of special committee on Pacific Territories and island possessions on H. R. 49	521
Public schools of Hawaii, statistical comparison with the 48 States, school year 1949 etc.	119
Revenues from public lands in Hawaii, fiscal years 1946 to 1948	218, 227
School finance systems, elementary and secondary schools, Territorial support of public schools in Hawaii, revised January 1950, article on	461
State Department, official report on S. 156 and S. 1782	71
Statehood for Hawaii as it affects the national interest	50, 51
Territories, date of the establishment of a Territorial government in each, population and area	259
Territories of the United States at the date of their admission to the Union and comparison with Hawaii	137
Treaty of annexation of 1897, resolution of Hawaii Senate ratifying	455
Truman, Harry S., President of the United States, statements favoring statehood for Hawaii	16
University of Hawaii, summary of statements of visiting professors as to why Hawaii should become a State	114, 519
Veterans of the Four Hundred and Forty-second Combat Team, One Hundredth Infantry Battalion, Military Intelligence Service, and the One Thousand Three Hundred and Ninety-ninth Engineers, resolution of	210
Voting, percentage of registrants, general elections	472
	484

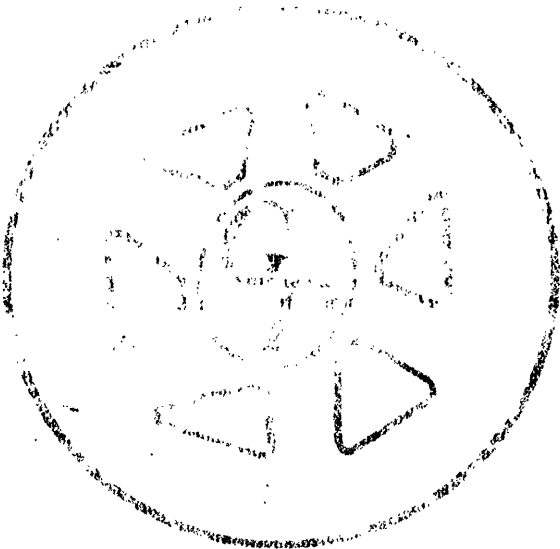
COMMUNICATIONS

	Page
American Civil Liberties Union, Patrick Murphy Malin, director, and Arthur Garfield Hays, general counsel, 170 Fifth Avenue, New York 10, N. Y.-----	527
American Legion, Arleigh J. Fonner, department commander, Department of Hawaii, post-office box 984, Hilo, T. H.-----	521
American Legion, Miles D. Kennedy, director, national legislative commission, 734 Fifteenth Street NW., Washington 5, D. C.-----	524
AMVETS, Marvin L. Goldberger, national legislative director, 724 Ninth Street NW., Washington, D. C.-----	525
Baptists of the United States, Joseph M. Dawson, executive director, joint conference committee on public relations, 1628 Sixteenth Street NW., Washington 9, D. C.-----	531
Catholic War Veterans, Thomas H. Spiegel, adjutant, Monroe County Chapter 30 Reed Park, Rochester, 5, N. Y.-----	525
Chamber of Commerce of the United States of America, Clarence R. Miles, manager, department of governmental affairs, Washington 6, D. C.-----	528
Coke, James L., former chief justice of the Supreme Court of the Territory of Hawaii.-----	122-125
Condic, Malcolm, international board member, district 22, United Mine Workers of America, Rock Springs, Wyo.-----	534
Council for social action of the Congregational Christian Churches of the United States of America, Thomas B. Keehn, legislative secretary, 289 Fourth Avenue, New York 10, N. Y.-----	532
Crittenden, Harold C., principal, Armonk School, Armonk, N. Y.-----	536
Cruzen, Bob, managing editor, Laramie Republican Boomerang, Laramie, Wyo.-----	533
Defense Department, official report on H. R. 49.-----	52
Department of Public Health, State of California, Wilton L. Halverson, M. D., director of public health, 668 Phelan Building, San Francisco 2, Calif.-----	521
Disabled American Veterans, Francis M. Sullivan, national legislative director, 1701 Eighteenth Street NW., Washington 9, D. C.-----	526
Federal Reserve System, official report on H. R. 49.-----	52
Guam, re statehood for, from Hon. Carlton Skinner, Governor of Guam.-----	287
Hawaii Club, University of, Hukio Naito, president, Ann Arbor, Mich.-----	524
Honolulu Council of Churches, Harold W. Kent, president, Bishop Museum Ground, Honolulu 17, T. H.-----	521
Hoopale, John A., Holoaloa Beach, Territory of Hawaii.-----	495
Hoyt, Palmer, publisher, the Denver Post, Denver, Colo.-----	533
Interior Department, official report on H. R. 49.-----	27, 47
International Association for Identification, Leroy Goodwin, secretary and treasurer, 1047 Hawthorne Street, Youngstown 2, Ohio.-----	527
International Longshoremen's and Warehousemen's Union, William Glazier, Washington representative, 930 F Street NW., Washington 4, D. C.-----	530
Lee, J. Bracken, Governor of the State of Utah, Salt Lake City, Utah.-----	520
Lewis, Edward R., 1138 Hamptondale Road, Winnetka, Ill.-----	492
Lions International, Melvin Jones, secretary general, 332 South Michigan Avenue, Chicago 4, Ill.-----	529
Mana School students, letter from.-----	473
Mantel, Kenneth H., 999 President Street, Brooklyn 25, N. Y.-----	534
National Association of Attorneys General, Alan Bible, president, Carson City, Nev.-----	620
National Association of Real Estate Boards, Herbert U. Nelson, executive vice president, 1737 K Street NW., Washington 6, D. C.-----	528
National Association of Sanitarians, Roscoe C. Davis, executive secretary, Los Angeles, Calif.-----	528
National Education Association of the United States, Willard E. Givens, executive secretary, 1201 Sixteenth Street NW., Washington 6, D. C.-----	529
Nixon, Richard, United States Representative from the State of California.-----	520
Railway Labor Executives' Association, A. E. Lyon, executive secretary, 10 Independence Avenue SW., Washington 4, D. C.-----	531
Riverton Times, Riverton, Wyo.-----	534
Ritchie, William, 824-837 First National Bank Building, Omaha 2, Nebr.-----	536

CONTENTS

IX

	Page
State Department, official report on S. 156 and S. 1782.....	50, 51
Sullivan, J. R., Laramie, Wyo.....	534
Truman, Harry S., President of the United States.....	114, 579
Veterans of Foreign Wars of the United States, Omar B. Ketchum, director, Defense Building, Washington 6, D. C.....	491, 526
Wilson, John H., mayor, city of Honolulu, Honolulu, T. H.....	521
Women's Division of Christian Service of the board of missions and church extension of the Methodist Church, Eleanor Neff, associate secretary, 140 Fifth Avenue, New York 11, N. Y.....	532
Young Men's Christian Association of Honolulu, Henry G. Ellis, general secretary, Post Office Box 459, Honolulu 9, Hawaii.....	522
Young Women's Christian Association of the United States of America, Mrs. Arthur Forrest Anderson, chairman, national board, 600 Lexington Avenue, New York 22, N. Y.....	533
Zonta International, Mrs. Harold St. John, secretary, 2365 Hoomaha Way, Honolulu 14, T. H.....	522



HAWAII STATEHOOD

MONDAY, MAY 1, 1950

UNITED STATES SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D. C.

The committee met, pursuant to call, at 10:25 a. m., in the caucus room, Senate Office Building, Senator Joseph C. O'Mahoney of Wyoming (chairman) presiding.

Present: Senators Joseph C. O'Mahoney, Wyoming (chairman); Clinton P. Anderson, New Mexico; Glen H. Taylor, Idaho; Hugh Butler, Nebraska; Guy Cordon, Oregon; and Zales N. Ecton, Montana.

The CHAIRMAN. The committee will please come to order. There are before the Committee on Interior and Insular Affairs several bills to provide statehood for the Territory of Hawaii. One of these bills, S. 156, was introduced in the Senate on January 5, 1949, by Senator Knowland of California for himself and Senator Cordon of this committee.

Another, S. 1782, was introduced on May 5, 1949, by Senator Kefauver of Tennessee. The third measure which is before us and which will be made part of the record is H. R. 49 introduced in the House and passed by the House on March 7, 1950. Hearings were held in the House and of course a favorable report was filed.

The bill itself and the report will be made part of the record.

(H. R. 49, S. 156, and S. 1782, along with report on H. R. 49 are as follows:)

[H. R. 49, 81st Cong., 2d sess.]

AN ACT To enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inhabitants of all that part of the area of the United States now constituting the Territory of Hawaii, as at present described, may become the State of Hawaii, as hereinafter provided.

Sec. 2. That all citizens of the United States who have the qualifications for voters for representatives to the Territorial legislature are hereby authorized to vote for and choose delegates to form a convention in said Territory.

Such delegates shall possess the qualifications of such electors, and members of the Territorial legislature shall be eligible to election as such delegates, and with no resulting disqualification as such members of the Territorial legislature the provisions of sections 16 and 17 of the Hawaiian Organic Act to the contrary notwithstanding.

The aforesaid convention shall consist of sixty-three delegates apportioned among the counties and city and county, and the representative districts within the limits of the proposed State on the following basis:

County of Hawaii, at large, four delegates;

First representative district, one delegate each from precincts combined as follows: Precincts 1, 2, 3, 4, 5, 6, and 7; precincts 8, 9, 10, and 11; precincts 12, 13, and 14; precincts 15, 16, 30, and 17; precincts 18, 19, 20, 21, 31, and 22; precincts 23, 32, 24, 25, 26, 27, 28, and 20;

Second representative district, one delegate each from precincts combined as follows: Precincts 1, 2, 3, 4, 5, 6, 7, 8, and 10; precincts 9, 10, 11, 12, 13, 14, and 15.

County of Maui, at large, three delegates;

Third representative district, one delegate each from precincts combined as follows: Precincts 1, 2, 3, 4, and 5; precincts 6, 7, 8, 10, and 11; precincts 9, 12, 13, and 28; precincts 14, 15, 16, and 17; precincts 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27; precincts 29, 30, 31, 32, 33, and 34;

City and county of Honolulu hereinafter included in the word "county," at large, twelve delegates;

Fourth representative district, one delegate each from precincts combined as follows: Precincts 24, 25, and 26; precincts 19, 20, 21, and 22; precincts 15 and 16; precincts 12, 17, and 32; precincts 11 and 18; precincts 13 and 14; precincts 6 and 36; precincts 7 and 8; precincts 9 and 10; precincts 31 and 31; precincts 5 and 35; precincts 4, 30, and 33; precincts 1 and 2; precincts 3 and 29;

Fifth representative district, one delegate each from precincts combined as follows: Precincts 5, 7, 30, and 31; precincts 6, 29, 8, and 9; precincts 10, 11, 32, and 26; precincts 12, 33, and 13; precincts 14, 15, 16, and 17; precincts 18 and 19; precincts 22, 23, 28, and 27;

Fourth and fifth representative districts, one delegate each from precincts combined as follows: Precincts 28, fourth district, and precincts 1, 2, 3, and 4, fifth district; precinct 27, fourth district, and precincts 20 and 21, fifth district; precinct 23, fourth district, and precincts 24 and 25, fifth district;

County of Kauai, at large, two delegates;

Sixth representative district, one delegate each from precincts combined as follows: Precincts 1, 2, 3, and 4; precincts 5 and 6; precincts 8, 9, 10, and 11; and one delegate from precinct 7.

The precincts herein mentioned are as they existed on November 5, 1916.

The Governor of said Territory shall, within thirty days after the approval of this Act, issue a proclamation ordering a primary election for the nomination of candidates for the offices of the delegates aforesaid on a day designated by him in said proclamation, not earlier than sixty nor later than ninety days after the approval of this Act; and a final election not earlier than thirty, nor later than forty, days after such primary election.

The name of no candidate shall be printed upon any official ballot to be used at such primary election unless at least twenty days prior to such primary a nomination paper shall have been filed in the office of the secretary of the Territory in his behalf, nominating him as a candidate for delegate from the county concerned, or from a precinct or combination of precincts in a representative district or districts, as may be the case, and signed by not less than twenty-five qualified electors of the district concerned, and the sum of \$25 shall have been paid to the secretary of the Territory, which fee shall be a Territorial realization.

Each person shall be a qualified elector of the county or precinct or combination of precincts in which he is a candidate for delegate.

No such nomination paper shall contain any reference to or designation of any political party, and the ballots used at such election shall be nonpartisan and shall not contain any reference to or designation of the political party or affiliation of any candidate. The names of the candidates in each county and of the candidates in the precinct or combination of precincts of the representative districts shall be on separate ballots.

The ballots submitted to the voters of each county, precinct, or combination of precincts shall separately set forth the names of candidates for delegates from such county or precinct or combinations of precincts, and shall instruct the voters that the number of candidates to be voted for by such voter shall not exceed the number of delegates to which the county, precinct, or combination of precincts is entitled, or the number of such delegates remaining to be elected, as the case may be, which number shall be stated. The ballots in each county shall also instruct the voters that the number of candidates to be voted for by each voter shall not be less than a majority of the number of delegates which such county is entitled to elect at the particular election, primary or final, as the case may be, and the number constituting such a majority shall be stated. At such primary election any candidate in a precinct or combination of precincts who receives a majority of the votes of the voters voting therein shall be declared elected, and any candidate in a county who receives such a majority of votes, not exceeding the number of delegates to be elected from each county, shall likewise be declared elected. The names of the remaining candidates receiving the highest number of votes, not exceeding two from each precinct or combination of precincts, or double the number of delegates to be elected at large from each county

above the number already declared elected as aforesaid, if any, shall be placed on the ballot for the final election.

No ballot in a county ticket shall be counted at either the primary election or the final election unless the number of candidates voted for by the voter is at least equal to a majority of the number of delegates which the county concerned was entitled to elect at such election.

Only those nominated at such primary election shall be eligible to run for delegate at such final election. The ballots for such final election shall be in substantially the same form as those for the primary election, and the requirements of this Act as to such primary election shall, as far as appropriate, apply to such final election. In case of a tie vote at either the primary or final election, the candidates so tied shall draw lots under the supervision of the county clerk to determine which of them shall be nominated or elected as the case may be.

In case any office of delegate has not been filled or shall become vacant for any reason the Governor shall appoint an elector of the same county, precinct, or combination of precincts, to fill such vacancy.

Except as otherwise specifically provided by this Act, the primary and final elections for such delegates shall be conducted, the returns made, the results ascertained, and the certificates of persons elected to such convention issued in the same manner as is prescribed by the laws of said Territory regulating elections therein of members of the legislature. The convention shall be the judge of the elections, returns, and qualifications of the delegates.

Sec. 3. That the delegates to the convention thus elected shall meet at the seat of government of said Territory on the second Tuesday after their election, excluding the day of election in case such day shall be Tuesday, and, after organization, shall declare on behalf of the people of said proposed State that they adopt the Constitution of the United States, whereupon the said convention shall be, and is hereby, authorized to form a constitution and State government for said proposed State.

The constitution shall be republican in form and make no distinction in civil or political rights on account of race, color, or sex, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said convention shall provide in said constitution:

First. That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship.

Second. That provisions shall be made for the establishment and maintenance of a system of public schools, which shall be open to all the children of said State and free from sectarian control.

Third. That the debts and liabilities of said Territory of Hawaii shall be assumed and paid by said State.

Fourth. That the property in the Territory of Hawaii set aside by Executive order of the President or the Governor of Hawaii for the use of the United States and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union is ceded to the United States, as more particularly provided in the next section of this Act.

Fifth. That authority is granted to and acknowledged in the United States to the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as are now owned by the United States and held for military, naval, or coast-guard purposes, whether title to such lands was acquired by cession and transfer to the United States by the Republic of Hawaii and set aside by Executive order of the President or the Governor of Hawaii for the use of the United States, or acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided*, That the State of Hawaii shall have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land: and the Legislative Assembly is authorized and directed to enact any law necessary or proper to give effect to this article.

Sixth. That, 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, is adopted as a law of said State, 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 original constitution or in the manner required for ordinary State legislation, but the Hawaiian home-loan fund and the Hawaiian home-development fund shall not be reduced or impaired, 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 original constitution or in the manner required for ordinary 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 Hawaiian home lands, shall be available to said State for use in accordance with the terms of said Act.

Seventh. That the lands and other property belonging to citizens of the United States residing without said State shall never be taxed at a higher rate than the lands and other property belonging to residents thereof.

Sec. 4. (a) The State of Hawaii and its political subdivisions, as the case may be, shall retain all the lands and other public property title to which is in the Territory of Hawaii or a political subdivision thereof, except as herein provided, and all such lands and other property shall remain and be the absolute property of the State of Hawaii and its political subdivisions, as the case may be, subject to the constitution and laws of said State; *Provided, however,* That any such lands or other property heretofore or hereafter set aside by Executive order of the President or the Governor of Hawaii, pursuant to law, for the use of the United States, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, shall be and become the property of the United States absolutely or subject to such limitations, as the case may be.

(b) The United States shall retain title to all the public lands and other public property (except as hereafter provided) for a period of five years after the enactment of this Act. Such land and public property shall continue to be administered in accordance with the laws applicable thereto immediately prior to the admission of said State until otherwise provided by the Congress; *Provided,* That immediately after the enactment of this Act an investigation and report shall be made by a joint committee composed of the members of the Committees on Public Lands of the Senate and of the House of Representatives upon the subject of public lands and other property in Hawaii, and the Congress shall thereafter make a final determination and disposition of the remaining public lands and other public property. In the event the Congress has made no other disposition thereof within said five-year period, then title to all of the public lands and other public property undisposed of shall thereupon vest in the State of Hawaii absolutely; *Provided, however,* That any such lands or other property heretofore or hereafter set aside by Executive order of the President or the Governor of Hawaii, pursuant to law, for the use of the United States or the Territory of Hawaii or a political subdivision thereof, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, shall be and become the property of the United States or the State of Hawaii or of such political subdivision, as the case may be, absolutely or subject to such limitations, as the case may be.

(c) The State of Hawaii, upon its admission to the Union, shall be entitled to select, and the Secretary of the Interior is authorized and directed to issue patents to said State for, one hundred and eighty thousand acres of public lands, as that term is defined in section 73 (a) of the Hawaiian Organic Act (42 Stat. 116, 48 U. S. C., sec. 663), within the boundaries of said State. The selection of such lands by the State of Hawaii shall be made and completed within five years from the admission of said State into the Union. The lands so selected 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.

(d) The lands patented to the State of Hawaii pursuant to the preceding subsection, together with the proceeds thereof 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, and for the making of public improvements. 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 patented under the preceding subsection shall be used for the support of any sectarian school, college, or university.

(e) Effective upon the admission of the State of Hawaii into the Union all laws of the United States reserving to the United States the free use or enjoyment of property hereinabove vested in the State of Hawaii or its political subdivisions, or the right to alter, amend, or repeal laws relating thereto, are hereby repealed.

Sec. 5. That when said constitution shall be formed as aforesaid, the convention forming the same shall provide for the submission of said constitution, together with the ordinances of said convention requiring ratification, to the people of said Territory for ratification at an election which shall be held on a day named by said convention not earlier than sixty nor later than ninety days after said convention adjourns, at which election the qualified voters of said Territory shall vote directly for or against said constitution, for or against any provisions thereof separately submitted, and for or against said ordinances. Persons possessing the qualifications entitling them to vote for delegate under this Act shall be entitled to vote on the ratification or rejection of said constitution, the provisions thereof separately submitted, and said ordinances, under such rules or regulations as said convention may have prescribed, not in conflict with this Act. The returns of said election shall be made by the election officers direct to the secretary of said Territory who, with the Governor and the chief justice of said Territory, shall constitute a canvassing board and they, or any two of them, shall meet at the city of Honolulu, on the third Monday after said election, and shall canvass the same.

The said canvassing board shall forthwith certify the result of said election to the Governor of said Territory, together with a statement of the votes cast upon the question of ratification or rejection of said constitution, also a statement of the votes cast for or against such provisions thereof as were separately submitted to the voters at said election, and for or against said ordinances. If a majority of the legal votes cast at said election shall reject the constitution, the Governor of said Territory shall, by proclamation, order the constitutional convention to reassemble at a date not later than twenty days after the receipt by said Governor of the documents showing the rejection of the constitution by the people, and thereafter a new constitution shall be framed and the same proceedings shall be taken in regard thereto in like manner as if said constitution were being originally prepared for submission and submitted to the people.

When said constitution shall have been duly ratified by the people of said Territory, as aforesaid, a certified copy of the same, together with such provisions thereof as have been separately submitted and duly ratified, and such ordinances of the convention as have been duly ratified, shall be submitted to the President of the United States for approval, together with a statement of the votes cast upon said constitution, and upon any provisions thereof separately submitted, and upon said ordinances. And if the constitution of said proposed State is republican in form and makes no distinction in civil or political rights on account of race, color, or sex, and is not repugnant to the Constitution of the United States and the principles of the Declaration of Independence, and if all of the provisions of this Act relating to the formation of said constitution and State government have been complied with, it shall be the duty of the President of the United States thereupon to approve said constitution, and the said separate provisions thereof and ordinances, and to certify his approval to the Governor of said Territory. Within thirty days after the receipt of said notification from the President of the United States, the Governor shall issue his proclamation for the election, as hereinafter provided, of officers for all elective offices provided for by the constitution and laws of said State, except those offices for which the constitutional convention, by ordinance duly ratified by the people, shall have made other temporary provisions, but the officers so to be elected shall in any event include two Senators and two Representatives in Congress. Until and unless otherwise required by ordinance of said convention duly ratified by the people, or by the constitution or laws of said State, said Representatives shall be elected at large: *Provided*, That if the President of the United States shall approve said constitution but shall disapprove any provision thereof separately voted upon by the people, or any ordinance of said convention, the same shall be certified to the Governor of said Territory, and said election shall be held and all further proceedings for the admission of said new State shall be the same as if the provisions and ordinances

so disapproved had been rejected by the people. And if the President shall disapprove said constitution, such disapproval shall be certified to the Governor of said Territory, with the President's objections to the proposed constitution; the Governor thereupon by proclamation shall order the constitutional convention to reassemble at a date not later than twenty days after receipt of such notification and thereafter a new constitution shall be framed and the same proceedings shall be taken in regard thereto in like manner as if said constitution were being originally prepared for submission and submitted to the people.

Sec. 6. That said constitutional convention shall provide that in case of the ratification of said constitution by the people, and in case the President of the United States approves the same, all as hereinbefore provided, an election, or primary and general elections, as may be required, shall be held at the time or times named in the proclamation of the Governor of said Territory provided for in the preceding section. Said election shall take place not earlier than sixty days nor later than ninety days after said proclamation by the Governor of said Territory ordering the same, or if a primary election is to be held, then the primary election shall take place not earlier than sixty days nor later than ninety days after said proclamation by the Governor of said Territory, and the general election shall take place within forty days after the primary election. At such election or elections the officers required to be elected as provided in section 5, shall be chosen by the people. Such election or elections shall be held, and the qualifications of voters thereat shall be, as prescribed by said constitution and the laws of said State for the election of members of the State legislature, except as otherwise provided by ordinance of said constitutional convention duly ratified by the people. The returns thereof shall be made, canvassed, and certified in the same manner as in this Act prescribed with respect to the election for the ratification or rejection of said constitution, as hereinbefore provided. When said election of said officers above provided for shall be held and the returns thereof made, canvassed, and certified as hereinbefore provided, the Governor of the said Territory shall certify the result of said election, as canvassed and certified as herein provided, to the President of the United States, who thereupon shall immediately issue his proclamation announcing the result of said election so ascertained, and, upon the issuance of said proclamation by the President of the United States, the proposed State of Hawaii shall be deemed admitted by Congress into the Union by virtue of this Act, on an equal footing with the other States. Until the said State is so admitted into the Union, the persons holding legislative, executive, and judicial offices in or under or by authority of the government of said Territory, and the Delegate in Congress thereof, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Hawaii into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in or under or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by ordinances of the constitutional convention duly ratified by the people, or by the constitution and laws of said State. The Governor and secretary of said State shall certify the election of the Senators and Representatives in the manner required by law, and the said Senators and Representatives shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

Sec. 7. Upon the admission of the proposed State into the Union the House of Representatives shall be composed of two additional Members until the expiration of the Eighty-second Congress.

Subsection (a) of section 2 of the Act entitled "An Act to provide for apportioning Representatives in Congress among the several States by the equal proportions method", approved November 15, 1941 (U. S. C., 1940 edition, Supp. V, title 2, sec. 2b), is hereby amended, effective on the date of the admission of the proposed State of Hawaii into the Union, to read as follows:

"(a) Each State (other than Hawaii) shall be entitled, in the Seventy-eighth and in each Congress thereafter until the taking effect of a reapportionment under a subsequent statute or such section 22, as amended by this Act, to the number of Representatives shown in the statement transmitted to the Congress on January 8, 1941, based upon the method known as the method of equal proportions, no State to receive less than one Member; and the State of Hawaii shall be entitled to two Representatives from the time of its admission into the Union until the taking effect of such a reapportionment."

SEC. 8. That the sum of \$200,000, or so much thereof as may be necessary, is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated for defraying the expenses of the elections provided for in this Act and the expenses of the convention and for the payment of compensation to the delegates to said convention. The delegates shall receive for their services, in addition to mileage at the rate of 20 cents a mile each way, the sum of \$1,000 each, payable in four equal installments on and after the first, twentieth, fortieth, and sixtieth days of the convention, excluding Sundays and holidays. The disbursements of the money so appropriated shall be made by the Secretary of the Territory of Hawaii. The Territorial legislature is hereby authorized to appropriate such sum as it may deem advisable for the payment of additional compensation to said delegates and for defraying their expenses and for such other purposes as it may deem necessary.

SEC. 9. That the State of Hawaii shall constitute a judicial district within the ninth judicial circuit, to be known as the district of Hawaii. To the United States district court hereby created two judges shall be appointed, and to it and to them all laws relating to United States district courts and district judges shall be applicable. The regular terms of the court shall be held at Honolulu on the second Monday in April and October, and the office of clerk of court shall be kept at Honolulu.

SEC. 10. That the district of Hawaii shall include, in addition to the State of Hawaii, the places named in title 28, United States Code, section 91.

SEC. 11. That in the manner prescribed by law there shall be appointed a clerk for the district court, a United States attorney, a United States marshal for the district and such assistants, deputies, court officers, and clerical and other personnel as are provided for by the laws relating to district courts, judges, and judicial districts.

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

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

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

the same rights of appeal from and appellate review of all judgments and decrees of the District Court of the United States for the District of Hawaii as successor to the District Court of the United States for the Territory of Hawaii, and of the Supreme Court of the State of Hawaii as successor to the Supreme Court of the Territory of Hawaii, in any case pending at the time of admission of said State into the Union, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of said State into the Union.

SEC. 14. Effective upon the admission of the State of Hawaii into the Union—

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

(b) title 28, United States Code, section 1203, is amended by striking out the words "First and Ninth Circuits" and by inserting in lieu thereof "First Circuit", and by striking out the words "Supreme courts of Puerto Rico and Hawaii, respectively" and inserting in lieu thereof "Supreme court of Puerto Rico";

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

(d) title 28, section 373, insofar as it relates to any justice of the supreme court of the Territory of Hawaii, shall be null and void; and

(e) title 48, section 634 (a) shall be null and void.

SEC. 15. All laws in force in the Territory of Hawaii at the time of its admission into the Union shall continue in force in the State of Hawaii, except as modified or changed by this Act or by the constitution of the State or by ordinance of the constitutional convention duly ratified by the people, and shall be subject to repeal or amendment by the Legislature of the State of Hawaii, except as hereinbefore provided with respect to the Hawaiian Homes Commission Act, 1920, as amended; and the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States.

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

SEC. 17. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

Passed the House of Representatives March 7, 1950.

Attest:

RALPH R. ROBERTS, *Clerk*.

[H. Rept. No. 254, 81st Cong., 1st sess.]

The Committee on Public Lands, to whom was referred the bill (H. R. 49) to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 21, line 25, and page 22, lines 1 to 4, strike out the language of section 10 and insert in lieu thereof: "That the district of Hawaii shall include, in addition to the State of Hawaii, the places named in title 28, United States Code, section 91."

Page 25, lines 1 to 6, strike out the language of section 14 and insert in lieu thereof:

"Effective upon the admission of the State of Hawaii into the Union—

"(a) title 28, United States Code, section 1252, is amended by excluding Hawaii from the application of the clause relating to courts of record;

"(b) title 28, United States Code, section 1203, is amended by striking out the words 'First and Ninth Circuits' and by inserting in lieu thereof 'First Circuit,' and by striking out the words 'Supreme courts of Puerto Rico and Hawaii, respectively' and inserting in lieu thereof 'Supreme Court of Puerto Rico'; and

"(c) title 28, United States Code, section 1204, is amended by striking out paragraph (5) thereof and by renumbering paragraph (6) as paragraph (5)."

Page 26, line 5, add the following sentence:

"Nothing contained in this Act shall be construed to affect the ownership and control by the United States of any lands or other property within Hawaii National Park which may now belong to, or which may hereafter be acquired by, the United States."

PURPOSE OF H. R. 49

The purpose of H. R. 49 is to create the political machinery whereby the Territory of Hawaii may become the forty-ninth State of the United States, by—

1. Authorizing a State constitutional convention to be held in the Territory;
 2. Outlining the manner of election of delegates to such convention;
 3. Establishing qualifications for voting for delegates to the convention;
 4. Providing the manner for adoption of a State constitution;
 5. Outlining special requirements to be included in the constitution, particularly with reference to making distribution of public lands;
 6. Providing a method of ratification of the constitution;
 7. Requiring approval of the constitution by the President of the United States;
 8. Providing for representation in the Congress of the United States;
 9. Authorizing the expenses of the constitution and the elections to be held pursuant thereto;
 10. Establishing the State of Hawaii as a judicial district within the ninth judicial circuit;
 11. Establishing jurisdiction of the United States district court for the district;
 12. Authorizing appointment of court officials, et cetera;
 13. Providing for the extension of existing laws of the Territory of Hawaii after its admission as a State;
 14. Retaining jurisdiction in the United States over military, naval, and Coast Guard property, Hawaii National Park, and other lands; and
 15. Repealing existing laws in conflict with this bill.
- (See analysis of H. R. 49, appendix 1.)

HISTORICAL BACKGROUND

The Hawaiian Islands, a semitropic archipelago in the North Pacific Ocean, are composed of a series of islands stretching over 1,910 statute miles. Approximately the size in land area of Connecticut and Rhode Island combined, the eight main islands, which are situated within a distance of about 350 miles of each other, are populated by more than one-half a million people.

Agriculture is the principal industry on the islands, with sugarcane and pineapples as the chief crops. The islands produce approximately 90 percent of all pineapples grown in the world.

The next largest industry consists of the tourist trade, for Hawaii's climate and scenery have much to offer the vacationer. Stock farming follows as the next most predominant industry in the islands.

First introduced to the world in 1778 by Capt. James Cook of the British Navy, Hawaii's modern era began in 1820 with the arrival of 17 New England missionaries. Before many years had passed, the natives were converted to Christianity and made familiar with the ways of the West.

By 1842, five out of six ships calling at Hawaii were American, and United States cultural influence, despite strong British competition, rapidly assumed predominance. When it became apparent that other nations were seriously developing covetous ideas relative to the islands, Washington announced that the United States would look with distinct disfavor upon the attempt of another power to annex the Hawaiian Islands.

The British took control of the government of Hawaii for about 5 months in 1843 and the French occupied Honolulu for about 10 days in 1849. After these incidents, sentiment for acquiring the islands swept America and the Congress. (It seems pertinent to comment at this point that if our predecessors believed Hawaii should be considered a United States Territory when travel to it from

the mainland required weeks, there is no reason today for arguing that statehood for a geographically distant area is unfeasible. By plane, Hawaii is only hours away from the continental United States.)

Traditionally a kingdom, Hawaii became a republic in 1804. In this decisive step, the Hawaiians followed the same governmental pattern as that of the United States, i. e., three primary branches of government—the executive, the legislative, and the judiciary.

When William McKinley became President of the United States in 1896, he made it clear that he would not be deaf to the pleas of the infant Hawaiian government that the United States acquire possession of the islands. At that time he wrote, "We need Hawaii just as much and a great deal more than we did California. It is manifest destiny."

In 1807, Hawaii again offered to exchange her independent sovereignty for the ultimate objective of the sovereignty of statehood. Annexation as a part of the United States was accomplished, on the part of the Republic of Hawaii, by ratification by its senate on September 9, 1897, of a treaty accomplished in Washington on June 16, 1897, which stated:

"The Republic of Hawaii and the United States of America, in view of the natural dependence of the Hawaiian Islands upon the United States, of their geographical proximity thereto, of the preponderant share acquired by the United States and its citizens in the industries and trade of said islands, and of the expressed desire of the Government of the Republic of Hawaii that those islands should be incorporated into the United States as an integral part thereof, and under its sovereignty, have determined to accomplish by treaty an object so important to their mutual and permanent welfare."

The foregoing resolution of the Senate of the Republic of Hawaii in its entirety is made a part of this report in appendix 2.

Annexation on the part of the United States was accomplished by Senate Joint Resolution 55, known as the Newlands resolution, on July 7, 1898 (30 Stat. 750). The Newlands resolution is made a part of this report in appendix 3.

The resolutions annexing the Republic of Hawaii as a "part of the territory of the United States" and the Republic of Texas as a State, are the only examples of annexation of territory by joint resolution. In both instances, they were independently sovereign nations, voluntarily surrendering that independent sovereignty.

The Newlands resolution provided for the appointment by the President of a board of five commissioners to recommend a form of government to the Congress, thus contemplating an organic act, which was enacted on April 30, 1900 (31 Stat. L. 141, c. 30). Hawaii thus became an incorporated, organized Territory of the United States, the organic act serving as its constitution. By this act, Hawaii resembles in every material respect the Territories which were created in the continental United States as a preliminary to statehood, the first of which was organized by the Northwest Ordinance of 1787.

The Northwest Ordinance established the principle that the ultimate destiny of a Territory of the United States is statehood. It has been through no lack of effort on the part of the residents of the Hawaiian Islands that they have not yet achieved their goal.

CONGRESSIONAL INVESTIGATIONS

Since 1903, either by petition or resolution of the Territorial legislature, the desire for statehood has been brought to the attention of Congress on 15 different occasions. Beginning with H. R. 12210 introduced in the Sixty-sixth Congress, second session, on February 2, 1920, and continuing through the Eightieth Congress, no less than 28 different bills have been introduced in Congress granting statehood to Hawaii. In the Eighty-first Congress one bill has been introduced in the Senate and seven bills have been introduced in the House of Representatives to effect statehood for Hawaii.

Investigations leading to serious consideration of the aspiration of Hawaii to attain statehood have been made by Congress over a long period of years. Since 1935, five congressional committees have investigated the subject of statehood for Hawaii. Of the seven separate hearings on this legislation, four have been held in the Territory. During this time, 31 Members of Congress have visited the islands for these investigations. Testimony from more than 600 witnesses has been taken and a record comprising nearly 3,000 pages has been compiled. Of those testifying, approximately 500 were in favor of immediate statehood for Hawaii. In the hearings held in Washington during the Eightieth

Congress to determine national sentiment, 43 witnesses testified for statehood and none appeared in opposition.

This entire record is available for examination. The record on Hawaii is complete. Virtually everything there is to know about Hawaii has been chronicled in these volumes. Her social, political, cultural, and economic structure has been subjected to an examination that was unheard of when the other 20 Territories were candidates for statehood.

The first investigation of statehood took place in Hawaii during the Seventy-fourth Congress in 1935. This committee reported that it "found the Territory of Hawaii to be a modern unit of the American commonwealth with a political, social, and economic structure of the highest type," and recommended further study. Two years later, a joint committee of the House and Senate investigated statehood. Nineteen members of the committee visited the major islands of Hawaii and held hearings for 17 days. A thorough examination of the Territory's social, political, economic, and cultural life was made. A volume of testimony and exhibits covering every facet of the Territory was compiled. Though in its report the committee stated, "Hawaii has fulfilled every requirement for statehood heretofore exacted for Territories," the committee felt that further action should be deferred due to the disturbed conditions of international affairs.

During the war years which followed, Hawaii held its statehood aspirations in abeyance, although an official plebiscite in the Territory in 1940 showed the citizens of Hawaii to be in favor of statehood by an overwhelming majority.

Congressional hearings were resumed in Hawaii in January 1946. The exhibits, charts, tables, and statements collected in great detail in 1937 were brought up to date in the voluminous text of the investigation made by the House Subcommittee on Territories under the chairmanship of Hon. Henry D. Larcade, Jr., of Louisiana. This committee in its report recommended that since:

"1. The people of the Territory of Hawaii have demonstrated beyond question not only their loyalty and patriotism but also their desire to assume the responsibilities of statehood; and since

"2. The policy of the United States Government is one of self-determination that peoples be allowed to choose freely their form of political status; and since

"3. Hawaii's strategic location in the Pacific plays so large a part in our country's international position in this area; and since

"4. The Congress of the United States has through a series of acts and committee reports indicated to the people of the Territory that Hawaii would be admitted into the Union when qualified; and since

"5. The Territory of Hawaii now meets the necessary requirements for statehood:

"It is the recommendation of this subcommittee that the Committee on Territories give immediate consideration to legislation to admit Hawaii to statehood."

The report of the Larcade subcommittee is included in its entirety in this report as appendix 4.

The Seventy-ninth Congress adjourned without further action being taken. But in the Eightieth Congress statehood legislation was again introduced, and hearings before the Committee of Public Lands were held, not to duplicate the vast amount of material already part of the official Congressional Record of Hawaii's readiness for statehood, but to determine the National and State-side sentiment reflected from the National Capital.

The bill now under consideration, H. R. 49, introduced by Delegate Joseph R. Farrington, of Hawaii, is identical, except for minor clarifying amendments, with that passed on June 30, 1947, by the House during the Eightieth Congress. During the 7 days of hearings before the House Public Lands Committee in March of that year, statements in support of statehood were made for the record by many nationally prominent leaders, including Secretary of the Interior Julius A. Krug; Fleet Admiral Chester A. Nimitz, commander in chief of the Pacific Fleet during World War II; and Maj. Gen. Charles D. Herron (retired), former commander of the Hawaii Department, United States Army.

Secretary Krug stated in part that, in his opinion, "the granting of statehood to Hawaii is in harmony with the traditions of American Government; further postponement is a repudiation of our principles and traditions as embodied in the great organic documents on which this Nation was founded—the Declaration of Independence and the Federal Constitution.

Secretary Krug also testified that "General MacArthur had expressed the opinion favoring statehood for Hawaii on the premise that such a policy would definitely support his efforts in democratizing Japan and other areas of the Orient and would assist in overcoming the inroads of nondemocratic forms of government."

Admiral Nimitz, testifying as a private citizen, said he had great admiration and appreciation of the complete and wholehearted cooperation the people of Hawaii gave to the war effort, and that from a military and naval standpoint he saw no objection to the islands achieving statehood.

Thirty-five witnesses were heard, none opposing the legislation. The committee in its report emphasized the following facts and conclusions:

1. That Hawaii has had a written constitution since 1840 which attests to the influence of American constitutional concepts upon its development;

2. That Hawaii has had an expressed desire to become a State of the Union since 1854 and has continuously improved itself socially, economically, and politically to attain this end;

3. That Hawaii ceded its independence by annexation to the United States through voluntary action of the people of Hawaii;

4. That the Hawaiian Organic Act of April 30, 1900, provided "that the Constitution shall have the same force and effect within said Territory as elsewhere in the United States";

5. That Hawaii's political, economic, and social status commend it as a modern American community;

6. That Hawaii's educational system, both in the public schools and institutions of higher education, compare favorably with those in the States;

7. That both Army and Navy intelligence authorities testified that not a single act of sabotage was committed by any resident of Hawaii before, during, or after the attack on Pearl Harbor, and that these same authorities commended the important patriotic service rendered, under the most critical conditions, in military intelligence and war work by all citizens of Hawaii, regardless of racial origin;

8. That the present population of 519,423 is larger than any other State upon admission to the Union, except Oklahoma; that almost 90 percent of the population are American citizens and that the proportion of American-born citizens is continually expanding, due to the influx of mainland American citizens and the mortality among older residents of alien origin;

9. That the strategic location in the mid-Pacific of Hawaii's modern community of a half-million loyal American citizens, with its modern facilities for transportation, communication, and defense is of immeasurable value to the Nation;

10. That the granting of statehood to Hawaii at this time will be an actual demonstration of the purposes of the United States in granting self-determination to the peoples of the world.

11. That the joint committee of the Seventy-fifth Congress appointed in 1937, after thorough investigation in the islands, found "that Hawaii has fulfilled every requirement for statehood heretofore exacted of Territories"; and

12. That the subcommittee appointed in the Seventy-ninth Congress unanimously recommended that immediate consideration for legislation looking to the admission of Hawaii to statehood be undertaken.

The House Public Lands Committee of the Eightieth Congress unanimously approved H. R. 49, concluding its report with the following words:

"On the basis of the voluminous testimony, exhibits, and factual evidence consistently submitted to this and former congressional committees, the Committee on Public Lands is unanimously convinced that the Territory of Hawaii has met every necessary requirement to be admitted as a State of the Union."

The extent of Communist influence and activity in the Territory has been the object of extensive inquiry. One of the most recent was that conducted by Senator Guy Cordon, of Oregon, as a subcommittee of the Senate Committee on Interior and Insular Affairs of the Eightieth Congress. The Senator explored all aspects of this problem and came to the conclusion that it constituted no barrier to statehood for Hawaii. This committee is of the opinion that the people of the Territory are alert to the problem and would be better able to cope with it as a State than as a Territory.

CONCLUSION

The islands, one of America's two "incorporated" or fully organized Territories, are governed in much the same manner as are States, but with a number of important differences. The Territory enjoys only the barest modicum of influence in national affairs. The Governor is not elected by the people, but is appointed by the President, as are all Federal officers. Administrative officials, however, are appointed by the Governor. The legislature, bicameral and con-

sisting of 45 members, functions in general like a State legislature, but its every act is subject to Federal repudiation. The "constitution" of the islands remains the Organic Act of April 30, 1900.

Certainly no legitimate objection to statehood can be raised on the ground of economies, for the Territory is not only self-supporting but pays more Federal income tax than does any 1 of 12 States. Hawaii has continually contributed more to the United States Treasury than has been expended by the Federal Government—excluding military appropriations—in the Territory's behalf.

Had Hawaii been a State, it hardly would have been subjected to the indignities which befell it during World War II. Statehood would preclude the discrimination against Hawaii which has been contained in Federal legislation from time to time. It would prevent the continuance of the unwarranted and expensive practice followed by many mainland firms of preparing "export" forms for goods sent to Hawaiian retailers, erroneously regarded as foreigners.

It has been noted by the committee that objection to statehood for Hawaii from some sources revolves around the racial question. Every congressional investigation has disclosed that there is virtually no race problem in the Territory. Almost 90 percent of the people of the Territory today are American citizens. Certainly there is no area under United States jurisdiction where a greater complexity of races lives so harmoniously. Statehood would further enhance this harmonious intermingling of the various racial strains comprising the Hawaiian population, of which the largest percentage is Caucasian.

Public opinion polls of both Hawaiian and mainland sentiment have revealed that a large majority of all those interviewed favored statehood. Both major political parties in the United States included a recommendation of statehood for Hawaii in their party platforms of 1948.

Known as the crossroads of the Pacific, the Hawaiian Islands would be under statehood in an even better position to further the interests of all the Pacific peoples. Statehood would increase immeasurably the prestige of America throughout the Orient.

The prompt enactment of H. R. 40, as amended, is recommended by the Committee on Public Lands.

The favorable reports of the Department of the Interior, Department of Agriculture, and the National Military Establishment appear in this report as appendices 5, 6, and 7, respectively.

The committee amendments to H. R. 40 are of a minor nature, consisting only of clarifying language.

APPENDIX 1

ANALYSIS OF H. R. 40, AS AMENDED

This bill has been drawn to conform as nearly as possible to the general pattern of previous enabling acts, taking into consideration the differences that resulted from the annexation of Hawaii through the ratification of the treaty of annexation by the Senate of Hawaii and the passage of Senate Joint Resolution 55 of July 7, 1898 (30 Stat. 750), known as the Newlands resolution.

Section 1 enables the Territory of Hawaii to become a State by complying with the provisions of this bill.

Section 2 provides for the election of 63 delegates apportioned among the counties and city and county, and the representative districts of Hawaii as outlined in detail, who shall form a constitutional convention; permits members of the Territorial legislature to serve as elected delegates to the convention; requires the Governor of Hawaii to issue a proclamation within 30 days after the approval of this act, ordering a primary election and a final election of delegates; and establishes all other requirements for the machinery to make effective such a constitutional convention.

Section 3 sets forth the time when such conventions shall be held, requires the adoption of the Constitution of the United States, requires that the constitution adopted shall be republican in form, conforming to the Constitution of the United States and the principles of the Declaration of Independence, and that the constitution shall include the following provisions:

First. Freedom of religious worship.

Second. Establishment and maintenance of a public-school system, free from sectarian control.

Third. Assumption and payment of debts and liabilities of the Territory by the State.

Fourth. Cession of property to the United States that at the time of admission as a State has been set aside by Executive order of the President or the Governor of the Territory for the use of the United States.

Fifth. Recognition of exclusive legislative jurisdiction in the Congress of the United States as provided by article I, section 8, clause 17, of the Constitution of the United States, over all land owned by the United States and held for military, naval, or Coast Guard purposes, but reserving the right of the State of Hawaii to serve civil or criminal processes on such land on account of rights acquired, obligations incurred, or crimes committed within the State and not on such Government property.

Sixth. Requirement that as a compact with the United States the Hawaiian Homes Commission Act of 1920, as amended, is adopted as a law of the State, subject to amendment or repeal only with the consent of the United States of those provisions which safeguard and protect the Hawaiian home-loan fund and the Hawaiian home-development fund, as well as those which protect the qualification of lessees, and the utilization of funds received from Hawaiian homelands as provided for in the afore-mentioned act; certain sections of the act relating to administration may be amended by the State.

Seventh: Requirement that nonresident American citizens shall not be taxed at a higher rate than residents of the State.

Section 4 (a) authorizes the State of Hawaii to retain all lands and other public property, title to which is in the Territory or a political subdivision of it, and which is not set aside by Executive order of the President or the Governor of Hawaii for the use of the United States prior to the admission of the State of Hawaii as provided for in section 3 (5).

Section 4 (b) provides that the United States shall retain title to all public lands and other public property for a period of 5 years after the enactment of this act, but that such land and public property shall continue to be administered by the Territory, and further provides for the creation of a joint congressional committee to make recommendation for the final disposition of these lands. In the event that action is not taken by Congress within 5 years after the enactment of this act, such lands, except those set aside by the Executive order of the President or the Governor of Hawaii for the use of the United States or the Territory of Hawaii or a political subdivision thereof, prior to the admission of the State of Hawaii, shall vest in the State of Hawaii absolutely.

Section 4 (c) authorizes the State of Hawaii to select 180,000 acres of public lands within 5 years from its admission as a State in lieu of any and all grants provided for new States by any other provisions of law, and authorizes and directs the Secretary of the Interior to issue patents for such land.

Section 4 (d) requires that such lands patented to the State of Hawaii by section 4 (c), together with the proceeds and income from them, shall be held by the State as a public trust for the support of public schools and educational institutions, the betterment of native Hawaiians as defined in the Hawaiian Homes Commission Act of 1920, as amended, for the development of farm and home ownership, and for making public improvements; also requires that such lands, proceeds, and income shall be disposed of for these purposes as the constitution and laws of the State may provide, but that if used for any other purposes shall constitute a breach of trust; and further requires that such public schools or educational institutions shall forever remain under the exclusive control of the State and none of the proceeds or incomes from the lands shall be used for the support of any sectarian institution.

Section 4 (e) repeals all laws of the United States reserving to the United States the free use or enjoyment of the property above vested in the State of Hawaii or its political subdivision.

Section 5 requires the submission to the people for ratification of the constitution formed by the convention, together with any ordinances requiring such submission, within certain time limitations, and appoints the secretary, Governor, and chief justice of the Territory as a canvassing board to which the returns shall be submitted; requires the canvassing board to certify the result of the election to the Governor; provides further that if the constitution is rejected the Governor shall reassemble the constitutional convention to frame a new constitution for submission to the electorate; and also provides that when a constitution shall have been ratified by the people, a certified copy of the same, together with any other matters voted upon, shall be submitted to the President of the United States for approval, with a statement of the votes cast; if the President advises that it conforms to all of the provisions of this act,

he shall approve the constitution, the separate provisions and ordinances, certifying the same to the Governor, whereupon the Governor shall issue a proclamation for the election of officers for all elective offices, as required by the constitution, including two Senators and two Representatives in Congress.

In the event that the President disapproves any provision separately voted upon by the people or any ordinance of the convention, he is required to certify that fact to the Governor, who shall call for another election as though such provisions and ordinances had been rejected by the people; and if the President disapproves the constitution, he will certify that fact to the Governor, whereupon the Governor by proclamation shall call another constitutional convention to frame a new constitution for submission to the people.

Section 6 provides that in the event of the approval by the President of the constitution, an election, or primary and general elections, as may be required, shall be held as provided for in section 5 within certain time limitations, when the officers required by section 5 shall be chosen in accordance with the constitution and laws of the State for the election of members of the State legislature, whereupon the returns shall be canvassed and certified in accordance with this act. When the Governor has certified the same to the President of the United States, the President shall immediately issue a proclamation admitting Hawaii as a State on an equal footing with other States.

This section further provides that in the interim, until their successors are elected or selected as may be required by ordinances or the constitution ratified by the people, present legislative, executive, and judicial officers, as well as the Delegate to Congress, shall continue to discharge their duties, and further requires that the Governor and secretary of state shall certify the election of Senators and Representatives, who shall be admitted to seats with all rights and privileges in the Congress of the United States.

Section 7 amends subsection (a) of section 2 of the act entitled "An act to provide for apportioning Representatives in Congress among the several States by the equal-proportions method, approved November 15, 1941" (2 U. S. C. 1946 ed., sec. 2b), by temporarily increasing the size of the House of Representatives from 435 to 437 Members, the two additional Members to represent Hawaii, until the expiration of the Eighty-second Congress, when reapportionment will take place for the entire country, including the State of Hawaii, on the basis of the equal-proportions method.

Section 8 authorizes an appropriation of \$200,000 for defraying the expenses of the elections, the convention, and the compensation of Delegates under this act and stipulates the rate and method of making such expenditures; it also authorized the Territorial legislature to appropriate additional funds for the compensation of Delegates, for defraying their expenses, and so forth.

Section 9 establishes the State of Hawaii as a judicial district within the ninth judicial circuit; authorizes the appointment of two judges to the district court thus created and makes all laws of the United States relating to district courts applicable; it further directs the regular terms of the courts to be held at Honolulu on the second Monday in April and October and that the office of the clerk of court shall be kept at Honolulu.

Section 10, as amended, provides that the District of Hawaii shall include, in addition to the State of Hawaii, the Midway, Wake, Johnston, Sand, Kure, Baker, Howland, and Jarvis Islands, and Kingman Reef.

Section 11 directs the appointment of a clerk for the district court, a United States attorney, a United States marshal for the district, and such assistants, deputies, court officers, and clerical and other personnel now authorized by law.

Section 12 authorizes the transfer and the continuance of court proceedings without abatement in any actions, cases, proceedings, or matters pending in the courts of the Territory of Hawaii to the new United States district court and stipulates that any civil or criminal actions for causes prior to admission and pending on the date of admission shall be subject to prosecution in the appropriate State courts or the United States District Court for the District of Hawaii.

Section 13 provides for the continuity of rights of appeal from and appellate review of final decisions of the United States District Court for the Territory of Hawaii or the Territorial supreme court in the transfer of jurisdiction to the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States, at the same time giving all parties the same rights of appeal from and appellate review of judgments and decrees of the Territorial district and supreme court to the United States district court, the United States court of appeals, and the Supreme Court of the United States, as may be provided by law in any case arising subsequent to admission as a State.

Section 14, as amended, excludes Hawaii from the application of certain sections of title 28, United States Code.

Section 15 provides that all laws of the Territory of Hawaii in force at the time of its admission as a State shall continue except as modified or changed by this act, by the State constitution, or by ordinance of the constitutional convention ratified by the people, and shall be subject to repeal or amendment by the State legislature except as provided in this act with respect to the Hawaiian Homes Commission Act of 1920, as amended; and further provides that the laws of the United States shall have the same force and effect in Hawaii as elsewhere in the United States.

Section 16 continues the jurisdiction of the United States over the Hawaiian National Park but reserves to the State of Hawaii the same rights held by the Territory of Hawaii under section 1 of the act of April 19, 1930 (46 Stat. 227), but granting the right to vote to all persons residing in that area and provides that all references to the Territory of Hawaii in the said act or in other laws relating to the Hawaiian National Park shall be deemed to refer to the State of Hawaii. As amended, it contains a proviso that nothing in the act shall affect the ownership by the United States of any property within Hawaii National Park which may now belong to or hereafter be acquired by the United States.

Section 17 repeals all previous acts of the Territorial legislature or the Congress that are in conflict with the provisions of this act.

APPENDIX 2

RESOLUTION OF THE SENATE OF HAWAII RATIFYING THE TREATY OF ANNEXATION OF 1897

The "consent" referred to in the preamble of the joint resolution to provide for annexing the Hawaiian Islands to the United States is expressed in the following resolution of the Senate of the Republic of Hawaii:

Be it resolved by the Senate of the Republic of Hawaii, That the Senate hereby ratifies and advises and consents to the ratification by the President of the treaty between the Republic of Hawaii, and the United States of America on the subject of the annexation of the Hawaiian Islands to the United States of America, concluded at Washington on the 16th day of June A. D. 1897, which treaty is, word for word, as follows:

"The Republic of Hawaii and the United States of America, in view of the natural dependence of the Hawaiian Islands upon the United States, of their geographical proximity thereto, of the preponderant share acquired by the United States and its citizens in the industries and trade of said Islands, and of the expressed desire of the government of the Republic of Hawaii that those Islands should be incorporated into the United States as an integral part thereof, and under its sovereignty, have determined to accomplish by treaty, an object so important to their mutual and permanent welfare.

"To this end the high contracting parties have conferred full powers and authority upon their respectively appointed plenipotentiaries, to wit:

"The President of the Republic of Hawaii: Francis March Hatch, Lorrin A. Thurston, and William A. Kinney.

"The President of the United States: John Sherman, Secretary of State of the United States.

"ARTICLE I. The Republic of Hawaii hereby cedes absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies; and it is agreed that all the territory of and appertaining to the Republic of Hawaii is hereby annexed to the United States of America under the name of the Territory of Hawaii.

"ARTICLE II. The Republic of Hawaii also cedes and hereby transfers to the United States the absolute fee and ownership of all public, government, or crown lands, public buildings or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining.

"The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition: *Provided*, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

"ARTICLE III. Until Congress shall provide for the government of such Islands, all the civil, judicial, and military powers exercised by the officers of the existing government in said Islands shall be vested in such person or persons, and shall be exercised in such manner, as the President of the United States shall direct; and the President shall have power to remove said officers and fill the vacancies so occasioned.

"The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may exist, or as may be hereafter concluded, between the United States and such foreign nations. The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaty so extinguished and not inconsistent with this treaty, not contrary to the Constitution of the United States, nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.

"Until legislation shall be enacted extending the United States Customs laws and regulations to the Hawaiian Islands, the existing Customs relations of the Hawaiian Islands with the United States and other countries shall remain unchanged.

"ARTICLE IV. The public debt of the Republic of Hawaii, lawfully existing at the date of the exchange of the ratifications of this Treaty, including the amounts due to depositors in the Hawaiian Postal Savings Bank, is hereby assumed by the Government of the United States; but the liability of the United States in this regard shall in no case exceed \$4,000,000. So long, however, as the existing government and the present commercial relations of the Hawaiian Islands are continued, as hereinbefore provided, said Government shall continue to pay the interest on said debt.

"ARTICLE V. There shall be no further immigration of Chinese into the Hawaiian Islands except upon such conditions as are now or may hereafter be allowed by the laws of the United States, and no Chinese by reason of anything herein contained shall be allowed to enter the United States from the Hawaiian Islands.

"ARTICLE VI. The President shall appoint five Commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practical, recommend to Congress such legislation concerning the Territory of Hawaii as they shall deem necessary or proper.

"ARTICLE VII. This treaty shall be ratified by the President of the Republic of Hawaii, by and with the advice and consent of the Senate, in accordance with the Constitution of the said Republic, on the one part; and by the President of the United States, by and with the advice and consent of the Senate, on the other; and the ratifications hereof shall be exchanged at Washington as soon as possible.

"In witness whereof, the respective plenipotentiaries have signed the above articles and have hereunto affixed their seals.

"Done in duplicate at the City of Washington, this sixteenth day of June, one thousand eight-hundred and ninety-seven.

"FRANCIS MARCH HATCH.

"LORRIN A. THURSTON.

"WILLIAM A. KINNEY.

"JOHN SHERMAN.

"I hereby certify that the foregoing resolution was unanimously adopted at the Special Session of the Senate of the Republic of Hawaii on the 9th day of September A. D. 1897.

"WILLIAM C. WILDER, *President*.

"Attest:

"J. F. CLAY, *Clerk of Senate*."

APPENDIX 3

JOINT RESOLUTION NO. 55, To provide for annexing the Hawaiian Islands to the United States

Whereas the Government of the Republic of Hawaii, having in due form, signified its consent, in the manner provided by its constitution, to cede absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and also to cede and transfer to the United States the absolute fee and ownership of all public, Government, or Crown lands, public buildings or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the Government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining: Therefore

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said cession is accepted, ratified, and confirmed, and that the said Hawaiian Islands and their dependencies be, and they are hereby, annexed as a part of the territory of the United States and are subject to the sovereign dominion thereof, and that all and singular the property and rights hereinbefore mentioned are vested in the United States of America.

The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition: *Provided,* That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

Until legislation shall provide for the government of such islands, all the civil, judicial, and military powers exercised by the officers of the existing government in said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have the power to remove said officers and fill the vacancies so occasioned.

The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may exist, or as may be hereafter concluded, between the United States and such foreign nations. The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaties so extinguished, and not inconsistent with this joint resolution nor contrary to the Constitution of the United States nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.

Until legislation shall be enacted extending the United States customs laws and regulations to the Hawaiian Islands the existing customs relations of the Hawaiian Islands with the United States and other countries shall remain unchanged.

The public debt of the Republic of Hawaii, lawfully existing at the date of the passage of this joint resolution, including the amounts due to depositors in the Hawaiian Postal Savings Bank, is hereby assumed by the Government of the United States; but the liability of the United States in this regard shall in no case exceed four million dollars. So long, however, as the existing government and the present commercial relations of the Hawaiian Islands are continued as hereinbefore provided said Government shall continue to pay the interest on said debt.

There shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may hereafter be allowed by the laws of the United States; no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.

The President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the Hawaiian Islands as they shall deem necessary or proper.

Sec. 2. That the commissioners hereinbefore provided for shall be appointed by the President, by and with the advice and consent of the Senate.

Sec. 3. That the sum of one hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to be immediately available, to be expended at the discretion of the President of the United States of America, for the purpose of carrying this joint resolution into effect.

Senate joint resolution adopted July 7, 1898 (30 Stat. 750).

APPENDIX 4

[H. Rept. No. 1020, 79th Cong., 2d sess.]

LETTER TRANSMITTING REPORT

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE TERRITORIES,
Washington, D. C., January 24, 1946.

HON. HUGH PETERSON,
*Chairman, Committee on the Territories,
House of Representatives.*

DEAR MR. CHAIRMAN: I am privileged to submit herewith a report of a subcommittee of the Committee on the Territories of the inspection trip made by the members of the subcommittee to the Territory of Hawaii during the month of January 1946.

This report is submitted in accordance with House Resolution 236, adopted by the House of Representatives on May 28, 1945.

Sincerely yours,

HENRY D. LARCADE, JR.,
Chairman, Subcommittee of the Committee on the Territories.

REPORT OF THE SUBCOMMITTEE OF THE COMMITTEE ON THE TERRITORIES, THE
UNITED STATES HOUSE OF REPRESENTATIVES, ON STATEHOOD FOR HAWAII

The Honorable HUGH PETERSON,
Chairman of the Committee on the Territories, Washington, D. C.

The first congressional committee to hold hearings on the question of admitting Hawaii to statehood visited the Territory in October 1935. After extensive hearings it found "the Territory of Hawaii to be a modern unit of the American Commonwealth, with a political, social, and economic structure of the highest type. Its educational program is an advanced one, with a large proportion of the tax dollar being spent for the training of its youth. Even during the period of the depression this program was neither relaxed nor reduced, and its school facilities compare favorably with those of the most-advanced States. Hawaii's economic standards are high, with an industrial and agricultural development forming a sound basis for the continued growth of the Territory."

The committee concluded that considerable further study was necessary before a favorable report could be made on the bill to admit Hawaii to statehood.

In October 1937 a joint congressional committee, pursuant to a concurrent resolution adopted by the United States Senate and House of Representatives, visited the Territory of Hawaii and it concluded that while great progress had been made by the people of Hawaii in every phase of activity the question of statehood, because of disturbed international affairs, should be deferred by the Congress until further study and consideration could be given to this matter. It was the committee's views also "that unmistakable evidence that a substantial majority desired statehood should precede affirmative action by Congress."

A plebiscite to determine this question was authorized by the Territorial legislature in 1939. Of all those voting on the question at the general election of November 5, 1940, 67 percent favored statehood and 33 percent were against. Dr. Gallup, in 1941, in a poll of the people on the mainland on this question, found that opinion in the continental United States in favor of statehood was in almost the same proportion as the plebiscite.

As the joint committee in 1937 recommended deferment of the question until the international situation became more settled, the people of Hawaii, with the end of the war in view, through their officials in the Territorial senate and house of representatives, adopted resolutions by overwhelming vote in each house that the Congress of the United States take immediate action on admitting Hawaii to statehood. Pursuant to this request and pursuant to the resolution (H. Res. 236) of the House of Representatives, dated April 30, 1945, the chairman of the Committee on Territories appointed a subcommittee to visit the Territory of Hawaii to hold hearings and to make recommendations on H. R. 3643, a bill introduced by Delegate Farrington, now pending, to enable the people of Hawaii to form a constitution and State government to be admitted into the Union on an equal footing with the original States.

The subcommittee appointed by the chairman consists of Henry D. Larcade, Jr. (Democrat, Louisiana) (chairman); James J. Delaney (Democrat, New York); George P. Miller (Democrat, California); Homer D. Angell (Republican, Oregon); Dean P. Taylor (Republican, New York); and Joseph R. Farrington (Republican, Territory of Hawaii). Irwin W. Silverman, chief counsel of the Division of Territories and Island Possessions, Department of the Interior, was detailed by the Secretary of the Interior at the committee's request to serve as counsel of the committee.

On December 20, 1945, just prior to the committee's departure, the Secretary of the Interior, whose department has jurisdiction over the Territories, issued a statement endorsing statehood for Hawaii.

The counsel of the committee, Mr. Silverman, preceded the arrival of the committee by several days to make preparations for the hearings and to arrange for the scheduling of a large number of witnesses who had indicated their desire to appear before the committee. The subcommittee, which you appointed, arrived in Honolulu on Sunday, January 6. Hearings were held by the committee in the Throne Room, Iolani Palace, on Monday, January 7, and continued through Thursday, January 10. In order that all the people on all the islands of the Territory might be given an opportunity to be heard on this important question, hearings were held on Maui on Friday, January 11; on Molokai on Saturday, January 12; at Kona on Sunday, January 13; and in Hilo, on the island of Hawaii, on Monday, January 14. The committee returned to Honolulu on Monday, January 14, and held hearings in Honolulu on Tuesday, January 15, including a night session, through Thursday, January 17. It held hearings at Kauai on Friday, January 18, and left for the mainland on the 19th.

Prior to and at the beginning of the hearings the committee stated that full opportunity would be given to every person who desired to appear before the committee to present his or her views on the question of statehood and upon any other matter relating to the welfare of the Territory. About 100 witnesses were heard and examined in minute detail by the members of the subcommittee. In addition, a large number of valuable statements, memoranda, and statistical materials covering all of the social, political, and economic aspects of the islands were prepared by the heads of the Federal and Territorial agencies, as well as by experts representing industrial, trade, labor, and civil organizations. The committee gave special attention to questions pertaining to population trends, land ownership, the concentration of wealth, and to labor conditions.

FINDINGS

On the basis of this detailed and voluminous record the committee finds—

1. That the population of the Territory of Hawaii in 1945 was 502,122. Ethnically, the population consists of 10,988 Hawaiians, or 2.2 percent of the total population; part-Hawaiians, 61,422, or 12.2 percent; Puerto Ricans, 9,090, or 1.8 percent; Caucasians, 172,583, or 34.4 percent; Chinese, 30,005, or 6 percent; Japanese, 163,300, or 32.5 percent; Koreans, 7,042 or 1.4 percent; Filipinos, 46,464, or 9.3 percent; all others, 1,228, or 0.2 percent.

2. That the Hawaiians have declined from an estimated 300,000 persons in 1778 to 10,988 in 1945.

3. That the Caucasian population has increased steadily since 1878, when the percentage of the total population was 5.09 percent.

4. That persons of Japanese ancestry in 1890 numbered 12,360, or 13.7 percent of the total population. By 1920 it increased to 42.7 percent, declined to 37.9 percent in 1930, and to date is placed at 32.5 percent, numbering 163,300 persons.

5. That since 1912 the proportion of interracial marriages has increased from 14.1 to 38.5 percent—the recent war has accentuated this trend. During the war years, over one-third of the children born had two or more racial strains.

6. That well over 85 percent of the present population were born in Hawaii or on the mainland.

7. That the war record of Hawaii is in every respect commendable. Hawaii had a full-scale organization for civilian defense and volunteer defense units sponsored by the Army, as well as participating in the usual Red Cross, USO, blood bank, and similar activities, making liberal contributions to the war chest and oversubscribing for war bonds. The Territory established a number of emergency agencies, such as a bureau of registration and identification, office of food control and food production, and a commercial rent-control program.

8. That Hawaii did its part in contributing men to the armed forces. Selective service did not apply to Hawaii during the first 2 years of the war because of the

Territory's crucial position and shortage of manpower. Since the application of the draft Hawaii has met its full quota.

Hawaii had two National Guard regiments, which were called into the Federal service on October 15, 1940. In all, 33,000 of the citizens of Hawaii served in the armed forces. Although Americans of Japanese ancestry constituted only 36 percent of the registrants under selective service, 52 percent of the total inductions from December 1940 to September 1945 came from this racial group because of the large numbers of volunteers. Because of the Army policy of organizing and segregating units composed of citizens of Japanese ancestry, it is possible to follow their activities and to compare their record with the distrust initially shown by the military commanders. Hawaii residents of Japanese ancestry constituted the entire original One Hundredth Infantry Battalion and by far the major part of the original Four Hundred and Forty-second Combat Team. The record of those units, made in major offensives in the European theater, includes 5 Presidential unit citations, 1 meritorious-service plaque, 65 Distinguished Service Crosses, 290 Silver Stars, 782 Bronze Stars, 10 Croix de Guerre (French), 3 soldiers' medals (Italian), 50 Army commendations, and 82 division commendations.

9. That according to Robert L. Shivers, Federal Bureau of Investigation agent in charge at Honolulu, there was not one single act of sabotage or fifth-column activity committed in Hawaii before, during, or after the attack on Pearl Harbor. Hawaii's people of various racial ancestries can and do work together. What goes on in the countries of their ancestors is of minor concern to them compared to their interest in the United States. People of all racial ancestries cooperated in preparing for and prosecuting the war, and Hawaii, despite its polyracial composition, is essentially American in thought, purpose, and action.

10. That the people of the Territory of Hawaii are a law-abiding people. Its different racial groups live together with a minimum of friction and no racial clashes; life and property are as safe in Hawaii as in any section of the mainland.

11. That such evidence of "block voting" as exists indicates that the practice has not assumed, and is not likely to assume, serious proportions. Members of the Territorial legislature whose ancestry is Japanese constitute normally less than 20 percent of the total membership, although 32.5 percent of the total population of the Islands is of Japanese descent.

12. That in 1944, 71,704 of 84,326 registrants, or 85.03 percent, voted in the general election. The percentage of registered voters of Hawaiian ancestry declined from 33.8 percent in 1932 to 24.7 percent in 1940; Caucasian votes declined from 38.2 percent in 1932 to 30.1 percent in 1940. The Japanese showed an increase from 17.6 to 31.1 percent. With few exceptions, the percentage of registrants voting in each general election ranged between 85 to 90 percent.

13. That of the Territory's 4,118,400 acres, 1,762,050 acres, or 42.78 percent, is in public ownership and 2,356,350 acres, or 57.22 percent, are privately owned. The largest single owner has 8.87 percent of the total of privately owned lands, and the 10 largest owners (including the largest owner) together hold 30.11 percent; the 50 largest owners (including the 10 largest owners) hold 39.55 percent; and all other owners hold 17.67 percent of all privately owned land.

14. That the largest owner is the B. P. Bishop Estate, holding approximately 370,000 acres. This is a charitable trust, founded by a Hawaiian princess for the support of the Kamehameha schools, which are devoted to the education of Hawaiians and part-Hawaiians, and the expenses of administering the trust are paid from trust funds.

15. That of the Territory's total 4,118,400 acres, 2,947,330 acres are devoted as follows: 1,045,085 acres are devoted to forest reserves; 164,205 acres to national parks; 84,040 acres to Army, Navy, or other public use (including Territorial and county purposes but not including highways); 1,350,000 acres to pasture; 220,000 acres to the growing of sugarcane; 63,000 acres to the growing of pineapples; and approximately 21,000 acres to the growing of other crops, including 6,760 acres, truck farming; 4,000 acres, coffee; 2,090 acres, fruits; 2,067 acres, taro and field crops; 770 acres macadamia nuts; and 5,438 acres for miscellaneous crops.

16. That in 1940 there were 2,094 farms of less than 5 acres, and 4,724 farms of less than 100 acres (including those less than 5 acres).

17. That in 1944 Hawaii produced 874,946 tons of sugarcane, the crop being valued at \$65,498,535.

18. That in 1940 (the latest year for which complete figures are available) Hawaii produced 22,341,429 cases of pineapple valued at \$45,851,706.

19. That the coffee production of the islands in 1944 totaled 7,656,000 pounds, valued at \$1,001,000.

20. That the Territory has consistently paid into the United States Treasury a considerably larger amount than the Federal Government, exclusive of military expenditures, has spent upon the Territory.

21. That in 1944 and 1945 Hawaii exceeded several States in the total of its internal-revenue collections. In 1945 Hawaii paid into the Federal Treasury \$173,000,227.22.

22. That the finances of the Territory have been very well managed. At the end of the last biennium on June 30, 1945, total budgetary resources of the Territory amounted to \$68,330,384, with total obligations and reserves in the amount of \$57,873,601, leaving an unappropriated surplus of \$10,465,693. The bonded debt of the Territory as of December 31, 1945, was \$16,520,000, with \$7,151,344 in the sinking fund, leaving a net amount of \$9,368,656.

23. That during the calendar year 1945, the following tax revenues were produced from the following sources:

Real property.....	\$6,568,605.43
Personal property.....	3,607,020.65
Income: Personal and corporation.....	3,520,447.21
Public utility.....	1,807,497.05
Liquid fuel.....	1,032,740.57
Compensation and dividend.....	8,819,507.02
Bank excise.....	50,000.00
Liquor.....	1,908,079.50
Tobacco.....	422,664.86
Gross income and consumption.....	10,460,310.25
Unemployment compensation.....	1,888,749.18
Business excise, poll, public welfare (prior years).....	90,468.83
Administered by tax commissioner.....	<u>41,272,600.45</u>
Inheritance and estate.....	661,274.16
Insurance.....	451,472.58
Miscellaneous licenses.....	10,252.63
Administered by Territorial treasurer.....	<u>1,122,000.37</u>
Total.....	<u>42,395,490.82</u>

24. That there are 35 sugar companies operating in the Territory with a total capitalization of approximately \$175,000,000, and with stock held by approximately 10,000 persons. That there are five corporations, known as the Big Five, which act in the capacity of factors or agents for practically all of these plantations, and to some extent have substantial stockholdings in the plantation companies. The companies, with the number of plantations represented and the approximate percentage of sugar production for each group of plantations, are as follows:

	Number of plantations represented	Approximate percentage of total sugar production
American Factors, Ltd.....	9	30.8
C. Brewer & Co., Ltd.....	14	23.5
Alexander & Baldwin.....	4	20.8
Castle & Cooke, Ltd.....	3	14.5
Theo. H. Davies, Ltd.....	4	6.9
Total.....	<u>34</u>	<u>96.5</u>

The agency system is not used to such a predominant extent in the pineapple industry, although some of the Big Five are connected with that industry through stock ownership or other affiliation. The Big Five has other interests as well.

25. That the commerce of Hawaii with the continental United States exceeds that between the mainland and all but a few foreign countries. From 1935 to

1910 only five foreign countries--the United Kingdom, Canada, Japan, France, and Germany--bought more from the mainland than did Hawaii. In 1940 the value of the Territory's imports from the mainland totaled \$127,539,539, while the value of exports to the mainland was \$102,145,130.

26. That bank deposits have increased from \$4,062,131 in 1901 to \$493,295,940 in 1945, a good deal of the increase in later years being due, of course, to military and naval operations in the area.

27. That Hawaii's gross assessed value of real property is over \$500,000,000, higher than that of any State at the time of admission with the exception of Oklahoma.

28. That as of December 1945, 30,875 corporations, firms, or individuals were engaged in 54,412 different enterprises as employers or self-employers.

(a) There were 12,918 persons or companies engaged in retailing, representing the following businesses:

Appliances	66	General merchandise	1,135
Auto dealers	42	Groceries	641
Auto supplies	69	Hardware	61
Bakeries	61	Household products	15
Barrooms and saloons	380	Jewelers	185
Books and stationery	34	Liquor stores	173
Building materials	10	Lumber	10
Chemicals	17	Meat dealers and meat markets	333
Cold drinks	200	Mill supplies	11
Confectionery	205	Music stores and composers	23
Curtos and novelties	298	Newspapers	25
Department stores	12	Nurseries	88
Drugs	151	Office equipment and supplies	27
Dry goods	222	Optical	17
Electric supplies	21	Poultry	636
Equipment	43	Radio and radio supplies	67
Fish dealers and fish markets	532	Restaurants	952
Food products	381	Service stations	387
Fountain and lunchrooms	444	Shoe stores	68
Fruit and vegetable	713	Toilet articles and cosmetics	55
Furniture	91	Wearing apparel	172

(b) There were 2,999 companies or persons engaged in wholesaling, including the following types of wholesaling:

Appliances	14	Food products	109
Auto dealers	14	Fruit and vegetable dealers	280
Auto parts	36	Furniture	26
Bakeries	55	General merchandise	264
Beverages	11	Groceries	44
Block printing	19	Hardware	12
Boat building	10	Household products	5
Bottle dealers	21	Jewelers	70
Building materials	7	Junk dealers	8
Coconuts	0	Kauhala weaving	106
Confectioneries	23	Leis	19
Curtos and novelties	137	Lumber	5
Drugs	39	Magazines	7
Dry goods	42	Meats	56
Electrical appliances	19	Music	9
Equipment	16	Tobacco	6
Feed	0	Toilet articles and cosmetics	11
Fish dealers	273	Toys	10
Florists	41	Wearing apparel	32

(c) Eight thousand three hundred and fifty-eight companies or persons were engaged in producing raw products, including--

Dairies	66	Hog raisers	589
Farming	1,051	Poultry producers	811
Fishing	350	Sugar growers	2,135
Flower growers	214	Vegetables and fruits	1,542

(d) 1,426 persons or companies were engaged in manufacturing, including—

Alcoholic beverages.....	12	Foods.....	137
Bakery products.....	86	Footwear.....	21
Block printing.....	17	Furniture.....	35
Chemical and fertilizer.....	30	Jewelry.....	16
Clothing.....	27	Mattresses and springs.....	12
Concrete, lime, and stone products.....	11	Nonalcoholic beverages.....	38
Confectionery.....	20	Soap.....	7
Curios and novelties.....	88	Wood products.....	37

29. That out of a total of 170,000 employees (not including part-time work by school children under the schools' temporary program to meet the manpower shortage) the sugar industry employs about 24,500 workers. Pineapple agricultural labor (not including the canneries) is about 4,750; 11,300 are employed in manufacturing (excluding sugar); 10,700 in transportation, communication, and other utility services; 23,000 in wholesale and retail trades; 13,500 in various service industries; 7,400 in diversified agriculture; 6,000 in construction and quarrying; and 3,000 in financial, insurance, and real-estate establishments; 59,500 are in government service and 4,075 in domestic service.

30. That since 1937 the Territorial legislature passed a number of labor laws, creating the department of labor and industrial relations, and dealing with such matters as apprenticeship, child labor, vocational training, vocational rehabilitation, unemployment compensation, regulation of employment agencies, minimum wages and maximum hours, payment and collection of wages, workmen's compensation, and safety regulations.

31. That the Territory's department of labor is considered by the local representative of the Federal Labor Department as doing an able job, and the Territory's labor legislation as comparing very favorably with that of many progressive States, and in some respects is in advance thereof.

32. That the average cash wage paid to sugar employees in 1945 is in excess of \$5 per day for unskilled labor, not including the value of perquisites, which include housing, fuel, water, lights, and medical and hospital services. The cash wage paid in the pineapple industry is comparable. Wages paid industrial workers have advanced in Hawaii more than on the mainland during the period 1940-45 and Hawaii now is on a par with the mainland.

33. That a standard 8-hour day is in effect throughout the Territory.

34. That Hawaii is the only Territory or State with the exception of Wisconsin to pass a "little Wagner Act" extending collective bargaining to agricultural labor.

35. That unionization of labor has made strides during the past 10 years both in industry and agriculture; nearly all major industries, including the sugar and pineapple industries, are now organized or organization is pending.

36. That there are 46 organizations in the Territory affiliated with the American Federation of Labor, 68 with the CIO, 2 independent unions, and 5 government employees' organizations.

37. That in 1940 there were 7 strikes, involving 502 workers with 33,217 man-days lost; in 1941 there were 16 strikes, involving 2,530 workers, resulting in 34,241 man-days lost; in 1942 there were 2 strikes, involving 49 men, resulting in 67 man-days lost; in 1943 there were 4 strikes, involving 202 workers, resulting in 716 man-days lost; in 1944 there was 1 labor dispute, involving 6 men, with 60 man-days lost; and in 1945, up to November, there had been 9 strikes, involving 1,047 men, with 8,876 man-days lost.

38. That at the last Territorial election a majority of those elected to both houses were endorsed by organized labor.

39. That illiteracy in the islands among native-born citizens is almost non-existent. Hawaii has well-equipped schools throughout the Territory, most villages or hamlets being provided with the proper educational facilities.

40. That the standards of instruction, according to the United States Chamber of Commerce, are the same as on the mainland and higher than those in many States. The average number of pupils enrolled per teacher is 27.9 in Hawaii, as compared with 31.4 in the United States urban schools and 26.1 in rural areas. The average pay per teacher in Hawaii is \$2,014 annually, as compared to \$2,013 in urban centers and \$1,018 in rural areas of the mainland.

41. That there is a public library on each of the principal islands. There are 82,435 registered card holders. Each island library owns a bookmobile serving rural schools and homes, and approximately \$620,000 is spent annually on library facilities.

42. That the University of Hawaii compares favorably with many State universities. For the year 1944-45 there were enrolled 1,463 regular students and 145 graduate students. The university had financial support in the amount of \$3,126,028 for the biennium 1943-45, of which Territorial appropriations from general revenues provided 50.8 percent, university income 27.46 percent, and Federal grants 21.74 percent.

43. That the level of the Territory's spiritual and moral life is in the best American tradition.

44. That in 1945 the board of health spent \$1,623,385, or a per capita cost of \$3.23 as compared with \$1.66 in 1937.

45. That in 1943 Hawaii' death rates from 18 causes were below the national median. It was higher for syphilis, tuberculosis and accidents including automobile accidents. The mortality rate of infants under 1 year had declined from 87 per thousand in 1930 to 30 per thousand in 1945; the number of maternal deaths for 1,000 living births had declined from 7 in 1932 to 1.6 in 1945.

46. That the venereal-disease infection rate per 1,000 in Hawaii declined from 175 in 1911 to 7.5 in 1945. On the mainland the rate has declined from 163 in 1911 to approximately 43 in 1945. In Hawaii the locally acquired rate was 1.4 in 1945.

47. That according to the Social Security Board, Hawaii's public-assistance program is based on "liberal progressive legislation." Hawaii has no maximum limitation of public assistance; thus the Territory has placed itself in a position to make payments to needy individuals, commensurate with need, and to give recognition to changes in living costs. Hawaii also has a medical- and dental-care program, and provides other forms of public assistance for which no Federal grants are given.

48. That in 1945 Hawaii ranged thirty-ninth in the average grant for old-age assistance, fifteenth in the average grant for aid to dependent children, thirty-fifth in average grant for aid to the blind, and fifteenth in the average grant for general assistance.

49. That the Territorial legislature has enacted legislation comparable to that of many States. Hawaii has adopted 20 of the mainland uniform laws. In addition to laws mentioned above, Hawaii has a civil-service law, a modern retirement system for all employees; in the field of public health the Territory enacted the crippled children's act, created the bureau of mental hygiene, passed a uniform narcotic drugs act, established compulsory vaccination for smallpox, typhoid, and other diseases. In addition to the existing public medical-care program the legislature in 1945 provided for a study of health insurance and hospital facilities. In 1935 the legislature created the Hawaii housing authority, passed the Federal Housing Act, authorizing the acquisition by any Federal agency of property suitable for housing projects, and an act entitled "Government Aid for Housing Projects," authorizing the Territory and its political subdivisions to aid in the planning, construction, and operation of housing projects.

CONCLUSIONS

On the basis of the record, and in view of the foregoing, the subcommittee concludes—

1. That Hawaii, with a population of over 500,000, has a larger population than any other State at the time of admission to the Union with the exception of Oklahoma.

2. That the heterogeneous peoples of the Territory live and work together amicably, democratically, and harmoniously.

3. That the mixed racial complexion of Hawaii existed at the time of annexation, was not regarded as an obstacle to annexation, and should not now be considered an obstacle to statehood.

4. That the percentage of persons of Japanese ancestry reached its peak in 1940 and has declined steadily since then due to prohibition of immigration, lower birth rate, and the increasing immigration of other peoples.

5. That the people of Hawaii have demonstrated beyond question their loyalty and patriotism to the Government of the United States.

6. That on the record of their behavior and their participation in the war, American citizens of Japanese ancestry can be little criticized.

7. That such evidence of "bloc voting" as exists among Americans of Japanese ancestry is not likely to assume serious proportions, because they, like other

peoples are divided amongst themselves by differences, political, social, and economic.

8. That Hawaii has been a Territory for 46 years, and now appears to be fully capable of self-government.

9. That there is a concentration of land holdings in the hands of a few persons, companies, or estates, but attempts have been made to improve the situation.

The 1943 legislature created a land-laws-revision commission, which recommended the creation of a public corporation for the acquisition, subdivision, and sale of lands for home sites. A bill of this character, known as the Hawaii Home Development Authority Act, was introduced in the last session. Although it failed of passage then, and no further steps have been taken, it may in the near future be enacted into law. It provided:

"The Authority is directed to acquire by purchase or eminent domain undeveloped lands suitable for residential purposes on the island of Oahu, where the acute shortage of home sites exists. Lands thus acquired are to be subdivided into residential lots and offered for sale to those of the public most in need of houses. The development projects contemplated by the Act are self-sustaining in nature. The Act calls for an initial loan to the Authority to be repaid to the Territory as the Authority secures funds from its bonds, the issuance of which is provided for by the Act."

10. That the Big Five dominates a great portion of Hawaii's economy, but this economic dominance has not prevented the establishment of many and varied businesses. There are good prospects for small business in Hawaii. Further, the influence of the Big Five has not prevented the enactment of progressive legislation in the field of labor, education, health, and welfare.

11. That in many communities of similar size, business policies are formulated by a relatively small number of individuals who hold positions of responsibility. There is no occasion to believe that these positions are maintained through stock control either directly or by means of proxies in Hawaii to any greater extent than is the case in many of the cities on the mainland. The committee's investigations were in the main confined to statehood, but in all the evidence presented to it, nothing indicated the existence in business life of collusion or fraud or any agreement or combination in restraint of trade.

12. That labor has made great strides since 1937 and has contributed greatly to the Territory's progress in the field of social and economic legislation.

13. That there is a growing mutual respect and confidence between management and labor in industrial relations.

14. That the school system of Hawaii has been successful in instilling into the people of many races and backgrounds the objectives and ideals of democracy, and has produced a literate population capable of discharging the duties of citizenship.

15. That modern inventions have annihilated distance. Honolulu today is closer to the American mainland in time than the cities of Boston and New York were to the Capital in the early days of the Nation. Hawaii is closer to the seat of the Government today than all but the immediately adjacent States were when Washington first became the Capital of the United States. With efficient and rapid communication by cable, radio, or telephone, and 12- to 18-hour service for mail or passenger planes to the mainland, Hawaii can no longer be characterized as isolated.

16. That a majority of the people of the Territory are in favor of immediate statehood. No organized group has appeared in opposition. If a plebiscite were again held on the statehood question, in our opinion the people would vote for statehood in the same proportion as they did in 1940.

RECOMMENDATIONS

Therefore, since—

1. The people of the Territory of Hawaii have demonstrated beyond question not only their loyalty and patriotism but also their desire to assume the responsibilities of statehood; and since

2. The policy of the United States Government is one of self-determination; that peoples be allowed to choose freely their form of political status; and since

3. Hawaii's strategic location in the Pacific plays so large a part in our country's international position in this area; and since

4. The Congress of the United States has through a series of acts and committee reports indicated to the people of the Territory that Hawaii would be admitted into the Union when qualified; and since

5. The Territory of Hawaii now meets the necessary requirements for statehood:

It is the recommendation of this subcommittee that the Committee on Territories give immediate consideration to legislation to admit Hawaii to statehood.

HENRY D. LARCADE, Jr., *Chairman.*
 JAMES J. DELANEY.
 GEORGE P. MILLER.
 HOMER D. ANGELL.
 DEAN P. TAYLOR.
 JOSEPH R. FARRINGTON.

APPENDIX 5

DEPARTMENT OF THE INTERIOR,
 OFFICE OF THE SECRETARY,
 Washington 25, D. C., March 2, 1949.

HON. ANDREW L. SOMERS,
*Chairman, Committee on Public Lands,
 House of Representatives.*

MY DEAR MR. SOMERS: Further reference is made to your request of January 25, for my views on H. R. 49, a bill to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States.

I strongly urge the enactment of H. R. 49, with the amendments hereinafter suggested.

That the people of Hawaii now desire statehood is amply demonstrated by the fact that at a plebiscite in 1940 they voted 2 to 1 in favor of admission to the Union; there is little doubt that the odds would be even more heavily weighted if a poll were to be taken now. Mainland sentiment, too, is overwhelmingly in favor of statehood. The reasons for this sentiment in favor of statehood for Hawaii lie in a background of close political, economic, and social ties between the people of that Territory and the people of the continental United States. Hawaii, it must be remembered, voluntarily relinquished its status as a sovereign nation to enter into the American commonwealth. Today, after over a half century of active participation in the broader life of the whole American community, Hawaii is truly an integral part of our Nation, devoted to the democratic ideals and institutions of the United States. Modern transportation facilities have ended even the physical isolation of the Territory.

The eminent qualification of the people of Hawaii to govern themselves within the framework of the Union has been already amply evidenced by the mass of progressive and intelligent laws on their statute books, their advanced school system, and the wise management of their fiscal affairs. Hawaii has contributed, and will continue to contribute, to the national welfare in a manner of which we may all be proud. Hawaii imports from the continental United States most of its consumer goods, and exports to the mainland the greater part of the products of its two major industries, sugar and pineapple. The commerce of Hawaii with the mainland exceeds that between the mainland and but a few foreign countries. Hawaii has consistently paid into the National Treasury a considerably larger amount than the Federal Government has spent in the Territory, exclusive of national defense expenditures.

I have mentioned but a few of the many points that could be made in support of the case for Hawaii's becoming one of the United States. For a comprehensive and convincing demonstration of the Territory's present ability to assume the responsibilities of statehood, I refer you to the splendid record compiled by the subcommittee of the House Committee on Territories which held hearings on statehood in Hawaii during January 1946. Every possible aspect of Territorial life was examined and considered by the subcommittee. Hearings were held on the principal islands and opportunities were afforded all interested persons, whether in favor of or opposed to statehood, to be heard. On the basis of the hearings and exhibits, the subcommittee's report found that the total of Federal internal-revenue tax collections made in the Territory during 1944 and 1945 exceeded that of several States; that the gross assessed value of real property in Hawaii is higher than that of any State at the time of admission, with one exception; that illiteracy among native-born citizens is almost nonexistent; and that Hawaii, despite its polyracial composition, is essentially American in

thought, purpose, and action. The report also found that, notwithstanding the many racial groups, such evidence of bloc voting as exists indicates that the practice has not assumed and is not likely to assume serious proportions; and that the Hawaiians are very politically conscious, 85.03 percent of the registered voters having voted in the 1944 election. In the 1948 election, this figure increased to 86.5 percent. The subcommittee concluded that the mixed racial complexion of Hawaii should not be considered an obstacle to statehood; that the people of Hawaii have shown themselves capable of self-government; that though there is economic dominance by the Big Five of a great portion of Hawaii's economy, it has not prevented establishment of many varied businesses nor the passage of progressive labor, educational and social legislation; that a majority of the people in the Territory are in favor of immediate statehood; and that no organized opposition appeared.

On the basis of this extensive investigation, the House subcommittee recommended that immediate consideration be given to legislation to admit Hawaii to statehood. I unequivocally endorse that recommendation.

The public land provisions of H. R. 49 require particular mention, since these are the only provisions of the bill which, in my judgment, need substantial amendment. Hawaii contains approximately 1,775,000 acres of public lands. About 425,000 acres are set aside for various public uses—Federal, Territorial, or local—or are set aside as home lands for the native Hawaiians. The remaining 1,325,000 acres consist for the most part of forest, pastoral, and wastelands, but also comprise some highly productive agricultural lands. Ever since the annexation of Hawaii in 1898, title to and control of the public lands within its boundaries has been vested in the United States, but the administration of these lands, in general, has been placed in the hands of the Territorial government, subject to the governing laws passed by the Congress. The revenue is used by the Territorial government for the benefit of the local inhabitants under section 73 of the act of April 30, 1900 (31 Stat. 154, 48 U. S. C., sec. 606), as amended.

The provisions of H. R. 49 would retain in the United States title to the public lands now reserved for military establishments, national parks, or other Federal purposes, and would grant to the new State title to the public lands now reserved for the use of the Territorial government or any of its political subdivisions. Special provision would be made for the home lands in order to insure their permanent dedication to the uses prescribed by the Congress. All of these arrangements seem to have obvious merit, although certain perfecting amendments, particularly with respect to the national parks, appear desirable.

The bill would also grant to the new State the right to obtain title to 180,000 acres of public domain, to be selected by it out of the approximately 1,325,000 acres of land not covered by the foregoing dispositions. This right of selection would permit Hawaii to obtain title to all, or substantially all, of the sugarcane and other improved agricultural lands now belonging to the United States. Its effect would be to accord the new State a land grant at least as generous as that made to any of the existing States.

Finally, H. R. 49 provides that title to all the residue of the public lands in Hawaii, consisting mostly of forest reserves and pastoral and wastelands, shall remain in the United States for a period of 5 years and at the end of that period, if the Congress has made no other disposition of these areas, the title thereto shall vest automatically in the State of Hawaii. I believe that this provision is as unwise as it is unprecedented, and that the Federal Government should retain permanent control of these lands. All the people of the United States have an interest in the conservational use of the public lands in whichever State they are located. Our remaining reserves of natural resources should be utilized prudently in a manner consistent with the common welfare. It is the National Legislature which is best equipped to integrate the use of these lands with national needs.

The strategic location of the proposed State with respect to the national defense also emphasizes the desirability of the retention of control by the Federal Government. Congress may find it wise in the future to legislate so that the resources located in or on the public domain will be developed and marshaled along lines of possible military need. There is now in existence a Hawaii Land Use Coordinating Committee, composed of representatives of the local government, and the Army, Navy, and Interior Departments, which is engaged in reviewing the future needs of the Army and Navy in Hawaii, as well as the possible return to Territorial or private use of lands not necessary for defense. I believe that on the basis of this committee's study a realistic program for the distribution of lands between military and nonmilitary needs could be more

easily worked out than would be possible if the Federal Government should give up control of the lands now.

In view of these considerations, I recommend the inclusion in H. R. 40 of provisions which would permit Hawaii to enter into the Union on a basis similar to that on which the other States with public lands of the United States within their boundaries have been admitted. While Hawaii is entitled to a substantial land grant, the Federal Government should continue to hold the remainder of the public lands in Hawaii, for development and disposal in a manner consistent with the interests of the Nation as a whole.

Attached is a list of proposed amendments to H. R. 40 designed to carry out the foregoing recommendations. There are also included in the list minor changes recommended primarily for purposes of clarification. All of the suggested amendments are in line with those customary in acts for the admission of new States.

It is my sincere hope that consideration of the recommended amendments will not delay favorable action on statehood legislation. Hawaii's admission to the Union should not be impeded by prolonged discussion or controversy over the public-lands question. While the Department believes the public-land amendments should be adopted, its chief concern is that Hawaii be admitted to statehood at the earliest possible date. Therefore, should it appear likely that consideration of these amendments would block or prejudice favorable action on the bill, the Department will not press for their adoption.

For many years the Department of the Interior has been in a position to witness the rapid development of Hawaii's high standards of government in all matters affecting local welfare. This Department can also testify without reservation to the steadfast loyalty and patriotic vigilance of Hawaii's citizens during the critical and trying days of World War II. There is no question in my mind that, by any standard of judgment, these citizens of the United States have demonstrated their readiness for self-government as a State, and for full representation in the National Government.

The Bureau of the Budget has advised that the objective of this proposed legislation is in accord with the program of the President.

Sincerely yours,

J. A. KRUG,
Secretary of the Interior.

PROPOSED AMENDMENTS TO H. R. 40, EIGHTY-FIRST CONGRESS

1. The evident intent of paragraph "Fourth" of section 3 is to protect the interest of the United States in all of the property to be ceded to or retained by the United States under the terms of section 4, whether title to that property is now vested in the United States or in the Territory of Hawaii. However, the language used is not entirely apt to accomplish this purpose, since mention is made only of lands set aside by Executive order of the President or the Governor, whereas some of the lands involved, such as Hawaii National Park, have been set aside by act of Congress. Furthermore, while the word "ceded," as used in this paragraph, is appropriate to cover the lands now in Territorial ownership, the word "retained" also needs to be used in order to cover adequately the lands now in Federal ownership. Accordingly, the following revision of lines 11 to 16, page 8, is suggested:

"Fourth. That the property in the Territory of Hawaii set aside by Act of Congress or by Executive order of the President or the Governor of Hawaii for the use of the United States and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union shall be ceded to or retained by the United States, as more particularly provided in the next section of this Act."

2. For reasons similar to those discussed in connection with the preceding amendment, it is suggested that in line 1, page 9, after the word "by," the words "Act of Congress or by" be inserted.

3. Paragraph "Fifth" of section 3 provides for the retention of exclusive jurisdiction in the United States over lands now held by it for military, naval, or Coast Guard purposes. This paragraph contains the customary saving clause reserving to the proposed new State the right to serve process within the areas involved, but omits the equally customary saving clauses reserving the right of the State to tax private property and preserving the voting rights of the inhabitants within these areas. It is believed that this paragraph would be more consonant with the exclusive jurisdiction provisions applicable to other Federal reservations if the semicolon in line 9, page 9, were changed to a comma and the

rest of line 9 and all of lines 10 and 11, page 9, were amended to read as follows: "and shall have the right to tax persons and corporations, their franchises and property, within the said tracts or parcels of land; and that persons now or hereafter residing on the said tracts or parcels of lands shall not be deprived thereby of the right to vote at all elections held within the political subdivisions where they respectively reside."

4. In order to include in the bill standard provisions found in the enabling acts of States heretofore admitted, framed in such a way as to be consistent with whatever arrangements for the disposition of the public lands are included in section 4, the following new paragraph should be inserted between lines 17 and 18, page 10:

"Eighth. That said State and its people do agree and declare that they forever disclaim all right and title to any lands or other property, including Hawaiian home lands, the title to which is retained in or ceded to the United States by the provisions of this Act, except insofar as provision may be contained in this Act for the transfer of any such lands or other property to said State; that until the title to such lands or other property is disposed of by the United States the same shall be and remain subject to the jurisdiction and control of the United States; that no taxes shall be imposed by said State upon any lands or other property belonging to or which may be hereafter acquired by the United States or reserved for its use; and that all provisions of this Act reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grant of lands or other property herein made to said State, are consented to fully by said State and its people."

5. To effectuate the recommendations in the accompanying report that the United States retain title to the public lands in Hawaii, the following changes are proposed:

A. Subsection (b) of section 4, constituting lines 9 to 25, page 11, and lines 1 to 11, page 12, should be revised to read as follows:

"(b) The United States and its instrumentalities, as the case may be, shall retain all the lands and other public property title to which is in the United States or an instrumentality thereof (including all lands and other property ceded to the United States by the Republic of Hawaii upon its annexation to the United States or acquired in exchange for the lands or other property so ceded), except as herein provided, and all such lands and other property shall remain and be the absolute property of the United States and its instrumentalities, as the case may be, subject to the laws heretofore or hereafter enacted by the Congress for the management and disposition of such lands: *Provided, however*, That any such lands or other property heretofore or hereafter set aside by Act of Congress or by Executive order of the President or the Governor of Hawaii, pursuant to law, for the use of the Territory of Hawaii or a political subdivision thereof (excluding lands or other property set aside merely as reserves for forest growth or conservation of water supply), whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, shall be and become the property of the State of Hawaii or of such political subdivision, absolutely or subject to such limitations, as the case may be."

B. New subsections (e) and (f) should be added to section 4 by inserting between lines 20 and 21, page 13, the following:

"(e) Upon the admission of the State of Hawaii into the Union, the lands and other public property of the United States within said State shall, subject to the other provisions of this Act, continue to be administered in accordance with the laws applicable thereto immediately prior to the admission of said State, until otherwise provided by the Congress; *Provided, however*, That all powers and duties conferred by such laws upon any officer of the Territory of Hawaii, with respect to any of such lands or other property, except lands and property used in the administration of the Hawaiian Homes Commission Act, 1920, as amended, shall vest in the Secretary of the Interior and be administered, subject to his supervision and direction, in the Department of the Interior. Upon the application of the State of Hawaii, the said Secretary may, in his discretion, withdraw public lands within said State for administration as Hawaiian home lands and release Hawaiian home lands of equal value for administration as public lands.

"(f) All moneys derived by the United States after the admission of the State of Hawaii into the Union from the sale, lease, or other disposal of public lands, as that term is defined in section 73 (a) of the Hawaiian Organic Act

(42 Stat. 116; 48 U. S. C., sec. 663), within the boundaries of said State shall, until otherwise provided by the Congress, be distributed as follows:

"(1) 37½ per centum to the State of Hawaii to be used solely for the benefit of the inhabitants thereof, for educational and other public purposes, as the legislature of said State may direct; and

"(2) 62½ per centum to the miscellaneous receipts of the Treasury of the United States.

The foregoing distribution shall be in lieu of any and all existing provisions of law, except as otherwise provided herein, authorizing the payment to, or retention by, the Territory of Hawaii of moneys derived from lands or other property belonging to the United States, and such provisions shall cease to be effective upon the admission of the State of Hawaii, except with respect to lands selected by, but not yet patented to, said State pursuant to this section, and except with respect to Hawaiian home lands as provided in section 3."

C. The present subsection (c), beginning at line 21, page 13, should be relettered as subsection (g).

6. The reference in section 10 to the act of August 13, 1940 (54 Stat. 784, ch. 662), has been made obsolete by the act of June 25, 1948 (Public Law 773, 80th Cong.), which revised the Judicial Code and enacted into positive law title 28 of the United States Code. The act of August 13, 1940, has been superseded by section 91 of the new title 28, and has been specifically repealed by section 39 of the act of June 25, 1948. It is believed that section 10 should be recast by amending line 25, page 21, and lines 1 to 4, page 22, to read as follows:

That the district of Hawaii shall include, in addition to the State of Hawaii, the places named in title 28, United States Code, section 91.

7. The references in section 14 to section 128 of the Judicial Code have likewise been made obsolete by the act of June 25, 1948 (Public Law 773, 80th Cong.), the provisions of the latter section having been superseded by section 1252 and sections 1291 to 1294 of the revised title 28 of the United States Code, and having been specifically repealed by section 30 of the cited act. It is believed that section 14 should be recast by amending lines 1 to 6, page 25, to read as follows:

"Effective upon the admission of the State of Hawaii into the Union—

"(a) title 28, United States Code, section 1252, is amended by excluding Hawaii from the application of the clause relating to courts of record;

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

"(c) title 28, United States Code, section 1294, is amended by striking out paragraph (5) thereof and by renumbering paragraph (6) as paragraph (5)."

8. Consistent with the evident intent of the bill to retain in permanent Federal ownership the lands and other property held by the United States within the authorized boundaries of Hawaii National Park it is recommended that section 16 be amended by adding the following sentence at the end of line 5, page 26, of the bill:

"Nothing contained in this Act shall be construed to affect the ownership and control by the United States of any lands or other property within Hawaii National Park which may now belong to, or which may hereafter be acquired by, the United States."

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, March 3, 1949.

HON. ANDREW L. SOMERS,

*Chairman, Committee on Public Lands,
House of Representatives.*

DEAR MR. SOMERS: This is in further reply to your request of January 25, 1949, for a report on H. R. 49, a bill to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States.

We have studied the bill and from the standpoint of this Department we have no particular suggestions to make. Enactment is recommended. We note, however, the use of the term "other public property" in subsection (b) of section 4, lines 10 and 24 of page 11. We assume that this term is not intended to include

personal property or real property acquired for a particular purpose. However, the meaning of the term is not clear, and it is suggested that consideration be given to its clarification.

Sincerely,

CHARLES F. BRANNAN, *Secretary.*

NAVY DEPARTMENT,
Washington, March 5, 1949.

HON. ANDREW L. SOMERS,
*Chairman, Committee on Public Lands,
House of Representatives.*

DEAR MR. CHAIRMAN: Your request for comments on H. R. 49, a bill to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States, has been assigned to this Department by the Secretary of Defense for the preparation of a report thereon expressing the views of the National Military Establishment.

The purpose of the proposed bill is as stated in its title.

While a large percentage of the residents of the Territory of Hawaii are of Japanese ancestry, the National Military Establishment is aware of no acts of sabotage committed against the Government of the United States by the Japanese residents of the islands or by any other inhabitants of foreign extractions during World War II. In view of this fact and since the people of Hawaii, including many persons of Japanese ancestry, served with distinction in the armed forces of the United States during World War II, it is not considered that enactment of the proposed legislation would be detrimental to the interests of the United States from a military standpoint.

For the foregoing reasons the Navy Department, on behalf of the National Military Establishment, interposes no objection to the enactment of H. R. 49.

This report has been coordinated within the National Military Establishment in accordance with procedures prescribed by the Secretary of Defense.

The Navy Department has been advised by the Bureau of the Budget that the objective of the proposed legislation is in accord with the program of the President.

Sincerely yours,

W. JOHN KENNEY, *Acting.*

RAMSEYER RULE

Pursuant to the provisions of clause 2a, rule XIII, of the Rules of the House of Representatives, proposed changes in existing law are indicated below with the matter proposed to be omitted in black brackets, and the new matter proposed to be inserted in italics.

"ACT OF NOVEMBER 15, 1941 (U. S. C., 1940 EDITION, SUPP. V, TITLE 2, SEC. 2b)

"(a) Each State *other than Hawaii* shall be entitled, in the Seventy-eighth and in each Congress thereafter until the taking effect of a reapportionment under a subsequent statute or such section 22, as amended by this Act, to the number of Representatives shown in the statement transmitted to the Congress on January 8, 1941, based upon the method known as the method of equal proportions, no State to receive less than one Member [.] *; and the State of Hawaii shall be entitled to two Representatives from the time of its admission into the Union until the taking effect of such a reapportionment.*"

"ACT OF JUNE 25, 1948 (U. S. C., TITLE 28)

"Sec. 1252. Direct appeals from decisions invalidating Acts of Congress: Any party may appeal to the Supreme Court from an interlocutory or final judgment, decree or order of any court of the United States, the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone and the District Court of the Virgin Islands and any court of record of Alaska, [Hawaii] and Puerto Rico, holding an Act of Congress unconstitutional in any civil action, suit, or proceeding to which the United States or any of its agencies, or any officer or employee thereof, as such officer or employee, is a party.

"A party who has received notice of appeal under this section shall take any subsequent appeal or cross appeal to the Supreme Court. All appeals or cross

appeals taken to other courts prior to such notice shall be treated as taken directly to the Supreme Court.

"Sec. 1203. The courts of appeals for the [First and Ninth Circuits] *First Circuit* shall have jurisdiction of appeals from all final decisions of the [supreme courts of Puerto Rico and Hawaii, respectively] *Supreme Court of Puerto Rico* in all cases involving the Constitution, laws or treaties of the United States or any authority exercised thereunder, in all habeas corpus proceedings, and in all other civil cases where the value in controversy exceeds \$5,000, exclusive of interest and costs.

"Sec. 1204. Circuits in which decisions reviewable: Appeals from reviewable decisions of the district and territorial courts shall be taken to the courts of appeals as follows:

"(1) From a district court of the United States to the court of appeals for the circuit embracing the district;

"(2) From the District Court for the Territory of Alaska or any division thereof, to the Court of Appeals for the Ninth Circuit;

"(3) From the United States District Court for the District of the Canal Zone, to the Court of Appeals for the Fifth Circuit;

"(4) From the District Court of the Virgin Islands, to the Court of Appeals for the Third Circuit;

"[(5) From the Supreme Court of Hawaii, to the Court of Appeals for the Ninth Circuit;]

"[(6)] (5) From the Supreme Court of Puerto Rico, to the Court of Appeals for the First Circuit."

[S. 156, 81st Cong., 1st sess.]

A BILL To enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inhabitants of all that part of the area of the United States now constituting the Territory of Hawaii, as at present described, may become the State of Hawaii, as hereinafter provided.

SEC. 2. That all citizens of the United States who have the qualifications for voters for representatives to the Territorial legislature are hereby authorized to vote for and choose delegates to form a convention in said Territory.

Such delegates shall possess the qualifications of such electors, and members of the Territorial legislature shall be eligible to election as such delegates, and with no resulting disqualification as such members of the Territorial legislature, the provisions of sections 16 and 17 of the Hawaiian Organic Act to the contrary notwithstanding.

The aforesaid convention shall consist of sixty-three delegates apportioned among the counties and city and county, and the representative districts within the limits of the proposed State on the following basis:

County of Hawaii, at large, four delegates;

First representative district, one delegate each from precincts combined as follows: Precincts 1, 2, 3, 4, 5, 6, and 7; precincts 8, 9, 10, and 11; precincts 12, 13, and 14; precincts 15, 16, 30, and 17; precincts 18, 19, 20, 21, 31, and 22; precincts 23, 32, 24, 25, 26, 27, 28, and 29;

Second representative district, one delegate each from precincts combined as follows: Precincts 1, 2, 3, 4, 5, 6, 7, 8, and 16; precincts 9, 10, 11, 12, 13, 14, and 15.

County of Maui, at large, three delegates;

Third representative district, one delegate each from precincts combined as follows: Precincts 1, 2, 3, 4, and 5; precincts 6, 7, 8, 10, and 11; precincts 9, 12, 13, and 28; precincts 14, 15, 16, and 17; precincts 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27; precincts 29, 30, 31, 32, 33, and 34;

City and county of Honolulu, hereinafter included in the word "county", at large, twelve delegates;

Fourth representative district, one delegate each from precincts combined as follows: Precincts 24, 25, and 26; precincts 19, 20, 21, and 22; precincts 15 and 16; precincts 12, 17, and 32; precincts 11 and 18; precincts 13 and 14; precincts 6 and 36; precincts 7 and 8; precincts 9 and 10; precincts 34 and 31; precincts 5 and 35; precincts 4, 30, and 33; precincts 1 and 2; precincts 3 and 29;

Fifth representative district, one delegate each from precincts combined as follows: Precincts 5, 7, 30, and 31; precincts 6, 29, 8, and 9; precincts 10, 11, 32,

and 26; precincts 12, 33, and 13; precincts 14, 15, 16, and 17; precincts 18 and 19; precincts 22, 23, 28, and 27;

Fourth and fifth representative districts, one delegate each from precincts combined as follows: Precinct 28, fourth district, and precincts 1, 2, 3, and 4, fifth district; precinct 27, fourth district, and precincts 20 and 21, fifth district; precinct 23, fourth district, and precincts 24 and 25, fifth district;

County of Kauai, at large, two delegates;

Sixth representative district, one delegate each from precincts combined as follows: Precincts 1, 2, 3, and 4; precincts 5 and 6; precincts 8, 9, 10, and 11; and one delegate from precinct 7.

The precincts herein mentioned are as they existed on November 5, 1946.

The Governor of said Territory shall, within thirty days after the approval of this Act, issue a proclamation ordering a primary election for the nomination of candidates for the offices of the delegates aforesaid on a day designated by him in said proclamation, not earlier than sixty nor later than ninety days after the approval of this Act; and a final election not earlier than thirty, nor later than forty, days after such primary election.

The name of no candidate shall be printed upon any official ballot to be used at such primary election unless at least twenty days prior to such primary a nomination paper shall have been filed in the office of the secretary of the Territory in his behalf, nominating him as a candidate for delegate from the county concerned, or from a precinct or combination of precincts in a representative district or districts, as may be the case, and signed by not less than twenty-five qualified electors of the district concerned, and the sum of \$25 shall have been paid to the secretary of the Territory, which fee shall be a Territorial realization.

Each person shall be a qualified elector of the county or precinct or combination of precincts in which he is a candidate for delegate.

No such nomination paper shall contain any reference to or designation of any political party, and the ballots used at such election shall be nonpartisan and shall not contain any reference to or designation of the political party or affiliation of any candidate. The names of the candidates in each county and of the candidates in the precinct or combination of precincts of the representative districts shall be on separate ballots.

The ballots submitted to the voters of each county, precinct, or combination of precincts shall separately set forth the names of candidates for delegates from such county or precinct or combinations of precincts and shall instruct the voters that the number of candidates to be voted for by such voter shall not exceed the number of delegates to which the county, precinct, or combination of precincts is entitled, or the number of such delegates remaining to be elected, as the case may be, which number shall be stated. The ballots in each county shall also instruct the voters that the number of candidates to be voted for by each voter shall not be less than a majority of the number of delegates which such county is entitled to elect at the particular election, primary or final, as the case may be, and the number constituting such a majority shall be stated. At such primary election any candidate in a precinct or combination of precincts who receives a majority of the votes of the voters voting therein shall be declared elected, and any candidate in a county who receives such a majority of votes, not exceeding the number of delegates to be elected from each county, shall likewise be declared elected. The names of the remaining candidates receiving the highest number of votes, not exceeding two from each precinct or combination of precincts, or double the number of delegates to be elected at large from each county above the number already declared elected as aforesaid, if any, shall be placed on the ballot for the final election.

No ballot in a county ticket shall be counted at either the primary election or the final election unless the number of candidates voted for by the voter is at least equal to a majority of the number of delegates which the county concerned was entitled to elect at such election.

Only those nominated at such primary election shall be eligible to run for delegate at such final election. The ballots for such final election shall be in substantially the same form as those for the primary election, and the requirements of this Act as to such primary election shall, as far as appropriate, apply to such final election. In case of a tie vote at either the primary or final election, the candidates so tied shall draw lots under the supervision of the county clerk to determine which of them shall be nominated or elected as the case may be.

In case any office of delegate has not been filled or shall become vacant for any reason the Governor shall appoint an elector of the same county, precinct, or combination of precincts, to fill such vacancy.

Except as otherwise specifically provided by this Act, the primary and final elections for such delegates shall be conducted, the returns made, the results ascertained, and the certificates of persons elected to such convention issued in the same manner as is prescribed by the laws of said Territory regulating elections therein of members of the legislature. The convention shall be the judge of the elections, returns, and qualifications of the delegates.

Sec. 3. That the delegates to the convention thus elected shall meet at the seat of government of said Territory on the second Tuesday after their election, excluding the day of election in case such day shall be Tuesday, and, after organization, shall declare on behalf of the people of said proposed State that they adopt the Constitution of the United States, whereupon the said convention shall be, and is hereby, authorized to form a constitution and State government for said proposed State.

The constitution shall be republican in form and make no distinction in civil or political rights on account of race, color, or sex, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said convention shall provide in said constitution:

First. That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship.

Second. That provisions shall be made for the establishment and maintenance of a system of public schools, which shall be open to all the children of said State and free from sectarian control.

Third. That the debts and liabilities of said Territory of Hawaii shall be assumed and paid by said State.

Fourth. That the property in the Territory of Hawaii set aside by Executive order of the President or the Governor of Hawaii for the use of the United States and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union is ceded to the United States, as more particularly provided in the next section of this Act.

Fifth. That authority is granted to and acknowledged in the United States to the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as are now owned by the United States and held for military, naval, or coast-guard purposes, whether title to such lands was acquired by cession and transfer to the United States by the Republic of Hawaii and set aside by Executive order of the President or the Governor of Hawaii for the use of the United States, or acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided*, That the State of Hawaii shall have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; and the Legislative Assembly is authorized and directed to enact any law necessary or proper to give effect to this article.

Sixth. That, 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, is adopted as a law of said State, 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 original constitution or in the manner required for ordinary State legislation, but the Hawaiian home-land fund and the Hawaiian home-development fund shall not be reduced or impaired, 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 original constitution or in the manner required for ordinary 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 Hawaiian home lands, shall be available to said State for use in accordance with the terms of said act.

Seventh. That the lands and other property belonging to citizens of the United States residing without said State shall never be taxed at a higher rate than the lands and other property belonging to residents thereof.

SEC. 4. (a) The State of Hawaii and its political subdivisions, as the case may be, shall retain all the lands and other public property title to which is in the Territory of Hawaii or a political subdivision thereof, except as herein provided, and all such lands and other property shall remain and be the absolute property of the State of Hawaii and its political subdivisions, as the case may be, subject to the constitution and laws of said State: *Provided, however*, That any such lands or other property heretofore or hereafter set aside by Executive Order of the President or the Governor of Hawaii, pursuant to law, for the use of the United States, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, shall be and become the property of the United States absolutely or subject to such limitations, as the case may be.

(b) The United States shall retain title to all the public lands and other public property (except as hereafter provided) for a period of 5 years after the enactment of this act. Such land and public property shall continue to be administered in accordance with the laws applicable thereto immediately prior to the admission of said State until otherwise provided by the Congress: *Provided*, That immediately after the enactment of this act an investigation and report shall be made by a Joint committee composed of the members of the Committees on Public Lands of the Senate and of the House of Representatives upon the subject of the public lands and other property in Hawaii and the Congress shall thereafter make a final determination and disposition of the remaining public lands and other public property. In the event the Congress had made no other disposition thereof within said 5-year period, then title to all of the public lands and other public property undisposed of shall thereupon vest in the State of Hawaii absolutely: *Provided, however*, That any such lands or other property heretofore or hereafter set aside by Executive Order of the President or the Governor of Hawaii, pursuant to law, for the use of the United States or the Territory of Hawaii or a political subdivision thereof, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, shall be and become the property of the United States or the State of Hawaii or of such political subdivisions, as the case may be, absolutely or subject to such limitations, as the case may be.

(c) The State of Hawaii, upon its admission to the Union, shall be entitled to select, and the Secretary of the Interior is authorized and directed to issue patents to said State, for 180,000 acres of public lands, as that term is defined in section 73 (a) of the Hawaiian Organic Act (42 Stat. 116, 48 U. S. C., sec. 663), within the boundaries of said State. The selection of such lands by the State of Hawaii shall be made and completed within 5 years from the admission of said State into the Union. The lands so selected 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.

(d) The lands patented to the State of Hawaii pursuant to the preceding subsection, together with the proceeds thereof 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, and for the making of public improvements. 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 patented under the preceding subsection shall be used for the support of any sectarian school, college, or university.

(e) Effective upon the admission of the State of Hawaii into the Union all laws of the United States reserving to the United States the free use or enjoyment of property hereinabove vested in the State of Hawaii or its political subdivisions, or the right to alter, amend, or repeal laws relating thereto are hereby repealed.

SEC. 5. That when said constitution shall be formed as aforesaid, the convention forming the same shall provide for the submission of said constitution, together with the ordinances of said convention requiring ratification, to the people of said Territory for ratification at an election which shall be held on a day named by said convention not earlier than sixty nor later than ninety days

after said convention adjourns, at which election the qualified voters of said Territory shall vote directly for or against said constitution, for or against any provisions thereof separately submitted, and for or against said ordinances. Persons possessing the qualifications entitling them to vote for delegates under this Act shall be entitled to vote on the ratification or rejection of said constitution, the provisions thereof separately submitted, and said ordinances, under such rules or regulations as said convention may have prescribed, not in conflict with this Act. The returns of said election shall be made by the election officers direct to the secretary of said Territory who, with the Governor and the chief Justice of said Territory, shall constitute a canvassing board and they, or any two of them, shall meet at the city of Honolulu, on the third Monday after said election, and shall canvass the same.

The said canvassing board shall forthwith certify the result of said election to the Governor of said Territory, together with a statement of the votes cast upon the question of ratification or rejection of said constitution, also a statement of the votes cast for or against such provisions thereof as were separately submitted to the voters at said election, and for or against said ordinances. If a majority of the legal votes cast at said election shall reject the constitution, the Governor of said Territory shall, by proclamation, order the constitutional convention to reassemble at a date not later than twenty days after the receipt by said Governor of the documents showing the rejection of the constitution by the people, and thereafter a new constitution shall be framed and the same proceedings shall be taken in regard thereto in like manner as if said constitution were being originally prepared for submission and submitted to the people.

When said constitution shall have been duly ratified by the people of said Territory as aforesaid, a certified copy of the same, together with such provisions thereof as have been separately submitted and duly ratified, and such ordinances of the convention as have been duly ratified, shall be submitted to the President of the United States for approval, together with a statement of the votes cast upon said constitution, and upon any provisions thereof separately submitted, and upon said ordinances. And if the constitution of said proposed State is republican in form and makes no distinction in civil or political rights on account of race, color, or sex, and is not repugnant to the Constitution of the United States and the principles of the Declaration of Independence, and if all of the provisions of this Act relating to the formation of said constitution and State government have been complied with, it shall be the duty of the President of the United States thereupon to approve said constitution, and the said separate provisions thereof and ordinances, and to certify his approval to the Governor of said Territory. Within thirty days after the receipt of said notification from the President of the United States, the Governor shall issue his proclamation for the election, as hereinafter provided, of officers for all elective offices provided for by the constitution and laws of said State, except those offices for which the constitutional convention, by ordinance duly ratified by the people, shall have made other temporary provisions, but the officers so to be elected shall in any event include two Senators and two Representatives in Congress. Until and unless otherwise required by ordinance of said convention duly ratified by the people, or by the constitution or laws of said State, said Representatives shall be elected at large: *Provided*, That if the President of the United States shall approve said constitution but shall disapprove any provision thereof separately voted upon by the people, or any ordinance of said convention, the same shall be certified to the Governor of said Territory, and said election shall be held and all further proceedings for the admission of said new State shall be the same as if the provisions and ordinances so disapproved had been rejected by the people. And if the President shall disapprove said constitution, such disapproval shall be certified to the Governor of said Territory, with the President's objections to the proposed constitution; the Governor thereupon by proclamation shall order the constitutional convention to reassemble at a date not later than twenty days after receipt of such notification and thereafter a new constitution shall be framed and the same proceedings shall be taken in regard thereto in like manner as if said constitution were being originally prepared for submission and submitted to the people.

SEC. 6. That said constitutional convention shall provide that in case of the ratification of said constitution by the people, and in case of the President of the United States approves the same, all as hereinbefore provided, an election, or primary and general elections, as may be required, shall be held at the time or times named in the proclamation of the Governor of said Territory provided for in the preceding section. Said election shall take place not earlier than sixty days nor later than ninety days after said proclamation by the Governor of said

Territory ordering the same, or if a primary election is to be held, then the primary election shall take place not earlier than sixty days nor later than ninety days after said proclamation by the Governor of said Territory, and the general election shall take place within forty days after the primary election. At such election or elections the officers required to be elected as provided in section 5, shall be chosen by the people. Such election or elections shall be held, and the qualifications of voters thereat shall be, as prescribed by said constitution and the laws of said State for the election of members of the State legislature, except as otherwise provided by ordinance of said constitutional convention duly ratified by the people. The returns thereof shall be made, canvassed, and certified in the same manner as in this Act prescribed with respect to the election for the ratification or rejection of said constitution, as hereinbefore provided. When said election of said officers above provided for shall be held and the returns thereof made, canvassed, and certified as hereinbefore provided, the Governor of the said Territory shall certify the result of said election, as canvassed and certified as herein provided, to the President of the United States, who thereupon shall immediately issue his proclamation announcing the result of said election so ascertained, and, upon the issuance of said proclamation by the President of the United States, the proposed State of Hawaii shall be deemed admitted by Congress into the Union by virtue of this Act, on an equal footing with the other States. Until the said State is so admitted into the Union, the persons holding legislative, executive, and judicial offices in or under or by authority of the government of said Territory, and the Delegate in Congress thereof, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Hawaii into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in or under or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by ordinances of the constitutional convention duly ratified by the people, or by the constitution and laws of said State. The Governor and secretary of said State shall certify the election of the Senators and Representatives in the manner required by law, and the said Senators and Representatives shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

Sec. 7. Upon the admission of the proposed State of Hawaii into the Union the House of Representatives shall be composed of four hundred and thirty-seven Members until the expiration of the Eighty-second Congress, and shall thereafter be composed of four hundred and thirty-five Members.

Subsection (a) of section 2 of the Act entitled "An Act to provide for apportioning Representatives in Congress among the several States by the equal proportions method", approved November 15, 1941 (U. S. C., 1940 edition, Supp. V, title 2 sec. 2b), is hereby amended, effective on the date of the admission of the proposed State of Hawaii into the Union, to read as follows:

"(a) Each State (other than Hawaii) shall be entitled, in the Seventy-eighth and in each Congress thereafter until the taking effect of a reapportionment under a subsequent statute or such section 22, as amended by this Act, to the number of Representatives shown in the statement transmitted to the Congress on January 8, 1941, based upon the method known as the method of equal proportions, no State to receive less than one Member; and the State of Hawaii shall be entitled to two Representatives from the time of its admission into the Union until the taking effect of such a reapportionment."

Sec. 8. That the sum of \$200,000, or so much thereof as may be necessary, is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated for defraying the expenses of the elections provided for in this act and the expenses of the convention and for the payment of compensation to the delegates to said convention. The delegates shall receive for their services, in addition to mileage at the rate of 20 cents a mile each way, the sum of \$1,000 each, payable in four equal installments on and after the first, twentieth, fortieth, and sixtieth days of the convention, excluding Sundays and holidays. The disbursements of the money so appropriated shall be made by the Secretary of the Territory of Hawaii. The Territorial legislature is hereby authorized to appropriate such a sum as it may deem advisable for the payment of additional compensation to said delegates and for defraying their expenses and for such other purposes as it may deem necessary.

SEC. 9. That the State of Hawaii shall constitute a judicial district within the ninth judicial circuit, to be known as the district of Hawaii. To the United States district court hereby created two judges shall be appointed, and to it and to them all laws relating to United States district courts and district judges shall be applicable. The regular terms of the court shall be held at Honolulu on the second Monday in April and October, and the office of the clerk of court shall be kept at Honolulu.

SEC. 10. That in addition to its normal jurisdiction as a United States district court, the United States District Court for the District of Hawaii shall have also that jurisdiction heretofore conferred upon its predecessor by the Act of August 13, 1940 (54 Stat. 784, ch. 662).

SEC. 11. That in the manner prescribed by law there shall be appointed a clerk for the district court, a United States attorney, a United States marshal for the district, and such assistants, deputies, court officers, and clerical and other personnel as are provided for by the laws relating to district courts, judges, and judicial districts.

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

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

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

SEC. 14. Effective upon the admission of the State of Hawaii into the Union, paragraph "First" of subsection (a) of section 128 of the Judicial Code, as

amended (28 U. S. C. A., sec. 225), shall apply to the United States District Court for the District of Hawaii and paragraph "Second" thereof shall be inapplicable.

Sec. 15. All laws in force in the Territory of Hawaii at the time of its admission into the Union shall continue in force in the State of Hawaii, except as modified or changed by this Act or by the constitution of the State or by ordinance of the constitutional convention duly ratified by the people, and shall be subject to repeal or amendment by the Legislature of the State of Hawaii, except as hereinbefore provided with respect to the Hawaiian Homes Commission Act, 1920, as amended; and the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States.

Sec. 16. Notwithstanding the admission of the State of Hawaii into the Union, the United States shall continue to have sole and exclusive jurisdiction over the area which may then or thereafter be included in Hawaii National Park, saving, however, to the State of Hawaii the same rights as are reserved to the Territory of Hawaii by section 1 of the Act of April 10, 1930 (46 Stat. 227), and saving, further, to persons then or thereafter residing within such area the right to vote at all elections held within the political subdivisions where they respectively reside. Upon the admission of said State all references to the Territory of Hawaii in said Act or in other laws relating to Hawaii National Park shall be deemed to refer to the State of Hawaii.

Sec. 17. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

[S. 1782, 81st Cong., 1st sess.]

A BILL To enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inhabitants of all that part of the area of the United States now constituting the Territory of Hawaii, as at present described, may become the State of Hawaii, as hereinafter provided.

Sec. 2. That all citizens of the United States who have the qualifications for voters for representatives to the Territorial legislature are hereby authorized to vote for and choose delegates to form a convention in said Territory.

Such delegates shall possess the qualifications of such electors, and members of the Territorial legislature shall be eligible to election as such delegates, and with no resulting disqualification as such members of the Territorial legislature the provisions of sections 16 and 17 of the Hawaiian Organic Act to the contrary notwithstanding.

The aforesaid convention shall consist of sixty-three delegates apportioned among the counties and city and county, and the representative districts within the limits of the proposed State on the following basis:

County of Hawaii, at large, four delegates;

First representative district, one delegate each from precincts combined as follows: Precincts 1, 2, 3, 4, 5, 6, and 7; precincts 8, 9, 10, and 11; precincts 12, 13, and 14; precincts 15, 16, 30, and 17; precincts 18, 19, 20, 21, 31, and 22; precincts 23, 32, 24, 25, 26, 27, 28, and 29;

Second representative district, one delegate each from precincts combined as follows: Precincts 1, 2, 3, 4, 5, 6, 7, 8, and 16; precincts 9, 10, 11, 12, 13, 14, and 15.

County of Maui, at large, three delegates;

Third representative district, one delegate each from precincts combined as follows: Precincts 1, 2, 3, 4, and 5; precincts 6, 7, 8, 10, and 11; precincts 9, 12, 13, and 28; precincts 14, 15, 16, and 17; precincts 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27; precincts 29, 30, 31, 32, 33, and 34;

City and county of Honolulu, hereinafter included in the word "county", at large, twelve delegates;

Fourth representative district, one delegate each from precincts combined as follows: Precincts 24, 25, and 26; precincts 19, 20, 21, and 22; precincts 15 and 16; precincts 12, 17, and 32; precincts 11 and 18; precincts 13 and 14; precincts 6 and 36; precincts 7 and 8; precincts 9 and 10; precincts 34 and 31; precincts 5 and 35; precincts 4, 30, and 33; precincts 1 and 2; precincts 3 and 29;

Fifth representative district, one delegate each from precincts combined as follows: Precincts 5, 7, 30, and 31; precincts 6, 29, 8, and 9; precincts 10, 11, 32,

and 26; precincts 12, 33, and 13; precincts 14, 15, 16, and 17; precincts 18 and 19; precincts 22, 23, 28, and 27;

Fourth and fifth representative districts, one delegate each from precincts combined as follows: Precinct 28, fourth district, and precincts 1, 2, 3, and 4, fifth district; precinct 27, fourth district, and precincts 20 and 21, fifth district; precinct 23, fourth district, and precincts 24 and 25, fifth district;

County of Kauai, at large, two delegates;

Sixth representative district, one delegate each from precincts combined as follows: Precincts 1, 2, 3, and 4; precincts 5 and 6; precincts 8, 9, 10, and 11; and one delegate from precinct 7.

The precincts herein mentioned are as they existed on November 5, 1946.

The Governor of said Territory shall, within thirty days after the approval of this Act, issue a proclamation ordering a primary election for the nomination of candidates for the offices of the delegates aforesaid on a day designated by him in said proclamation, not earlier than sixty nor later than ninety days after the approval of this Act; and a final election not earlier than thirty, nor later than forty, days after such primary election.

The name of no candidate shall be printed upon any official ballot to be used at such primary election unless at least twenty days prior to such primary a nomination paper shall have been filed in the office of the secretary of the Territory in his behalf, nominating him as a candidate for delegate from the county concerned, or from a precinct or combination of precincts in a representative district or districts, as may be the case, and signed by not less than twenty-five qualified electors of the district concerned, and the sum of \$25 shall have been paid to the secretary of the Territory, which fee shall be a Territorial realization.

Each person shall be a qualified elector of the county or precinct or combination of precincts in which he is a candidate for delegate.

No such nomination paper shall contain any reference to or designation of any political party, and the ballots used at such election shall be nonpartisan and shall not contain any reference to or designation of the political party or affiliation of any candidate. The names of the candidates in each county and of the candidates in the precinct or combination of precincts of the representative districts shall be on separate ballots.

The ballots submitted to the voters of each county, precinct, or combination of precincts shall separately set forth the names of candidates for delegates from such county or precinct or combinations of precincts, and shall instruct the voters that the number of candidates to be voted for by such voter shall not exceed the number of delegates to which the county, precinct, or combination of precincts is entitled, or the number of such delegates remaining to be elected, as the case may be, which number shall be stated. The ballots in each county shall also instruct the voters that the number of candidates to be voted for by each voter shall not be less than a majority of the number of delegates which such county is entitled to elect at the particular election, primary or final, as the case may be, and the number constituting such a majority shall be stated. At such primary election any candidate in a precinct or combination of precincts who receives a majority of the votes of the voters voting therein shall be declared elected, and any candidate in a county who receives such a majority of votes, not exceeding the number of delegates to be elected from each county, shall likewise be declared elected. The names of the remaining candidates receiving the highest number of votes, not exceeding two from each precinct or combination of precincts, or double the number of delegates to be elected at large from each county above the number already declared elected as aforesaid, if any, shall be placed on the ballot for the final election.

No ballot in a county ticket shall be counted at either the primary election or the final election unless the number of candidates voted for by the voter is at least equal to a majority of the number of delegates which the county concerned was entitled to elect at such election.

Only those nominated at such primary election shall be eligible to run for delegate at such final election. The ballots for such final election shall be in substantially the same form as those for the primary election, and the requirements of this Act as to such primary election shall, as far as appropriate, apply to such final election. In case of a tie vote at either the primary or final election, the candidates so tied shall draw lots under the supervision of the county clerk to determine which of them shall be nominated or elected as the case may be.

In case any office of delegate has not been filled or shall become vacant for any reason the Governor shall appoint an elector of the same county, precinct, or combination of precincts, to fill such vacancy.

Except as otherwise specifically provided by this Act, the primary and final elections for such delegates shall be conducted the returns made, the results ascertained, and the certificates of persons elected to such convention issued in the same manner as is prescribed by the laws of said Territory regulating elections therein of members of the legislature. The convention shall be the judge of the elections, returns, and qualifications of the delegates.

Sec. 3. That the delegates to the convention thus elected shall meet at the seat of government of said Territory on the second Tuesday after this election, excluding the day of election in case such day shall be Tuesday, and, after organization, shall declare on behalf of the people of said proposed State that they adopt the Constitution of the United States, whereupon the said convention shall be, and is hereby, authorized to form a constitution and State government for said proposed State.

The constitution shall be republican in form and make no distinction in civil or political rights on account of race, color, or sex, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. And said convention shall provide in said constitution:

First. That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship.

Second. That provisions shall be made for the establishment and maintenance of a system of public schools, which shall be open to all the children of said State and free from sectarian control.

Third. That the debts and liabilities of said Territory of Hawaii shall be assumed and paid by said State.

Fourth. That the property in the Territory of Hawaii set aside by Executive order of the President or the Governor of Hawaii for the use of the United States and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union is ceded to the United States, as more particularly provided in the next section of this Act.

Fifth. That authority is granted to and acknowledged in the United States to the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as are now owned by the United States and held for military, naval, or coast-guard purposes, whether title to such lands was acquired by cession and transfer to the United States by the Republic of Hawaii and set aside by Executive order of the President or the Governor of Hawaii for the use of the United States, or acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided*, That the State of Hawaii shall have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; and the Legislative Assembly is authorized and directed to enact any law necessary or proper to give effect to this article.

Sixth. That, 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, is adopted as a law of said State, 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 original constitution or in the manner required for ordinary State legislation, but the Hawaiian home-loan fund and the Hawaiian home-development fund shall not be reduced or impaired, 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 original constitution or in the manner required for ordinary 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 Hawaiian home lands, shall be available to said State for use in accordance with the terms of said Act.

Seventh. That the lands and other property belonging to citizens of the United States residing without said State shall never be taxed at a higher rate than the lands and other property belonging to residents thereof.

Sec. 4. (a) The State of Hawaii and its political subdivisions, as the case may be, shall retain all the lands and other public property title to which is in the Territory of Hawaii or a political subdivision thereof, except as herein provided, and all such lands and other property shall remain and be the absolute property of the State of Hawaii and its political subdivisions, as the case may be, subject to the constitution and laws of said State: *Provided, however*, That any such lands or other property heretofore or hereafter set aside by Executive order of the President or the Governor of Hawaii, pursuant to law, for the use of the United States, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, shall be and become the property of the United States absolutely or subject to such limitations, as the case may be.

(b) The United States shall retain title to all the public lands and other public property (except as hereafter provided) for a period of five years after the enactment of this Act. Such land and public property shall continue to be administered in accordance with the laws applicable thereto immediately prior to the admission of said State until otherwise provided by the Congress: *Provided*, That immediately after the enactment of this Act an investigation and report shall be made by a joint committee composed of the members of the Committees on Public Lands of the Senate and of the House of Representatives upon the subject of the public lands and other property in Hawaii, and the Congress shall thereafter make a final determination and disposition of the remaining public lands and other public property. In the event the Congress has made no other disposition thereof within said five-year period, then title to all of the public lands and other public property undispensed of shall thereupon vest in the State of Hawaii absolutely: *Provided, however*, That any such lands or other property heretofore or hereafter set aside by Executive order of the President or the Governor of Hawaii, pursuant to law, for the use of the United States or the Territory of Hawaii or a political subdivision thereof, whether absolutely or subject to limitations, and remaining so set aside immediately prior to the admission of the State of Hawaii into the Union, shall be and become the property of the United States or the State of Hawaii or of such political subdivision, as the case may be, absolutely or subject to such limitations, as the case may be.

(c) The State of Hawaii, upon its admission to the Union, shall be entitled to select, and the Secretary of the Interior is authorized and directed to issue patents to said State for, one hundred and eighty thousand acres of public lands, as that term is defined in section 73 (a) of the Hawaiian Organic Act (42 Stat. 116, 48 U. S. C., sec. 663), within the boundaries of said State. The selection of such lands by the State of Hawaii shall be made and completed within five years from the admission of said State into the Union. The lands so selected 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.

(d) The lands patented to the State of Hawaii pursuant to the preceding subsection, together with the proceeds thereof 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, and for the making of public improvements. 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 patented under the preceding subsection shall be used for the support of any sectarian school, college, or university.

(e) Effective upon the admission of the State of Hawaii into the Union all laws of the United States reserving to the United States the free use or enjoyment of property herein-above vested in the State of Hawaii or its political subdivisions, or the right to alter, amend, or repeal laws relating thereto, are hereby repealed.

SEC. 5. That when said constitution shall be formed as aforesaid, the convention forming the same shall provide for the submission of said constitution, together with the ordinances of said convention requiring ratification, to the people of said Territory for ratification at an election which shall be held on a day named by said convention not earlier than sixty nor later than ninety days after said convention adjourns, at which election the qualified voters of said Territory shall vote directly for or against said constitution, for or against any provisions thereof separately submitted, and for or against said ordinances. Persons possessing the qualifications entitling them to vote or delegates under this Act shall be entitled to vote on the ratification or rejection of said constitution, the provisions thereof separately submitted, and said ordinances, under such rules or regulations as said convention may have prescribed, not in conflict with this Act. The returns of said election shall be made by the election officers direct to the secretary of said Territory who, with the Governor and the chief justice of said Territory, shall constitute a canvassing board and they, or any two of them, shall meet at the city of Honolulu, on the third Monday after said election, and shall canvass the same.

The said canvassing board shall forthwith certify the result of said election to the Governor of said Territory, together with a statement of the votes cast upon the question of ratification or rejection of said constitution, also a statement of the votes cast for or against such provisions thereof as were separately submitted to the voters at said election, and for or against said ordinances. If a majority of the legal votes cast at said election shall reject the constitution, the Governor of said Territory shall, by proclamation, order the constitutional convention to reassemble at a date not later than twenty days after the receipt by said Governor of the documents showing the rejection of the constitution by the people, and thereafter a new constitution shall be framed and the same proceedings shall be taken in regard thereto in like manner as if said constitution were being originally prepared for submission and submitted to the people.

When said constitution shall have been duly ratified by the people of said Territory, as aforesaid, a certified copy of the same, together with such provisions thereof as have been separately submitted and duly ratified, and such ordinances of the convention as have been duly ratified, shall be submitted to the President of the United States for approval, together with a statement of the votes cast upon said constitution, and upon any provisions thereof separately submitted, and upon said ordinances. And if the constitution of said proposed State is republican in form and makes no distinction in civil or political rights on account of race, color, or sex, and is not repugnant to the Constitution of the United States and the principles of the Declaration of Independence, and if all of the provisions of this Act relating to the formation of said constitution and State government have been complied with, it shall be the duty of the President of the United States thereupon to approve said constitution, and the said separate provisions thereof and ordinances, and to certify his approval to the Governor of said Territory. Within thirty days after the receipt of said notification from the President of the United States, the Governor shall issue his proclamation for the election, as hereinafter provided, of officers for all elective offices provided for by the constitution and laws of said State, except those offices for which the constitutional convention, by ordinance duly ratified by the people, shall have made other temporary provisions, but the officers so to be elected shall in any event include two Senators and two Representatives in Congress. Until and unless otherwise required by ordinance of said convention duly ratified by the people, or by the constitution or laws of said State, said Representatives shall be elected at large: *Provided*, That if the President of the United States shall approve said constitution but shall disapprove any provision thereof separately voted upon by the people, or any ordinance of said convention, the same shall be certified to the Governor of said Territory, and said election shall be held and all further proceedings for the admission of said new State shall be the same as if the provisions and ordinances so disapproved had been rejected by the people. And if the President shall disapprove said constitution, such disapproval shall be certified to the Governor of said Territory, with the President's objections to the proposed constitution; the Governor thereupon by proclamation shall order the constitutional convention to reassemble at a date not later than twenty days after receipt of such notification and thereafter a new constitution shall be framed and the same proceedings shall be taken in regard thereto in like manner as if said constitution were being originally prepared for submission and submitted to the people.

SEC. 6. That said constitutional convention shall provide that in case of the ratification of said constitution by the people, and in case the President of the United States approves the same, all as hereinbefore provided, an election, or primary and general elections, as may be required, shall be held at the time or times named in the proclamation of the Governor of said Territory provided for in the preceding section. Said election shall take place not earlier than sixty days nor later than ninety days after said proclamation by the Governor of said Territory ordering the same, or if a primary election is to be held, then the primary election shall take place not earlier than sixty days nor later than ninety days after said proclamation by the Governor of said Territory, and the general election shall take place within forty days after the primary election. At such election or elections the officers required to be elected as provided in section 5, shall be chosen by the people. Such election or elections shall be held, and the qualifications of voters thereat shall be, as prescribed by said constitution and the laws of said State for the election of members of the State legislature, except as otherwise provided by ordinance of said constitutional convention duly ratified by the people. The returns thereof shall be made, canvassed, and certified in the same manner as in this Act prescribed with respect to the election for the ratification or rejection of said constitution, as hereinbefore provided. When said election of said officers above provided for shall be held and the returns thereof made, canvassed, and certified as hereinbefore provided, the Governor of the said Territory shall certify the results of said election, as canvassed and certified as herein provided, to the President of the United States, who thereupon shall immediately issue his proclamation announcing the result of said election so ascertained, and, upon the issuance of said proclamation by the President of the United States, the proposed State of Hawaii shall be deemed admitted by Congress into the Union by virtue of this Act, on an equal footing with the other States. Until the said State is so admitted into the Union, the persons holding legislative, executive, and judicial offices in or under or by authority of the government of said Territory, and the Delegate in Congress thereof, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Hawaii into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in or under or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by ordinances of the constitutional convention duly ratified by the people, or by the constitution and laws of said State. The Governor and secretary of said State shall certify the election of the Senators and Representatives in the manner required by law, and the said Senators and Representatives shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

SEC. 7. Upon the admission of the proposed State of Hawaii into the Union the House of Representatives shall be composed of four hundred and thirty-seven Members until the expiration of the Eighty-second Congress, and shall thereafter be composed of four hundred and thirty-five Members.

Subsection (a) of section 2 of the Act entitled "An Act to provide for apportioning Representatives in Congress among the several States by the equal-proportions method," approved November 15, 1941 (U. S. C., 1940 edition, Supp. V, title 2, sec. 2b), is hereby amended, effective on the date of the admission of the proposed State of Hawaii into the Union, to read as follows:

"(a) Each State (other than Hawaii) shall be entitled in the Seventy-eighth and in each Congress thereafter until the taking effect of a reapportionment under a subsequent statute or such section 22, as amended by this Act, to the number of Representatives shown in the statement transmitted to the Congress on January 8, 1941, based upon the method known as the method of equal proportions, no State to receive less than one Member; and the State of Hawaii shall be entitled to two Representatives from the time of its admission into the Union until the taking effect of such a reapportionment."

SEC. 8. That the sum of \$200,000, or so much thereof as may be necessary, is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated for defraying the expenses of the elections provided for in this Act and the expenses of the convention and for the payment of compensation to the delegates to said convention. The delegates shall receive for their services, in addition to mileage at the rate of 20 cents a mile each way, the sum

of \$1,000 each, payable in four equal installments on and after the first, twentieth, fortieth, and sixtieth days of the convention, excluding Sundays and holidays. The disbursements of the money so appropriated shall be made by the Secretary of the Territory of Hawaii. The Territorial legislature is hereby authorized to appropriate such sum as it may deem advisable for the payment of additional compensation to said delegates and for defraying their expenses and for such other purposes as it may deem necessary.

Sec. 9. That the State of Hawaii shall constitute a judicial district within the ninth judicial circuit, to be known as the district of Hawaii. To the United States district court hereby created two judges shall be appointed, and to it and to them all laws relating to United States district courts and district judges shall be applicable. The regular terms of the court shall be held at Honolulu on the second Monday in April and October, and the office of the clerk of court shall be kept at Honolulu.

Sec. 10. That in addition to its normal jurisdiction as a United States district court, the United States District Court for the District of Hawaii shall have also that jurisdiction heretofore conferred upon its predecessor by the Act of August 13, 1910 (54 Stat. 784, ch. 662).

Sec. 11. That in the manner prescribed by law there shall be appointed a clerk for the district court, a United States attorney, a United States marshal for the district, and such assistants, deputies, court officers, and clerical and other personnel as are provided for by the laws relating to district courts, judges, and judicial districts.

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

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

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

ritory of Hawaii, in any case pending at the time of admission of said State into the Union, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of said State into the Union.

SEC. 14. Effective upon the admission of the State of Hawaii into the Union, paragraph "First" of subsection (a) of section 128 of the Judicial Code, as amended (28 U. S. C. A., sec. 225), shall apply to the United States District Court for the District of Hawaii and paragraph "Second" thereof shall be inapplicable.

SEC. 15. All laws in force in the Territory of Hawaii at the time of its admission into the Union shall continue in force in the State of Hawaii, except as modified or changed by this Act or by the constitution of the State or by ordinance of the constitutional convention duly ratified by the people, and shall be subject to repeal or amendment by the Legislature of the State of Hawaii, except as hereinbefore provided with respect to the Hawaiian Homes Commission Act, 1920, as amended; and the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States.

SEC. 16. Notwithstanding the admission of the State of Hawaii into the Union, the United States shall continue to have sole and exclusive jurisdiction over the area which may then or thereafter be included in Hawaii National Park, saving, however, to the State of Hawaii the same rights as are reserved to the Territory of Hawaii by section 1 of the Act of April 19, 1930 (46 Stat. 227), and saving, further, to persons then or thereafter residing within such area the right to vote at all elections held within the political subdivisions where they respectively reside. Upon the admission of said State all references to the Territory of Hawaii in said Act or in other laws relating to Hawaii National Park shall be deemed to refer to the State of Hawaii.

SEC. 17. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

The CHAIRMAN. There will also be included in the record the formal letter from the Department of the Interior reporting on the bill, and formal letters which have been received likewise from the State Department, the Department of Defense, and the Board of Governors of the Federal Reserve System.

UNITED STATES DEPARTMENT OF THE INTERIOR,

OFFICE OF THE SECRETARY,

Washington, April 28, 1950.

HON. JOSEPH C. O'MAHONEY,

*Chairman, Committee on Interior and Insular Affairs,
United States Senate, Washington 25, D. C.*

MY DEAR SENATOR O'MAHONEY: Reference is made to H. R. 49, a bill to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States, which was passed by the House of Representatives on March 7, and which is now pending before your committee.

I strongly urge the enactment of H. R. 49. I suggest, however, for the consideration of your committee certain amendments which are contained in the attached list.

That the people of Hawaii now desire statehood is amply demonstrated by the fact that at a plebiscite in 1940 they voted 2 to 1 in favor of admission to the Union; there is little doubt that the odds would be even more heavily weighted if a poll were to be taken now. Mainland sentiment, too, is overwhelmingly in favor of statehood. The reasons for this sentiment in favor of statehood for Hawaii lie in a background of close political, economic, and social ties between the people of that Territory and the people of the continental United States. Hawaii, it must be remembered, voluntarily relinquished its status as a sovereign nation to enter into the American Commonwealth. Today, after over half a century of active participation in the broader life of the whole American community, Hawaii is truly an integral part of our Nation, devoted to the democratic ideals and institutions of the United States. Modern transportation facilities have ended even the physical isolation of the Territory.

The eminent qualification of the people of Hawaii to govern themselves within the framework of the Union has been already amply evidenced by the mass of

progressive and intelligent laws on their statute books, their advanced school system, and the wise management of their fiscal affairs. Hawaii has contributed, and will continue to contribute, to the national welfare in a manner of which we may all be proud. Hawaii imports from the continental United States most of its consumer goods, and exports to the mainland the greater part of the products of its two major industries, sugar and pineapple. The commerce of Hawaii with the mainland exceeds that between the mainland and but a few foreign countries. Hawaii has consistently paid into the national Treasury a considerably larger amount than the Federal Government has spent in the Territory, exclusive of national defense expenditures.

I have mentioned but a few of the many points that could be made in support of the case of Hawaii's becoming one of the United States. For a comprehensive and convincing demonstration of the Territory's present ability to assume the responsibilities of a statehood, I refer you to the splendid record compiled by the subcommittee of the House Committee on Territories which held hearings on statehood in Hawaii during January 1946. Every possible aspect of territorial life was examined and considered by the subcommittee. Hearings were held on the principal island and opportunities were afforded all interested persons, whether in favor of or opposed to statehood, to be heard. On the basis of the hearings and exhibits, the subcommittee's report found that the total of Federal internal-revenue tax collections made in the Territory during 1944 and 1945 exceeded that of several States; that the gross assessed value of real property in Hawaii is higher than that of any State at the time of admission, with one exception; that illiteracy among native-born citizens is almost nonexistent; and that Hawaii, despite its polyracial composition, is essentially American in thought, purpose, and action. The report also found that, notwithstanding the many racial groups, such evidence of bloc voting as exists indicates that the practice has not assumed and is not likely to assume serious proportions; and that the Hawaiians are very politically conscious, 85.03 percent of the registered voters having voted in the 1944 election. In the 1948 election, this figure increased to 86.5 percent. The subcommittee concluded that the mixed racial complexion of Hawaii should not be considered an obstacle to statehood; that the people of Hawaii have shown themselves capable of self-government; that though there is economic dominance by the Big Five of a great portion of Hawaii's economy, it has not prevented establishment of many varied businesses nor the passage of progressive labor, educational, and social legislation; that a majority of the people in the Territory are in favor of immediate statehood; and that no organized opposition appeared.

On the basis of this extensive investigation, the House subcommittee recommended that immediate consideration be given to legislation to admit Hawaii to statehood. I unequivocally endorse that recommendation.

The Territorial legislature of Hawaii has enacted legislation (Act 334, Session Laws of Hawaii, 1949), to expedite local consideration of a constitutional framework for the proposed State of Hawaii. Section 2 of that legislation provides for the election of delegates to a constitutional convention, and section 3 authorizes the convention to draft a proposed constitution. The delegates elected by the people of Hawaii pursuant to this legislation convened in Honolulu on April 4, 1950, and proceed to initiate work on a constitution for the proposed State. These Territorial measures render unnecessary those provisions of the bill which provide for the election and organization of a constitutional convention. In order to take cognizance of the existing situation, proposed amendments are suggested which would adapt the provisions of the bill to that situation.

For many years the Department of the Interior has been in a position to witness the rapid development of Hawaii's high standards of government in all matters affecting local welfare. This Department can also testify without reservation to the steadfast loyalty and patriotic vigilance of Hawaii's citizens during the critical and trying days of World War II. There is no question in my mind, by any standard of judgment, these citizens of the United States have demonstrated their readiness for self-government as a State, and for full representation in the national Government.

The Bureau of the Budget has advised that the objective of this proposed legislation is in accord with the program of the President.

Sincerely yours,

OSCAR L. CHAPMAN,
Secretary of the Interior.

PROPOSED AMENDMENTS TO H. R. 40, EIGHTY-FIRST CONGRESS, AS PASSED BY THE HOUSE OF REPRESENTATIVES

1. A. Page 1, line 7, to page 7, line 10: Strike out c" of section 2.

B. Page 7, lines 11-19: Strike out the first paragraph of section 3 and insert in lieu thereof the following:

"Sec. 2. Sections 2 and 3 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) which sections provide for the election and organization of a constitutional convention and the forming of a constitution and State government for the proposed State of Hawaii, are hereby ratified. In order that the constitutional convention so elected and organized may have an opportunity to consider whether any changes in the constitution and State government so formed are needed by reason of the enactment of this Act, the Governor of the Territory of Hawaii, within 20 days after the approval of this Act, may, and upon petition by at least one-fifth of the delegates of said convention shall, issue a proclamation directing said convention to reconvene, if it has previously adjourned, on the day designated by such proclamation, which day shall not be later than 10 days after the issuance of such proclamation."

C. Page 10, line 10: Renumber "SEC. 4" as "SEC. 3", and renumber all succeeding sections accordingly.

D. Page 14, lines 4-10: Strike out the following: "the convention forming the same shall provide for the submission of said constitution, together with the ordinances of said convention requiring ratification, to the people of said Territory for ratification at an election which shall be held on a day named by said convention not earlier than sixty nor later than ninety days after said convention adjourns, at which" and insert in lieu thereof the following: "the said constitution, together with the ordinances of said convention requiring ratification, shall be submitted to the people of said Territory for ratification, by a majority of the legal votes cast, at an election to be held on a day designated by proclamation of the Governor of said Territory. Such proclamation shall be issued within 30 days after the approval of this Act if said convention has adjourned prior to the approval of this Act and is not reconvened pursuant to section 2 of this Act, or within 30 days after the final adjournment of said convention if it is still in session at the time of the approval of this Act or is subsequently reconvened, and the day designated therein for the holding of said election shall be not earlier than 60 nor later than 90 days after the issuance of said proclamation. At such".

E. Page 14, line 14: Strike out the words "this Act" and insert in lieu thereof the following: "section 2 of the Act of the Territorial legislature of Hawaii approved May 20, 1949 (Act 334, Session Laws of Hawaii, 1949)".

F. Page 18, line 8: Strike out the figure "5" and insert in lieu thereof the figure "4".

The Territorial legislature of Hawaii has enacted legislation (Act 334, Session Laws of Hawaii, 1949) to expedite local consideration of a constitutional framework for the proposed State of Hawaii. Section 2 of that legislation provides for the election of delegates to a constitutional convention, and section 3 authorizes the convention to draft a proposed constitution. The delegates elected by the people of Hawaii pursuant to this legislation convened in Honolulu on April 4, 1950, and proceeded to initiate work on a constitution for the proposed State. These Territorial measures render unnecessary those provisions of the bill which provide for the election and organization of a constitutional convention.

The proposed amendments would take cognizance of the existing situation, and would adapt the provisions of the bill to that situation. Item A would delete that portion of the bill which provides for the establishment of a constitutional convention, since such a convention has already been chosen by the people of Hawaii. Item B would ratify the action of the Territorial legislature in authorizing the election of delegates to the convention and in authorizing the convention to form a proposed constitution. This item also grants permission for the reconvening of the constitutional convention in the event it has concluded its deliberations prior to the enactment of the bill. By so doing, the convention would be afforded an appropriate opportunity for reconsideration of the proposed constitution in the light of the requirements of the bill, as finally enacted. Item C would make the changes in section numbers which would be necessitated by the deletion of

section 2, relating to the election of delegates to the constitutional convention. Item D would amend the provisions of the bill dealing with the calling of an election to ratify the proposed convention, so as to conform these provisions to the changed timing and pattern of submission necessitated by the existing situation. Items E and F would make minor adjustments related to the foregoing matters.

UNITED STATES SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,

April 7, 1950.

HON. DEAN C. ACHESON,

The Secretary of State,

State Department, Washington 25, D. C.

MY DEAR SECRETARY: As you doubtless are aware, the Senate Committee on Interior and Insular Affairs has before it two bills, H. R. 331 and H. R. 49, which would admit the Territories of Alaska and Hawaii, respectively, into the Federal Union as States. In connection with its consideration of this proposed legislation, the committee requires authoritative information from the Department of State as to what effect, if any, extension of statehood to these Territories would have upon the foreign relations of the United States.

Statehood for Alaska and Hawaii presents new and different problems from those that have been encountered up to the present in the admission of States, since both areas are noncontiguous to the United States. Also, in each there are large racial groups, comparatively, whose education and cultural standards differ markedly from those of the United States and who have little familiarity with our traditions, our political institutions, and our responsibilities.

It is recalled that certain representatives of the Soviet Union are reported to have made references to the treaty by which Alaska was purchased and to have indicated some possible interest in the future return of the Territory to Russian sovereignty. It is noted that western Alaska and eastern Siberia are extremely close, geographically.

Hearings on the Alaska bill are scheduled to open on April 24 and those on Hawaii on May 1. Would you be good enough to have a qualified officer of the State Department ready to give the committee factual information and the Department's views on the effects of the inclusion within the United States, politically speaking, of these strategic, noncontiguous areas with their diverse population elements? If you deem it desirable, the State Department can be heard in executive session, and the facts and opinions presented will not be made public.

Sincerely yours,

JOSEPH C. O'MAHONEY, *Chairman.*

DEPARTMENT OF STATE,
Washington, D. C., April 20, 1950.

The Honorable JOSEPH C. O'MAHONEY,

Chairman, Committee on Interior and Insular Affairs,

United States Senate.

MY DEAR SENATOR O'MAHONEY: This is to acknowledge your letter of April 7 addressed to Secretary Acheson informing him of the hearings on the Alaska and Hawaii bills which are scheduled to open on April 24, and May 1, respectively, and inviting the Department to have a qualified officer ready to give the committee factual information and the Department's views on the possible effects of the inclusion of these Territories within the United States.

When similar proposals were before the Senate last year, you were good enough to invite the views of the Department, which were furnished to you in letters dated July 7 and June 29, 1949. The views of the Department remain as then stated. The Department perceives no objection to the provisions of these bills from the standpoint of the foreign policy of the United States and considers that the admission of these Territories to the Union would be in conformity with the traditional policy of the United States toward the peoples of Territories under its administration who have not yet become fully self-governing. It continues to feel that favorable action on these bills by the Congress would be an act in fulfillment of the obligation assumed by the United States in accepting the declaration regarding non-self-governing territories set out in chapter XI of the Charter of the United Nations and would thus serve to support American foreign policy and strengthen the position of the United States in international affairs.

With reference to the final paragraph of your letter, the Department is glad to accept your invitation and will have a qualified officer ready to give the committee such factual information as the committee may wish to have insofar as the Department of State is concerned.

Sincerely yours,

JACK K. McFALL,
Assistant Secretary
(For the Secretary of State).

DEPARTMENT OF STATE,
Washington, June 29, 1949.

The Honorable JOSEPH C. O'MAHONEY,
Chairman, Committee on Interior and Insular Affairs,
United States Senate.

MY DEAR SENATOR O'MAHONEY: On May 11, 1949, you transmitted to the Department of State for its study and report two bills, S. 156 and S. 1782, to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States.

The Department of State has examined these bills carefully and, from the standpoint of foreign policy, does not perceive any objection to the provisions contained therein. On the general question, it is the view of the Department that action by the Congress enabling the people of Hawaii to fulfill their expressed aspiration for statehood would be in conformity with the traditional policy of the United States toward the peoples of Territories under its administration who have not yet become fully self-governing.

The Department also considers that such action by the Congress would be an act in fulfillment of the obligation assumed by the United States in accepting the declaration regarding non-self-governing territories set out in chapter XI of the Charter of the United Nations and would thus serve to support American foreign policy and strengthen the position of the United States in international affairs.

We have been advised by the Bureau of the Budget that the objectives of these proposals are in accord with the program of the President.

Sincerely yours,

ERNEST A. GROSS,
Assistant Secretary.
(For the Secretary of State).

UNITED STATES SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
March 30, 1950.

Hon. LOUIS JOHNSON,
The Secretary of Defense,
The Pentagon, Washington, D. C.

DEAR MR. SECRETARY: As you doubtless are aware, the Senate Committee on Interior and Insular Affairs has before it two bills, H. R. 331 and H. R. 49, which would admit the Territories of Alaska and Hawaii, respectively, into the Federal Union as States. In connection with its consideration of this proposed legislation, the committee requires authoritative information from the Department of Defense as to the advantages, if any, from a point of view of national defense, of extending statehood to these Territories. Specifically, would statehood for Alaska and Hawaii give greater strength to our military position in those areas than does the present Territorial organization of the local government?

Hearings on the Alaska bill are scheduled to start April 24 and those on Hawaii on May 1. Would you be good enough to have a qualified member of the Defense Department ready to give the committee factual information with respect to the relative advantages and disadvantages of statehood for the defense of each of these Territories at these hearings? If you deem it desirable, the Defense Department can be heard in executive session, and any statements made at the time will not be made public.

Sincerely yours,

JOSEPH C. O'MAHONEY, *Chairman.*

THE SECRETARY OF DEFENSE,
Washington, April 18, 1950.

HON. JOSEPH C. O'MAHONEY,
Chairman, Committee on Interior and Insular Affairs,
United States Senate.

MY DEAR SENATOR O'MAHONEY: This letter is further in response to your communication of March 30, 1950, in which you make reference to two bills, H. R. 331 and H. R. 49, which, if enacted, would admit the Territories of Alaska and Hawaii, respectively, into the Federal Union as States. Because I understand that your committee intends on April 24 to commence hearings on H. R. 331, which concerns Alaska, and to hold hearings beginning May 1 on H. R. 49, the Hawaiian proposal, I address this letter to you for the purpose of expressing the concurrence of the Department of Defense in both proposals.

As you know, the administration has repeatedly expressed itself as favoring Hawaiian and Alaskan statehood and both proposals have again and again been endorsed by the President. On January 4 in his state of the union message, President Truman urged that the Congress during 1950 "grant statehood to Alaska and Hawaii." The enactment of H. R. 49 and H. R. 331 would, I believe, effectively accomplish this objective.

You have asked in your letter of March 30 as to whether, from the point of view of national defense, it would be advantageous to extend statehood to Alaska and Hawaii, and you inquired specifically as to whether statehood would give greater strength to our military position in those areas than does the present territorial type of local government. It is obvious that the more stable a local government can be, the more successful would be the control and defense of the area in case of sudden attack. There can be no question but that in the event of an attack any State would be immensely aided in the initial stages of the emergency by the effective use of the State and local instrumentalities of law and order. By the same token it would seem to me that, as persons in a position to assist the Federal garrisons which might exist in Hawaii or Alaska, the locally elected governors, sheriffs, and the locally selected constabulary and civil defense units all would be of tremendous value in cases of sudden peril. Therefore, my answer to your question is that statehood for Alaska and Hawaii would undoubtedly give a considerable added measure of strength to the over-all defense of both areas in event of emergency.

I am not attempting in this letter to indorse the specific language of either of the bills under consideration, but I do wish strongly to support the principle of granting immediate statehood to both the Territories of Alaska and Hawaii as in the best interest of the United States and of all of its peoples both here and in the Territories.

With kindest personal regards, I am
Sincerely yours,

LOUIS JOHNSON.

BOARD OF GOVERNORS,
FEDERAL RESERVE SYSTEM,
Washington, March 13, 1950.

HON. JOSEPH C. O'MAHONEY,
Chairman, Committee on Interior and Insular Affairs,
United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: It is understood that there are now pending before your committee bills providing for the admission to statehood of the Territory of Alaska (H. R. 331) and the Territory of Hawaii (H. R. 49) which passed the House of Representatives on March 3 and March 7, 1950, respectively.

When bills on this subject were previously under consideration by Congress, the Board of Governors recommended to your committee in January 1948 and again in May 1949, an amendment relating to membership in the Federal Reserve System of national banks located in any Territory which is admitted to statehood. This is a matter which affects the banking structure of the United States and is of direct interest to the Board and the Federal Reserve System. Accordingly, the Board wishes to renew its recommendation in connection with the Alaskan and Hawaiian statehood bills now pending.

The Federal Reserve Act contains in section 19 a provision which makes membership in the Federal Reserve System optional in the case of national banks which are located in Alaska, in dependencies and insular possessions, and in "any part of the United States outside the continental United States." This

provision was enacted in 1913 when it was apparently the feeling of Congress that national banks in the Territories and dependencies were so distant and remote as to make it unnecessary to require them to be members of the Federal Reserve System. Because of this provision, membership in the system of national banks located in Alaska and Hawaii would continue to be optional if those Territories should become States in accordance with the provisions of the pending bills H. R. 331 and H. R. 49 as those bills now read.

Since the enactment of the Federal Reserve Act in 1913, the tremendous progress of air transportation has brought both Alaska and Hawaii so close that today it cannot be said that the economic and banking structures of Alaska and Hawaii are unrelated to those of the United States proper. Travel and transportation to these Territories are now a matter of hours instead of weeks as was the case in 1913; and, consequently, the advantages and privileges of membership in the Federal Reserve System would now be much more readily available to banks in Alaska and Hawaii. Moreover, banking conditions in these Territories have changed considerably since the enactment of the Federal Reserve Act. The total deposits of Hawaiian banks are many times as great as they were in 1913, and their total resources today are more than those of all banks in some of the States of the Union. While there is only one national bank in Hawaii at the present time, that bank is larger than any bank in 23 of the existing States. At the present time, there are four national banks in Alaska with total deposits of over \$30,000,000. None of the national banks in either Alaska or Hawaii is now a member of the Federal Reserve System.

It is the feeling of the Board, therefore, that if Congress should decide that the Territories of Alaska and Hawaii may now properly be admitted to statehood, national banks in the proposed States of Alaska and Hawaii should be subject to the same responsibilities and obligations as national banks located in any other State of the Union. The pending bills provide that, upon becoming States, Alaska and Hawaii shall be on an equal footing with the other States. It would seem logical that this equality should exist in the field of banking as well as in other respects and that, consequently, the proposed new States should be included in the Federal Reserve districts and that national banks in Alaska and Hawaii should be subject to the same requirements as other national banks.

Under present law, all national banks in the existing States of the Union are required to be members of the Federal Reserve System and, as such members, to be insured banks and to be governed by the many important statutory limitations and restrictions which by their terms are applicable to member and insured banks. These restrictions and limitations are not at present applicable to national banks in Alaska and Hawaii; and they would continue to be inapplicable if these Territories should become States in accordance with the provisions of the pending Statehood bills unless the bills are appropriately amended.

In the Board's opinion, there is no sound reason why any national banks located in a new State of the Union, enjoying the prestige and privileges conferred by organization under the National Bank Act, including the right to act as depositories of Government funds, should be exempt in this manner from the obligations and responsibilities which must be assumed by national banks in other States.

The Board recommends, therefore, that there be included in these bills a section which would have the effect of requiring national banks in any Territory to become members of the Federal Reserve System upon the formal admission of such Territory as a State of the Union. A draft of a brief amendment which would have this effect is enclosed herewith.

When a bill providing statehood for the Territory of Hawaii was under consideration in 1948, the Board consulted with the Federal Deposit Insurance Corporation and the Comptroller of the Currency regarding the amendment proposed by the Board. Both of those agencies advised that they concurred in the Board's opinion that national banks located in any Territory should be required to become members of the Federal Reserve System upon the admission of the Territory to statehood.

The Board hopes that this matter will receive favorable consideration by your committee. We have heretofore been advised by the Bureau of the Budget that the Bureau has no objection to the submission of this recommendation by the Board.

Very truly yours,

S. R. CARPENTER, *Secretary.*

PROPOSED AMENDMENT TO H. R. 49 AND H. R. 331

Insert in the bill H. R. — a new section reading as follows:

SEC. —. The first paragraph of section 2 of the Federal Reserve Act (U. S. C., title 12, secs. 222 and 223) is amended by striking out the last sentence thereof and inserting in lieu of such sentence the following:

"When any State is hereafter admitted to the Union the Federal Reserve districts shall be readjusted by the Board of Governors of the Federal Reserve System in such manner as to include such State. Every national bank in any State shall, upon commencing business or within 90 days after admission into the Union of the State in which it is located, become a member bank of the Federal Reserve System by subscribing and paying for stock in the Federal Reserve Bank of its district in accordance with the provisions of this Act and shall thereupon be an insured bank under section 12B of this Act, and failure to do so shall subject such bank to the penalty provided by the sixth paragraph of this section."

The CHAIRMAN. The first witness this morning will be Secretary Chapman of the Department of the Interior. We shall be very happy to hear from you, Mr. Secretary.

STATEMENT OF HON. OSCAR L. CHAPMAN, THE SECRETARY OF THE DEPARTMENT OF THE INTERIOR

Secretary CHAPMAN. Thank you, Mr. Chairman.

Mr. Chairman, I have before me a prepared statement that contains about 17 triple-spaced pages, but it constitutes primarily a historical review of the Hawaii statehood question, from the time the Constitution was extended to the Territory. If the chairman will permit me, I should like to submit that statement for the record. Copies have been submitted to each Senator.

The CHAIRMAN. Yes, they have been distributed.

Secretary CHAPMAN. I should like to discuss a few of the high points, if I may.

The CHAIRMAN. Very well, it is so ordered.

(The prepared statement of Secretary Chapman is carried at the conclusion of his testimony.)

Secretary CHAPMAN. First I will give the history in this brief statement which shows beyond question, that the good faith of the United States Government is at stake in this case.

Our good faith is concerned because, if not by direct language, certainly, by implication, we promised the Hawaiians that they would be permitted to become a State at some future date.

The question now is, Hawaii prepared to become a State in accordance with this implied grant?

I want to make a few statements here which will bring into focus how this question looks to the average American citizen, and I say the average American citizen because in checking the press editorials throughout the country, we found that some 733 editorials were printed regarding statehood for Hawaii. Ninety-four percent of them favored it and urged immediate statehood. I think that fairly represents the thinking generally of the American people on the question of statehood.

You would naturally want to know next what the Defense Department's view is on this question. You have received a letter from the Secretary of Defense which has been made a part of this record. I would like to read just the last paragraph of the letter which emphasizes the importance of the question to our national defense.

Secretary Johnson says:

But I do wish strongly to support the principle of granting immediate statehood to both the Territories of Alaska and Hawaii as in the best interest of the United States and of all its people both here and in the Territories.

Next I have a letter directed to the chairman of this committee by the Assistant Secretary of State, Ernest A. Gross. I want to read a paragraph from that letter as follows:

The Department also considers that such action by the Congress would be an act in fulfillment of the obligation assumed by the United States in accepting the Declaration Regarding Non-Self-Governing Territories set out in chapter XI of the Charter of the United Nations and would thus serve to support American foreign policy and strengthen the position of the United States in international affairs.

I refer to those two letters to show you that we are trying, and I believe that every segment of our Government is trying, to fulfill our obligation and our promise to the Hawaiian people that the Territory will be made a State.

I want to discuss some of the questions that I know have been raised in opposition to statehood. I do not question the motives of any person who disagrees with me about statehood for Hawaii, any more than I did for Alaska, but I do think that this committee should know who is testifying, who is here, and what interest brought him here.

I want to say that Hawaii itself appropriated money as a part of its legislative functions to send representative citizens here to testify. I do not know of a more appropriate and democratic procedure than for the legislative body to appropriate money for such a purpose. Hawaiians are pleading today for the fulfillment of a promise that this Government made to them 50 years ago, and 50 years is a long time in the lifetime of an individual or even a nation. I think Hawaii is just as fully qualified to become a State as any other Territory when it gained statehood. Hawaii is fully capable and qualified to become a State today.

Some have argued that Hawaii cannot become a State and should not become a State because it is not contiguous to the west coast or contiguous to any of the 48 States. Twenty-five years ago that might have been a legitimate argument against statehood, but in view of the advance that we have made in transportation and communication, I cannot believe that anyone would take that too seriously. Moreover, if these two letters that I have read to you from the Secretary of Defense and the Secretary of State mean anything, they mean that we cannot pull out of Hawaii even if we wanted to. We have to stay in Hawaii to defend our position there. But let me say more than that: I am more interested in the civil rights of the citizens of Hawaii than I am in some of these other secondary benefits that may be derived by the American people as a whole, and I believe the American people definitely can derive benefits from the statehood of Hawaii. Our first consideration is the right of the citizens of Hawaii.

There are approximately 500,000 persons in Hawaii today. They are holding a constitutional convention which they have called with the hope and with the complete faith that this Congress will grant them statehood. Therefore, they have elected delegates to the constitutional convention and are holding their sessions to draft a constitution within the framework of our own Federal Constitution.

Gentlemen, the distance from Hawaii to Washington today is less than it was from New Mexico and Wyoming when they were admitted to the Union. An air-mail letter today can reach Hawaii within 2 days and probably 1 day, whereas it would have taken 10 to 12 days for a letter to reach Wyoming, New Mexico, or Idaho when they were admitted to the Union. Distance is thus not a valid ground for opposition to statehood.

I am happy to say that the business people of Hawaii are here to testify that they want statehood. Every element of the population of Hawaii is represented here and wants statehood.

They are asking for statehood on the grounds that we have promised it to them and that they are prepared to fulfill and meet the obligations that any Territory necessarily assumes when it becomes a State. I am going to tell you of another point that has been raised with me. Some people have been concerned about the racial complexity of Hawaii. Are we to ask Hawaii to apologize for her racial mixture? Are we to ask Hawaii to apologize to the American people because some of her citizens are of Japanese ancestry? If so, then why don't we of the Government remove every Japanese from American soil and send him home? We do not dare do it because you know it would break faith with every nation on earth.

It would not only break faith but it would be an affront to our national morality. It would be outrageous to think of such a thing.

Some people think because one-third of the population of Hawaii is of Japanese ancestry, that this group would vote as a bloc and would send you a Senator of Japanese ancestry. I am not averse to a citizen of the United States of Japanese ancestry sitting in this Senate. I am not saying that there would be one, but let me give you a little of the record to show you how they vote.

At present the speaker of the house is of Chinese ancestry, and the president of the senate is of Japanese ancestry. Who are these two gentlemen that I am talking about? Let me read you one page about them. They are sitting in this audience this morning, and I want them to hear what I have to say about them, and I want the American people to hear what I have to say about them and the fact that racial origin is not a determining factor in the life of Hawaii. That is dramatically illustrated by the action of the members of the house of representatives of the Territorial legislature in choosing as their speaker an American of Chinese ancestry. This despite the fact that the people of the Chinese race constitute a small part of their membership. The Territorial senate chose as its president an American of Japanese ancestry despite the fact that out of the 15 members of the senate, there is only one other member of Japanese ancestry.

Does that not show you that they are choosing their officials just as we try to choose them, on the basis of their ability to perform their functions and their loyalty to their government, to their people?

Now, these men were chosen by reason of their character, ability and their loyalty to their government. The speaker of the house, Mr. Hiram Fong, is here, and I wonder if he would be kind enough to stand. I do not wish to embarrass him by asking him to stand, but I think this is so important that any of us should be willing to take whatever embarrassment is necessary, if there is any, and I do not

think there is any. I would not be embarrassed if I were of Chinese ancestry. I would stand up to be counted wherever it might be.

Mr. Fong is a product of the institutions of America, a graduate of the University of Hawaii, and of the Harvard Law School. He is the product of our own institutions, where the American people send their boys for higher education.

Now, let us turn to the president of the senate. Wilfred Tsukiyama, who is a graduate of Coe College in Iowa and the Law School of Chicago. He was a former associate of the present Governor in the practice of law, which I do not think hurts him in the eyes of the people of the country.

The CHAIRMAN. If I remember correctly, he was a pretty good ball-player in his time.

Secretary CHAPMAN. He was a good ballplayer. He was not only a good ballplayer on the field of baseball, but he is a good ballplayer in the science of government.

Mr. Tsukiyama was in the law firm of the present Governor, and I want to say there have been some people who have whispered to me that Governor Stainback was not in favor of statehood because he was carrying on a fight against communism in Hawaii. Governor Stainback is 100 percent for statehood for Hawaii, and he will tell you so himself.

I have not talked with him until this minute. He will tell you that of his own volition. He will tell you that he is for statehood in spite of the fact that he has fought communism in Hawaii as hard as any citizen could possibly fight it; and when you find a formula that will control and handle communism in Hawaii, let us have it, and we will apply it to Hawaii the same as we do to the rest of the States of the Union. That is all we ask.

Some people have talked about the racial mixture of the people of Hawaii. I want to give you just a brief picture of the racial mixture of these people. What difference does it make? One-third of the population, as I have told you before, is of Japanese ancestry, and what did we do?

During the last World War we transported over 100,000 Japanese American citizens, from Oregon, Washington, and California, and put them in camps in Arizona and Colorado and Wyoming. Why? Because the military people were concerned about their loyalty and were concerned about what they might do in the way of sabotage.

Let me say to you we did not do that in Hawaii. Of the half million people in Hawaii, one-third are of Japanese ancestry, and the Military Intelligence people will tell you, and the FBI will tell you that not one single case of sabotage by those of Japanese ancestry on that island was reported during the entire war. I think that is a pretty good record when you and I realize that blood runs thicker than water.

We know how these people must have felt about their families and their relatives back home, but nevertheless we do not have a single case on record where they tried to sabotage this Government during the course of the war. On the contrary, we do have the case of several thousand soldiers of Japanese ancestry fighting in Italy, on Anzio Beach, fighting for the democracy which they believed in.

They believed that we were going to fulfill our obligations to the people of Hawaii, and with other citizens of Hawaii they asked and fought for statehood. They have made an honorable record.

This record entitles the Japanese Hawaiians to credit, not ridicule of persons who have said that because they were citizens of Japanese ancestry, they could not be trusted.

We did trust them. We used them. We allowed them to be killed upon the fields of battle. Why can we not let them exercise the right of a true American citizen, the same as other citizens in Hawaii, as members of a State?

We have asked Hawaiian citizens to enlist in the Army and the Navy. They have done so. We have asked them to buy security bonds during the war. They have done so, and they have done so at a higher rate per capita percentagewise than any of the States.

Now how can we and on what grounds can we deny these people the right of full citizenship? I am talking about the people of Hawaii, the melting pot of America, where one-third of the people belong to the Anglo-Saxon race and one-third to the Japanese race, and the other third belongs to a general mixture of six or seven different races. But again I say, do we have to apologize to the American people because Hawaii has a mixed racial composition?

(NOTE.—The tabulation referred to here is carried at the conclusion of Secretary Chapman's oral statement.)

Then how did New York City get into the Union? We let those citizens into the Union because we had confidence and faith in them. We believed in them, Senator. That is why we let them in. That is the basis on which we want to grant statehood to Hawaii.

Now there is another basis of criticism that I have heard.

The CHAIRMAN. Let me interrupt you, Mr. Secretary. With respect to the statistics from which you were quoting, the committee has had a table prepared as of August 11, 1949, by the Bureau of Health Statistics of the Department of Health of the Territory of Hawaii, which classifies the population on a racial basis. As of July 1, 1949, the total population was 530,981.

Secretary CHAPMAN. That is right.

The CHAIRMAN. Of which 461,581 are citizens.

Secretary CHAPMAN. That is right.

The CHAIRMAN. And 69,310 are aliens.

Secretary CHAPMAN. That is right.

The CHAIRMAN. Pure-Hawaiian population amounts to only 2 percent of the total, 10,548, all of whom are citizens.

Secretary CHAPMAN. That is right.

The CHAIRMAN. Part-Hawaiian amounts to 13.8 percent, 73,277, all of whom are citizens. 1.0 percent are Puerto Ricans, 10,081, all of whom are citizens. 30.8 percent, numbering 163,716 are Caucasians. Of these 160,991 are citizens, and 2,725 are aliens.

Five and nine-tenths percent of the total are Chinese, numbering 31,051, of whom 28,866 are citizens and 2,185 are aliens; 33.8 percent of the total are Japanese, numbering 179,702. Of these 149,216 are citizens, and 30,486 are aliens; 0.4 percent Koreans numbering 7,387, of whom 5,758 are citizens and 1,629 are aliens; 10.1 percent, numbering 53,361 are Filipinos, and of these 21,161 are citizens and 32,200 are aliens. Three-tenths of 1 percent makes up the balance of all other races numbering 1,768, of whom 1,683 are citizens and 85 are aliens. I have the same table that you have.

Secretary CHAPMAN. You have the same statistics except that I say, Senator, that was as of July 1, 1949. I think the later figures of January 1, 1950, would cut down that number of aliens that you see listed in the right-hand column. That percentage is materially cut down. The largest number you see in that group refers to Filipinos.

That was when, of course, we had a rather free exchange between the Philippines, the Hawaiian Islands, and the United States, between citizens of Philippine origin and the United States. Now that percentage itself has been cut down in the latest census of 1950, as of January 1. I am told. I do not happen to have the table before me.

The CHAIRMAN. We also have a more complete tabulation showing the civilian population estimates between July 1, 1948, and July 1, 1949, according to the geographic area, as well as this racial division. This table also comes from the Bureau of Health Statistics, Department of Health, Territory of Hawaii. Both these tables will be made a part of the record at this point.

(The documents above referred to follow:)

Civilian population estimates, Territory of Hawaii, July 1, 1948, and July 1, 1949

Geographic area	July 1, 1948	Jan. 1, 1949	July 1, 1949		Percent increase or decrease since July 1, 1948
			Number	Percent	
Territory of Hawaii	540,500	540,121	530,891	100.0	-1.8
County of Honolulu	371,649	369,016	360,085	67.8	-3.1
City of Honolulu	277,129	274,777	267,755	60.4	-3.4
Rural Oahu	94,520	94,239	92,330	17.4	-2.3
County of Hawaii	74,870	70,343	70,513	14.4	+2.2
City of Hilo	29,620	30,249	30,303	5.7	+2.3
Rural Hawaii	45,250	40,094	40,210	8.7	+2.1
County of Kalawao	411	402	380	.1	-7.5
County of Kauai	36,493	37,181	37,053	7.0	+1.5
Island of Kauai	36,283	36,969	36,840	6.9	+1.5
Island of Niihau	210	212	213	.1	+1.4
County of Maui	57,077	57,179	56,890	10.7	-.4
Island of Maui	48,544	49,092	48,778	9.2	+5
Island of Lanai	3,413	3,077	3,078	.6	-9.8
Island of Molokai (exclusive of county of Kalawao)	5,120	5,010	5,004	.9	-2.3

Race	July 1, 1948	Jan. 1, 1949	July 1, 1949				Percent increase or decrease since July 1, 1948
			Total		Citizens	Allens	
			Number	Percent			
All races	540,500	540,121	530,891	100.0	461,581	69,310	-1.8
Hawaiian	10,650	10,604	10,548	2.0	10,548	.....	-1.0
Part Hawaiian	70,110	71,852	73,277	13.8	73,277	.....	+4.5
Puerto Rican	9,820	9,983	10,081	1.9	10,081	.....	+2.6
Caucasian	180,480	178,315	163,716	30.8	160,991	2,725	-9.3
Chinese	30,530	30,964	31,051	5.9	28,866	2,185	+1.7
Japanese	170,280	178,597	179,702	33.8	149,216	30,486	+1.9
Korean	7,320	7,392	7,367	1.4	5,756	1,629	+0.9
Filipino	53,640	53,696	53,301	10.1	21,161	32,200	-0.5
All others	1,670	1,718	1,768	0.3	1,683	85	+5.9

Source: Bureau of Health Statistics, Department of Health, August 11, 1949.

Senator BUTLER. Mr. Secretary, is there any later report or estimate of any kind showing the trend on a percentage basis, showing any different trend in the population than is indicated by the report that you have inserted in the record?

Secretary CHAPMAN. The Governor was just telling me that there has been a slight decrease in the trend of population, Senator, due somewhat to the unemployment situation that has developed during the last year. I do not know that we have any complete statistics other than the 1950, January 1, figures. Every 6 months you get these compilations.

Mr. Irwin Silverman tells me that in that right-hand column, Senator, there is a percentage of increase or decrease since July 1949, which shows the basis of each population, each racial group.

Senator BUTLER. That shows a very large drop in the Caucasian population.

Secretary CHAPMAN. That is right.

Senator BUTLER. And an increase in all of the others with the exception of the Filipino and Hawaiian.

Secretary CHAPMAN. Of course, you have to remember that many of the Army and Navy workers who became citizens of Hawaii at one time have left there since the general work of the Army has decreased since the war. I think these figures might vary slightly, but not very much, either way, as a normal picture of the racial population of the islands. There is a slight variation because of this abnormal year that we have had in Hawaii.

I want to say that there are business people here from Hawaii. They want to testify in favor of statehood for Hawaii. They have come here of their own free will. Mr. Joseph Farrington has a list of the witnesses he will present to this committee. He will ask that they be heard.

They are the business people who have invested their money in Hawaii. They have established the economy of those islands, along with the working people who helped establish it, because no money can establish an economy without the workingman helping to establish it. They have done that.

Having done that, they are here to ask for statehood for Hawaii. They have paid their own transportation here, Senator. It has not been paid by anyone else.

Senator BUTLER. In that connection, Mr. Secretary, this morning I received air-mail letters and telegrams to the effect indicating that there were a number of permanent citizens of Hawaii who wanted to come, but they could not make the arrangements to come with this delegation. In other words, they gave me the impression that those who came were in some way assisted by the organization of this delegation largely handled by the Hawaii Statehood Commission.

Secretary CHAPMAN. Well, I assume, Senator, that those people have come to testify as representatives of the group they pretend to represent or supposedly represent.

The legislative body of Hawaii has appropriated money and selected representatives to come in here and testify. I do not know of a more democratic way of petitioning Congress than that, do you?

Senator BUTLER. No. I am making no objections or suggestions, Mr. Secretary, except that apparently a goodly number are coming at the expense of the appropriation made by your legislature.

Secretary CHAPMAN. Sure. Not my legislature; Hawaii's Legislature.

Senator BUTLER. And in that connection, it would appear to me that it would be only fair that the Hawaiian Legislature, nor any other individual, in making public funds available, would be sure that we in the Senate might get the full picture. They apparently did not use one penny of the appropriation to see that the opposite side was presented, and I think everyone will admit that there are a few people in Hawaii who do not agree with you on the statehood matter, and I would like to have had the opportunity to have heard at least from one or two people who presented the opposite view.

Secretary CHAPMAN. Senator, a committee of this Congress sat for 3 weeks in Hawaii and petitioned even through the pages of the newspapers asking for those who opposed statehood to come in and testify. Very few testified.

Senator BUTLER. You know why.

Secretary CHAPMAN. No; I do not. I do not know why they did not. If I did not want statehood for the State of Colorado, I would say so. I would have wanted it if I had been there. I do not know why they did not appear and testify. If they did not want to testify in Hawaii, I do not think they want to come here to testify. I am certain the Territory of Hawaii would have been glad to put them on the plane and pay for their transportation the same as they did for the rest of them. I have found them to be a pretty fair-minded people. They fight fair, Senator.

Senator BUTLER. I am not disagreeing with you in the least. I have been there myself and they are a fine people.

I have not the slightest indication otherwise, but I would like to offer the suggestion that I offered in connection with the delegation that was here last week from Alaska, and the suggestion has been made by many other members of this committee and of Congress that it would be far better if a hearing of this kind could be conducted in the islands, in the Territory.

Secretary CHAPMAN. Senator, you have had so many hearings in Hawaii that they think every boat that lands has another delegation coming for another hearing. I do not mean that facetiously. If you will look at the record, you will see how many hearings have been held in Hawaii.

Senator BUTLER. I have looked at it.

Secretary CHAPMAN. You realize how many there are. How many more do we want? Senator Cordon sat in Hawaii representing this committee. He knows how many hearings there have been. I have here a list of them—a whole tabulation of them.

Who paid for those? The Legislature of Hawaii paid for them. They appropriated money to pay for the transportation of Senators and Congressmen. I think it was appropriate and proper for them to do so.

Senator BUTLER. I am not giving you my opinion on this matter. I am passing along the suggestions that have come to me from others—that the Senate of the United States would have had an opportunity to have gotten a much broader view had they held this hearing in Hawaii—and I am not certain that you would have any more witnesses against statehood out there than you would have here. I am not certain of that at all.

Secretary CHAPMAN. I would take your suggestion with great enthusiasm if we had not had so many hearings already in Hawaii. We have had them in Alaska; we have had them in Hawaii. We have had so many hearings that now we want to bring the question before you and ask for a decision.

I feel that if the opposition in Hawaii is so timid that it does not want publicly to state its opposition to statehood, then I do not think it has a case. I think those who propose statehood for Hawaii have a case, and I am not one of those who believes that the Big Five that you often hear about in Hawaii controls Hawaii.

I think they are trying to protect their investment, just as your citizens in Nebraska are trying to protect their investments, and I do not blame them. I would too. I believe the labor unions and other people of Hawaii are trying to protect their interests just like every other economic group in America.

I do not blame them for that, but if you cannot, after as many hearings as we have held in Hawaii, get somebody to stand up in the open and make his case openly, then I do not believe he has a case, and I believe we are entitled to say now is the time for a decision on this thing. We have gone at it long enough.

We have waited 50 years to comply with what I consider is an obligation involving the good faith of this Government. If I did not think Hawaii was prepared for this, I would not ask for it.

Senator BUTLER. Just a moment, Mr. Secretary. In connection with the population figures that you submitted awhile ago for the record, I wonder if it would be possible for you to insert also a similar statement as of the time Hawaii became a Territory.

Secretary CHAPMAN. Yes; I will be glad to submit that.

Senator BUTLER. With a racial analysis along the same lines of the one you inserted today.

Secretary CHAPMAN. I will be glad to submit that, if it is not already a matter of record.

(Secretary Chapman subsequently submitted the following tabulation:)

Population of Hawaiian Islands at time of annexation

Hawaiians and mixed blood.....	39,000
Japanese.....	25,000
Chinese.....	21,500
Portuguese.....	15,000
Americans.....	4,000
British.....	2,250
Germans and other Europeans.....	2,000
Polynesians and miscellaneous.....	1,250
Total	110,000

Source: Report of the Hawaiian Commission, appointed pursuant to the Newlands resolution of July 7, 1898. S. Doc. 16, 55th Cong., 3d sess.

Let me say this. These figures are correct according to the Census Bureau and according to the Health Census Bureau—even if Hawaii did not have one tenth of its present population, it would have more than Nebraska had when it was admitted to the Union.

That is not against Nebraska. I am saying that as a matter of history and record. I want you to remember this thing as we go along.

The Constitution has provided a way for the Territories to become members of the Union. Someone said to me the other day seriously before this committee, "How can we divide up Alaska? If you make such a big State out of it, you can never divide it again."

How did West Virginia get to be a State? It was made a State under the guidance and under the provisions of the Constitution of the United States, that is how, and I am saying to you that Hawaii is ready. Hawaii is more prepared for statehood economically and socially than any State of the West that was ever admitted to the Union.

Senator BUTLER. I do not think there is anybody who can argue with you on that, Mr. Secretary.

Secretary CHAPMAN. Thank you. I am glad I have your vote for this statehood, Senator.

I would like to say one or two more things in relation to this. I am not one of those who believes that if Hawaii becomes a State a small group will control it economically. I do not believe that is possible in any State in the Union today.

I do not think any small group of businessmen can control Hawaii economically, if it becomes a State, any more than they can now do it in Colorado, my home State.

Senator BUTLER. Can any other group control it?

Secretary CHAPMAN. I do not think they can. They have not been able to in any State I have found so far. Sure you have a difference of opinion swinging back and forth, that is public opinion. Naturally you have that.

I do not believe any group can control Hawaii any more than it can control any other State of the Union. They are no different from the rest of us. Let me give you one other figure to show you that Hawaii has grown up.

Hawaii is not just a little island out there in the Pacific clamoring for recognition to become a State in order to have two Senators admitted to this body. Hawaii is grown up in more ways than one.

Hawaii pays more and has paid more into the Treasury of the United States than 10 of our States pay today. Are we going to continue to allow taxation without representation? One of the fundamental principles that created this great Republic of ours, one of the great issues which we fought for is the principle of taxation with representation.

If there was ever a case in the history of this country where we are imposing taxes without representation, we are doing it in Hawaii which pays more money in taxes to the United States than 10 of our to the *n*th degree. A Territory with over half a million people and principal States, and we would say they are not ready for statehood?

I am more concerned with the civil rights of those people, with their right to vote, to participate fully under this democratic form of government, than I am with whether they pay more taxes than Colorado pays, which they do. I am concerned with their right to vote for Senators and Congressmen and their right to vote for the President of the United States. Some say to me "Why, if you do this, you are going to elect two Republican Senators." I would be delighted to have two Republican Senators from Hawaii. I do not care who they are. I will take a chance on the good judgment of the people of Hawaii.

Senator BUTLER. I will be fair with you. I would say I would not object to two good Democrats.

Secretary CHAPMAN. Maybe we will swap Alaska with you on that basis. They said the same thing in reverse on Alaska. To me that is not the argument. It is silly. It is not even an argument.

Look at the figures as to how they elected their State legislature, how close they are. They have a full two-party system operating in Hawaii. They are operating better than they are operating in a lot of our States in this Union; a full two-party system is operating in Hawaii.

Senator BUTLER. You did not hear what happened to the Democratic convention out there yesterday?

Secretary CHAPMAN. Yes; I did hear that. I think they were very honorable and honest people, and I think they acted wisely.

The Democrats of Hawaii have been trying to get the Communists out of the party for a long time, and I think they can get rid of them. I do not think there is any question about it.

Governor Stainback has been telling us for years that they ought to kick them out, but you could not identify them. We have identified a few of them. As they have been identified, they have been pushed out.

Senator BUTLER. You admit I helped a little on that?

Secretary CHAPMAN. I do admit that, Senator. Senator, I admit that you have been extremely helpful in this Hawaiian case. I say that in all seriousness.

You have been helpful in pointing out the things that have been weaknesses sometimes in our position. I appreciate that. You have made us go back to get the facts and information to justify our position. That is your duty and responsibility, and I am happy to say that you have done it. I am not being critical of any member of this committee for anything he has done or said, but I am saying to you in the name of the people of Hawaii and the American people and the good faith of the American people, don't ask us to go back to Hawaii for another hearing. You have had enough hearings. Either say "No" today or say "Yes."

I am supporting the bill that was approved by the House of Representatives. There may be many changes that you will want to make. Some people have asked me about the land section. There is not enough public land involved in this for me to worry about, there only being a half million acres of land.

The House has provided in the bill that they make in the course of about 5 years a determination as to what disposition shall be made of those 500,000 acres of land. I am willing to leave it that way. I do not want to argue about the disposition of land in Hawaii. I am more interested in the civil rights of the people of Hawaii than I am in a half million acres of land.

It is important to us, it is important to the people of Hawaii how we treat them in that respect.

I think you gentlemen here have seen demonstrated year after year the good faith of the citizens of Hawaii, a republic that had its own independence before it asked for annexation under our Constitution, and we did extend the Constitution to Hawaii. We also extended it to Alaska.

Now we are asking you to extend full citizenship to the Hawaiians so that every citizen will have a full right to vote and support their people, their President, their members of the House, their members of the Senate.

The CHAIRMAN. Mr. Secretary, do you have any knowledge as to the reasons why the House of Representatives postponed decision on the public lands question?

Secretary CHAPMAN. I think it is because, Senator, there is a difference—

The CHAIRMAN. There are approximately 6,400 square miles in the entire Territory of Hawaii. My recollection is that the density of population is estimated at something in excess of 80 per square mile, so that with such a small area and such a high density rate, it would seem that unless there were some really important reasons for postponing decision, that it might very well be made at this time, if the bill is to be enacted.

Secretary CHAPMAN. Senator, the reason that the House did not pass upon that and try to settle the land question is there was obviously a difference of opinion among the members of the House committee that passed on the bill, and they felt that the paramount issue before them was statehood for Hawaii and not the disposition of this small acreage of land.

Therefore, they left it so that Congress can settle it within the next 5 years. They set up a system in which a joint committee of the Senate and House can determine how to settle that land.

Now I think it is more important to settle whether they can vote as citizens of the United States than it is to determine how to dispose of a half million acres of land. Now that is why they did not do it. They felt that the paramount issue was statehood.

They wanted it separated, and decided by itself, and they left Congress the right and opportunity to decide that issue at a later date, and they have so stated in this bill on page 11.

The CHAIRMAN. What I am trying to determine is what was the basis of the difference of opinion.

Secretary CHAPMAN. Oh, I think the principal difference, Senator, was the question of how to dispose of the 500,000 acres of land, whether every other section should be given to the State of Hawaii and the rest be retained by the Federal Government, or whether we should let them select in one solid group 180,000 acres or a certain number of acres—I think it is 180,000—or whether we should work it out on the same principle that we did for the Western States as they came into the Union.

I think that was their difference of opinion, and the very reason that you stated created that difference of opinion, the density of population and the small acreage involved.

As the governor says, it was a republic to start, a free and independent state. You have no public land in Texas. It was a republic when it was annexed to the Union, so that question arose and became involved in this, but I do not think there is anything fairer that Congress has ever done, and I do not think anything more intelligent, than to say "Do not mix this with statehood."

You have set 5 years in this bill. We will decide that later on. We will decide whether we want to keep it all or give it all to Hawaii. You have a right to decide that.

Now with that in mind, I want to decide the statehood issue by itself and separately.

Senator BUTLER. Mr. Secretary, would you have any objection to the Senate committee amending the Alaska statehood bill? I do not want to mingle Alaska with Hawaiian statehood, but last week in our Alaska hearings this public-land question consumed a large share of the time, and it is not settled as yet.

Secretary CHAPMAN. Yes.

Senator BUTLER. But do you think it could be simplified by making the public-land provisions of the Hawaii statehood bill a part of the Alaska statehood bill?

Secretary CHAPMAN. Senator, they are so dissimilar, they are so unlike in reality, that there is just no way to compare them, a population in Alaska, an estimated population, of 135,000 with an acreage of 365,000,000, compared with Hawaii which has a half a million people, and we are talking about a half million acres of public land.

Senator BUTLER. But the principle involved I think would be about the same, Mr. Secretary.

Secretary CHAPMAN. Senator, let me say this to you, and I will commit my Department to this. I do not agree with your amendment of giving every other section to the State of Alaska for statehood. I think it is wrong, I think it is bad management in every way that you look at it.

I do not mean to say that I think the Federal Government has done a perfect job of management, but I think we can do a better job in the State of Alaska for a few years until they are better organized and have an opportunity to get control, but if that would win your vote for this bill, I am more concerned about the rights of the people of Alaska than I am with their land, and we will have a chance to correct the bad management that will come out of that later on. I will take it that way.

Senator BUTLER. I apologize. I do not want to detract you from—

Secretary CHAPMAN. Senator, you do not detract me. The principle runs across the whole board, you are right about that.

The whole question of Alaska is involved in this as it is with any other State that comes into the Union, and again I say to you I do not agree with it, but I would not recommend veto of this bill if you passed it with that in it, because I am concerned about the rights of the people of Alaska, having their right to vote the same as I do, and that right for the people of Hawaii. It is the rights of the people that I am interested in. I am also interested in the management of our natural resources.

I do not believe Alaska, with 365,000,000 acres of land, can adequately and properly manage every other section. Now if they can and you think they can, and this Congress agrees with you, I promise you I will not recommend a veto of that bill. I still think it is wrong but I would not recommend a veto.

Why? Because I think the paramount issue we are talking about here today is the rights of people who have gone into these areas, who have had the intestinal fortitude to try to make a living in those areas, particularly with respect to Alaska do I say that.

In Hawaii they come up to you with less than approximately a half million acres of land, with a half million people involved, and I want

their rights protected. I want the democratic principle extended to Hawaii. That is all I am asking, and I am asking that irrespective of any race that they may come from or any religion that they may maintain.

I want them to have that right that we have, you and I. We have that. I want the citizens everywhere to have that right.

This does not apply to Puerto Rico, Senator, as I have heard some people say before. Puerto Rico is an entirely different category.

We never extended the Constitution to Puerto Rico as we extended it to Hawaii and Alaska. Puerto Rico does not pay any income tax into the Treasury of the United States. They do not want statehood. You heard the Governor of Puerto Rico say to you a few weeks ago, "No, we like our relationship as we have it. Let us develop it a little bit more along this line. We like it. We do not ask for statehood. We do not want it."

But these are people who have been paying taxes for years and have had no voice in their government, Senator, and I will go one step further. If there is any man in Hawaii who wants to be heard and cannot afford his transportation, I will ask the Governor to petition the Legislature of Hawaii to pay his transportation to come here and be heard.

I want every man to be heard on both sides of this question. If I cannot win on the merits of my case, then I should lose it, but if there was ever a Territory that came to Congress petitioning the right to be heard, never a Territory came with better credentials than Hawaii is handing you today.

Gentlemen, I hope you agree with me. I would like to have the Governor follow me on the stand if you have no objection, Senator O'Mahoney.

The CHAIRMAN. Are there any other questions to be addressed to the Secretary? Very well, Mr. Secretary, we are indebted to you for your statement.

STATEMENT OF SECRETARY OF THE INTERIOR OSCAR L. CHAPMAN

STATEHOOD FOR HAWAII

The Department of the Interior has consistently supported statehood for Hawaii. It has done so for a number of reasons, which I should like to review briefly for the committee.

Hawaii has had since its incorporation into the Union 50 years ago a continuing claim to statehood. It should be admitted as a State without further delay.

Hawaii's relationship with the mainland dates back to the earliest days of our Republic. This relationship was formalized in 1898, when Hawaii voluntarily surrendered its independence in order to become a part of the United States. The document by which the people of Hawaii gave their consent to annexation declared that this action was taken "in view of the natural dependence of the Hawaiian Islands upon the United States, of their geographical proximity thereto, of the preponderant share acquired by the United States and its citizens in the industries and trades of said islands, and of the expressed desire of the Government of the Republic of Hawaii that those islands should be incorporated into the United States as an integral part thereof * * *." The Newlands resolution of July 7, 1898, by which the Congress accepted the cession of sovereignty offered by the Hawaiian people, declared that the islands were "annexed as a part of the territory of the United States."

The annexation resolution contemplated that the Congress would provide for the government of the islands, and this was done in 1900, when the Organic Act of the Territory of Hawaii was enacted. Among other things, the organic act pro-

vided that the Constitution of the United States should have the same force and effect within Hawaii as elsewhere in the United States. When the Constitution has been extended to a Territory, that Territory is said to be "incorporated" into the Union. It is also significant that the people of Hawaii expressed their desire to be "incorporated" in the document by which they consented to annexation. We have had incorporated Territories in the past, and one by one they have become States, all except Hawaii and Alaska. Hawaii, as all other incorporated Territories, should be admitted into the Union.

The first of the incorporated Territories was the Northwest Territory, comprising lands lying northwest of the Ohio River and ceded to the Federal Government by the Original Thirteen States. The Northwest Ordinance, which the Congress enacted to provide for the Government of the Territory, and by which the Territory was incorporated, set a precedent for granting to an incorporated Territory local self-government, certain basic civil and political rights, representation in the Congress and eventual statehood. Organic legislation for the Southwest Territory, the Territory of Orleans, the Oregon Territory, and others, was patterned on the Northwest Ordinance and in some instances whole sections of that ordinance were copied. In due course all the Territories which had been created on the mainland were admitted to the Union. Admission of Hawaii would carry out the pattern established so long ago, and fulfill our pledge.

In the early organic acts, admission was expressly authorized when the population of the Territory reached a certain figure. Hawaii has met all of the tests. In fact, it has been qualified for some time.

Hawaii's population of over half a million exceeds that of seven of the States, including one of the Original Thirteen, and is larger than that of any Territory, except Oklahoma, at the time of admission. Its population, though composed of a mixture of races, is thoroughly Americanized. It is the only area under United States sovereignty in which Americans and Europeans, Polynesians, and Asiatics, have together formed a harmonious American community.

Hawaii should not be required to apologize for or minimize the significance of its heterogeneous racial complexion. Anyone who has been in Hawaii invariably comes away impressed with the harmony of the social, political, and business life of the Territory. In this respect, as in many others, Hawaii offers an example to many of the States.

In area, Hawaii is larger than the combined area of Connecticut and Rhode Island.

Geographically, Hawaii is an entity of considerable importance to the United States. What we do in Hawaii is watched and weighed throughout Asia, in Japan, the Philippines, India, Indonesia, and China. The granting of statehood to Hawaii can be a very real contribution to our fight against communism, a fight in which the people of Hawaii join.

I do not need to belabor the point that we cannot afford to underestimate the strategic significance of Hawaii in what has been called the Era of the Pacific, nor can we fail to take any action which will bind Hawaii even closer to the United States. Viewed in this light, Hawaii's proximity to Asia and its physical separation from the mainland is an advantage, rather than an obstacle to statehood. In fact, you will note that the annexation document, from which I quoted earlier, refers to the "geographical proximity" of the Hawaiian Islands to the United States. It is their nearness, not their distance, that was then emphasized. And if that was so then, how much more appropriate it is to dwell upon Hawaii's proximity today, when the plane, the radio, and the telephone have virtually eliminated the barrier of distance. It took 30 to 60 days for a letter to reach Washington from Mississippi in 1817, when Mississippi was admitted; it took 3 to 4 months from California in 1850; 20 to 40 days from Oregon in 1859; 10 to 20 days from Nebraska in 1867; and even as recently as 1912, 8 to 10 days from New Mexico. Yet via air mail, a letter from Hawaii will arrive in Washington in 1 to 2 days today.

The people of Hawaii have repeatedly asked for statehood. Within 2 years from the time Hawaii was annexed to the United States, the Territorial legislature petitioned the Congress for statehood and almost every legislature since that time has taken similar action. The people themselves voted directly in favor of statehood, two to one, in a plebiscite held in 1940. They are so earnest in their desire for statehood, so confident that the Congress will enact enabling legislation, and so anxious that no time be lost after enabling legislation is passed, that they have already made provision for a constitutional convention which began meeting on April 4 to draft the constitution of the State of Hawaii. All evidence of national sentiment on this issue reveals overwhelming support for

Hawaiian statehood. A survey of press reaction indicates that in a recent year 733 editorials in 282 newspapers, representing 48 States, and a combined circulation of more than 25,000,000, were devoted to the subject of Hawaiian statehood, and that 94 percent of the comment was prostatehood.

Hawaii's finances are in exceptionally good order. Its government is on a sound footing, and it pays into the Federal Treasury a total of taxes, larger than that paid by 10 States, even though it has no voice in drafting Federal tax legislation applicable to the Territory. The percentage of individuals filing Federal income tax returns exceeds that of 24 States. During the recent war, Hawaii's per capita purchase of E bonds was higher than that of any State or Territory, averaging \$531.12 and all the Territory's war-bond quotas were oversubscribed, one by as much as 205 percent.

The people of Hawaii have since 1900 been governing themselves in much the same manner as the people of the States, although they are denied certain rights of self government which the citizens of States enjoy. The Governor, the Secretary (who corresponds to lieutenant governor), and the judges are Presidential appointees.

But the Territorial legislature is popularly elected, and has legislative powers virtually as broad as those of State legislatures. The Territory raises its own revenues, and is fully self supporting. It pays all the expenses of the Territorial and county governments, except for the salaries of members of the Territorial legislature and of Presidential appointees. The laws it has enacted are progressive. The school system of the Territory compares very favorably with those in the States. The people are politically conscious to a marked degree; the percentage of registered voters who exercise their franchise is high. Although Hawaii is generally identified with the Republican Party, there is an active two party system in the Territory.

Committees of the Congress have considered and reported on statehood for Hawaii with great regularity. Not a single one of these committees has recommended against statehood. Several, by House and Senate groups, have urged immediate enactment of statehood legislation. The records of hearings contain a thoroughgoing study of every aspect of Hawaiian life. The House has twice enacted enabling legislation and submitted it to the Senate.

There is no valid reason why Hawaii should not be admitted to the Union now. Hawaii has been a Territory for a longer period than anyone would have supposed necessary, particularly in view of the fact that at the time of annexation, it was an independent republic and had been governing itself for years. It is contrary to all of our principles to delay any longer the enactment of enabling legislation. Hawaii should not be required to carry many of the burdens of a State while being subject to the discriminations that inevitably accompany Territorial status, among the most notable of which are the lack of a vote in either House of the Congress and therefore the lack of a voice in the laws made applicable to it, and inability to vote in Presidential elections. Taxation without representation is no less unjust and irritating to the people of Hawaii than it was to the founders of our Republic. The people of Hawaii, who are citizens of the United States, and who have convincingly demonstrated their loyalty to the United States should no longer be subjected to the humiliation that they are not considered "good enough" to be taken into the Union in every sense of the word, apparently solely because they live on an island.

I have heard it said that Hawaii should not be admitted because it is a hotbed of Communist activity. This is nonsense. Only a few days ago the House Committee on Un-American Activities returned from its recent investigation. It clarified the problem of communism so far as it involves this Territory.

The testimony showed very clearly that Communist activity in Hawaii found its inspiration in Communist headquarters in the States and is an integral part thereof. It is therefore clearly part of the national problem.

The testimony also showed that Communist activity in the Territory has been limited to a very small group. The Communist problem, as exposed by these hearings, was shown to be one that can be dealt with successfully by the people of Hawaii themselves insofar as it can be dealt with on a local basis. In fact, there is good reason to believe that in this respect they are probably better prepared to deal with it than are many other communities in this country. The intense interest of the people of the Territory in the proceedings of the Committee on Un-American Activities, the public reaction to its findings, and the steps already taken to deal with this problem can leave no doubt whatsoever that the people of Hawaii are completely alert to the dangers of communism. By granting statehood the Congress will further strengthen the determination of

Hawallians to cope with communism, and will deny to the Communists further use of the statehood issue in their problem of persuasion.

The investigation can leave no doubt that this problem offers no reasons whatsoever for delaying action on the question of statehood, but on the contrary offers reason for the enactment of this bill. There are many persons who believe the people of the islands will be better equipped to deal with the program as a State than they are as a Territory.

The President in his 1946, 1948, 1949, and 1950 messages on the State of the Union, and in his 1948 message dealing with the civil-rights program, urged admission of Hawaii. Both political parties have included it repeatedly in their platforms. It is a nonpartisan question.

I urge that this committee report favorably and promptly on the Hawaii statehood bill.

Governor Stainback, we will be glad to hear from you.

STATEMENT OF HON. INGRAM M. STAINBACK, GOVERNOR OF HAWAII

Governor STAINBACK. My name is Ingram M. Stainback, Governor of Hawaii since 1942. I am going to read a statement taken largely from an article which I wrote some years ago for what is called the State Government Magazine, a magazine published by the Governors of the various States. I have tried to bring some of the facts up to date. First, the Territory of Hawaii consists of a group of eight islands and numerous islets in the Pacific Ocean, situated a little more than 2,000 nautical miles west of the North American continent. The total land area is 6,438 square miles, an area slightly larger than the combined area of Connecticut and Rhode Island. The islands are of volcanic origin. From southeast to northwest the eight principal islands are Hawaii, Kahoolawe, Maui, Lanai, Molokai, Oahu, Kauai, and Niihau. The largest island in the Territory and the youngest, geologically, which incidentally is still in the making, is Hawaii, with an area of 4,030 square miles. The population of the Territory was estimated at 527,473 January 1, 1950, exclusive of military and naval personnel.

It is somewhat smaller than the amount given here because there has been a decrease in population of about 20,000 over the last year because of our unemployment problem and the fact that the boom years of the war with the large expenditures in the navy yard and fortifications have ceased.

Senator BUTLER. Is there any unemployment there now, Governor?

Governor STAINBACK. It is higher there than in any State of the Union. It is twice the rate, something like 16 percent, and I hope to see Mr. Steelman in the next day or two and take up this problem. I made a memorandum covering the situation, and I hope that we can get some relief.

Secretary CHAPMAN. May I make one statement there, Governor. The unemployment in Hawaii is on the same ratio that one county in Maryland is on as of last Friday.

Governor STAINBACK. On unemployment I may add it is almost entirely as I have shown by the memorandum, due to the fact that the Federal Government has ceased to expend large sums of money in the Territory. We had a tremendous number of troops, I suppose a million men, who passed through Hawaii during the war period. You had a tremendous boom there.

You had a large influx of laborers from the mainland, and with the ceasing of this large employment by the Federal Government, removal of troops, naturally you had to expect a deflation, and Mr. Bridges' 6-month strike did not help us any, coming on top of the other.

Secretary CHAPMAN. And he is a citizen of California, not of Hawaii.

Governor STAINBACK. That is right. We hope California will keep him.

Secretary CHAPMAN. I just want to keep this record straight.

Governor STAINBACK. I have listed here the population as of January 1, which I will not read. It is somewhat smaller than the amount which has heretofore been read because the figures are a little bit later.

Concerning the historical background, it has been pointed out, 50 years ago yesterday, on April 30, 1900, Hawaii became an incorporated territory and integral part of the United States.

On the part of the United States, annexation was accomplished by the Newlands resolution of July 7, 1898 (30 Stat. 750). On the part of the Republic of Hawaii, annexation was accomplished by ratification of a treaty, which recited—

the expressed desire of the government of the Republic of Hawaii that those Islands should be incorporated into the United States as an integral part thereof—

Thus, Hawaii constitutes one of the two instances in our history in which annexation of a territory has been by voluntary action of the people of that territory, Texas being the only other instance, and I think that is of some importance in weighing Hawaii's right to citizenship.

They were an independent nation, had their own government, had practiced constitutional government for at least 50 years before annexation, and I think that is a matter which is entitled to considerable weight. I will later on give the history of previous negotiations where Hawaii almost became a State 50 years prior to 1900.

Two years later, Hawaii was made a Territory of the United States by specific provisions of the Hawaiian Organic Act (31 Stat. 141). The Hawaiian Organic Act organized and established a government for the Territory of Hawaii and serves as its constitution. Under terms of this organic act, the Constitution of the United States is extended to Hawaii as follows:

SEC. 5. United States Constitution. That Constitution, and, except as otherwise provided, all the laws of the United States, including laws carrying general appropriations, which are not locally inapplicable, shall have the same force and effect within the Territory as elsewhere in the United States; * * * (48 U. S. C. 495).

Supreme Court decisions point out that incorporation is granted only by specific action of the United States Congress, which applies to the Constitution too.

From the standpoint of constitutional law, the Territory of Hawaii is an organized incorporated political subdivision of the United States destined to become a State on an equal footing with the Original States at such time as the Congress shall so will.

The Secretary has pointed out to you that statehood is guaranteed under the provisions of which we came into the Union.

It is of historical interest to note that the first attempt to bring Hawaii into the Union as a State occurred in 1854 during the reign of Hawaii's King Kamehameha III. Article II of the uncompleted Annexation Treaty of 1854, I believe negotiated by Daniel Webster, which had been negotiated by the Hawaiian Foreign Minister and the United States Commissioner to the Kingdom of Hawaii provided as follows:

The Kingdom of the Hawaiian Islands shall be incorporated into the American Union as a State, enjoying the same degree of sovereignty as other States, and admitted as such as soon as it can be done in consistency with the principles and requirements of the Federal Constitution, to all the rights, privileges, and immunities of a State as aforesaid, on a perfect equality with the other States of the Union.

Now why in 1900 they did not insist on becoming a State as Texas did, I do not know. Possibly the large foreign population in Hawaii at that time had some bearing on it.

When Congress enacted the Hawaiian Organic Act in 1900 granting Hawaii status as an incorporated Territory, Congress then and there committed the United States to the ultimate granting of statehood to Hawaii. The courts have referred to organized, incorporated Territories as "inchoate" States; as States in "pupilage" and as "embryo" States. I am not going to quote them all.

In the case of *O'Donoghue v. United States* (289 U. S. 537), the court held:

Since the Constitution provides for the admission by Congress of any States, it properly may be said that the outlying continental public domain, of which the United States was the proprietor, was, from the beginning, destined for admission as a State or States into the Union; that as a preliminary step toward that foreordained end—to tide over the period of ineligibility - Congress, from time to time, created territorial governments, the existence of which was necessarily limited to the period of pupilage.

This same court pointed out—

And the Territories acquired by Congress, whether by deed of cession from the Original States, or by treaty with a foreign country, are held with the object, as soon as their population and condition justify it, of being admitted into the Union as States, upon an equal footing with the Original States in all respects.

You could not say the rights of Hawaii would be less because it came in voluntarily, than if it had been purchased like Alaska.

The Territories thus differ from the District of Columbia, which permanently is governed by Congress. In the *O'Donoghue* case, the court contrasted the District of Columbia and the Territories, saying:

In the District clause, unlike the Territorial clause, there is no more linking of the legislative processes to the disposal and regulation of the public domain—the landed estates of the sovereign—within which transitory governments to tide over the period of pupilage may be constituted, but an unqualified grant of permanent legislative power over a selected area set apart for the enduring purposes of the general government, to which the administration of purely local affairs is obviously subordinate and incidental. * * *

I might point out one of the decisions related to the tenure of government. You gentlemen who are lawyers, and probably the rest of you too, are familiar with article III of the Constitution, section 1, which provided that judges shall hold office on good behavior. Now the judges of the Territory are appointed for definite specific terms. How do you qualify that with the provisions that the judges of the United States Government and the courts, in arriving at the conclusion that

they could appoint them for an indefinite term, pointed out that these judges were not permanent, that they were just in court for a period there which was Territorial organization, and for that reason the judges' terms are limited. You have many judges—in fact, I myself held the position of a judge in violation of the Constitution of the United States—so I think it is rather conclusive that they were destined to become States. It is merely a temporary expedient when Congress sets up a Territorial government. It shows conclusively that Congress would not violate the Constitution of the United States.

It must be remembered that none of the other islands under the sovereignty of the United States was given Territorial status by the Congress. In a series of cases called the Insular cases, it was established that the other islands are mere dependencies, and as the Secretary clearly pointed out, Puerto Rico is not taxed. They do not labor under the situation. There is a dependency where your constitutional provisions at least do not in total apply.

The Philippines were in the same position before they were liberated as in the various insular cases and it was decided that they were possessions and not Territories, so there we have, I think, an admitted doctrine that an organized Territory of the United States has an ultimate destiny of statehood. Then the only question left is has it satisfied the requirements of a State so that it can realize what Congress intends for it.

We believe Hawaii has passed what is frequently called the period of pupilage.

During the 50 years that Hawaii has been a part of the United States, 50 years of pupilage, Hawaii has increased and developed in wealth and in population. It has long ago met the customary economic requirements for statehood. The gross assessed value of real property in the islands is over \$589,000,000. According to all available data, this is higher than that of any State at the time of admission, with the exception of Oklahoma. The United States census estimates of last year point out that Hawaii exceeds six States in population, and is comparable to four others.

In other words, we compare in population fairly close to 10 States, and we pay now even in our period of depression, taxes equal to that paid by 10 States, or exceeding that.

It has a high standard of health and for a number of years has had a lower death rate than any State in the Union. If you will search the Army records, you will find that the health rate in Hawaii is better than that of any Army post in the United States. This very low death rate I say is to some extent due to the fact that we have a young population out there. There are a lot of people coming out to work and we did not have people who had reached old age. All growing States have a low death rate because they grow by migration of young people. The older people do not come in except, shall I say, in California. They go out there to live in comfort in their old age.

Ordinarily a State that is growing has a young population, and so they have a low death rate, so we cannot claim to be more healthy than any State, but certainly we stand as well as other States.

Our schools are well equipped and well attended; our teachers are far better paid than the average teachers in mainland United States schools.

I might go a little further than that and say they are better paid than any State in the Union except New York and California. We are about on a par with New Jersey which comes in third, so far as the educational requirement and pay of teachers is concerned. We stand among the top States. I do not believe those statistics have changed. I looked them up last year when we had a meeting of the legislature. If they have changed—

Senator CORDON. Governor, would it bother you if I interrupt you to ask a question?

Governor STAINBACK. Not at all.

Senator CORDON. I think it would be interesting to the members who are present, and to the whole committee when the record is prepared, if you would discuss a little bit more your school system.

Governor STAINBACK. We have a school system there which might be termed a centralized system. In fact, Hawaii has always been rather a centralized government due to the fact that it was a monarchy and most of the powers are retained in the Territory's central system.

We have very little county or city powers, so our school system is centralized. We have one system for the whole Territory. We have a board of education which is appointed by the Governor and confirmed by the senate, a superintendent of public education who occupies the same position.

We have one system of schools throughout the Territory, and therefore you do not find the grade-school system where one county is poor and the teachers are very poorly paid and in a rich county they are more adequately paid. We have a uniform system throughout the Territory.

It makes no difference; it may be a rural region stuck out in the middle of Hawaii or some of the other so-called outlying lands. They get similar pay for similar work.

Senator CORDON. And the same type, the same qualifications, with reference to the teaching staff?

Governor STAINBACK. That is right; yes, sir. We have here an article entitled "School Finance Systems, Elementary and Secondary Schools, Territorial Support of Public Schools in Hawaii, Revised January 1950." I will be glad to put that in the record.

The CHAIRMAN. That may be placed in the record at this point.
(The document above referred to follows:)

SCHOOL FINANCE SYSTEMS, HAWAII

Series 1. State systems: Elementary and secondary schools

TERRITORIAL SUPPORT OF PUBLIC SCHOOLS IN HAWAII¹

The Territory of Hawaii has a unique educational organization and administration, for it is determined both by the terms of the organic act of Congress for the Territory and by laws enacted by the Territorial legislature. To the Territorial department of public instruction has been delegated full authority and responsibility for the administration of the system of public schools. Although the schools are administered by the department of public instruction, the erection, maintenance, and repair of school buildings are functions of the board of supervisors of the four counties.

Expenditures for schools in the Territory of Hawaii are made from the general funds and the special school fund. The first fund is provided by the Territory, and the second, by the three counties and the city and county of Honolulu.

¹Prepared for the research division, National Education Association, by George H. McLane, executive secretary, Hawaii Statehood Commission, Territory of Hawaii.

The special school fund, which consists of money raised by taxation in each of the three counties and in the city and county of Honolulu, is used for construction, equipment, maintenance, and operation of the school plant, including janitor service and supplies.

Territorial law states that the city and county of Honolulu must appropriate annually for new construction not less than the sum of \$100,000; and for other expenses connected with the school plant, not less than \$850,000.

The special school fund for each area is based upon a budget prepared by the department of public instruction and approved by the county board of supervisors. After consideration of the budget presented to it, the county board of supervisors may, in its discretion, change any of the items, then submit the revised budget to the Territorial treasurer, in order that the real property tax rate which furnishes the largest part of this revenue in the counties may be determined. The funds are under the control of the boards of supervisors, with the exception of the part set aside for janitor service and supplies, which is expended by the Territorial department of public instruction.

Hawaii—Share of Federal, Territorial, and local governments in school support

Percent

Federal.....	1.3
Territorial.....	82.7
Local.....	16.0

The Territory of Hawaii receives Federal aid in most categories of aid to States. The funds are administered in the local school units by the department of public instruction, except for buildings and maintenance, which are cared for by the county budget. Aside from grants for higher education, Hawaii received \$212,310 from the Federal Government for education in the fiscal year 1949. During 1949, Hawaii also received \$54,000 from the United States Army and Air Force combined for education of children of civil-service employees and persons connected with Army and Air Force establishments.

The total amount spent for the 186 public schools in the Territory of Hawaii in the fiscal year ended June 30, 1949, was \$15,159,802. The Territory spent \$13,367,772, or 82.7 percent of the total. The four county units spent \$2,569,720, or 16 percent of total school expenditures. The Federal Government's share, \$212,310, was 1.3 percent.

Of the total expenditure by the Territory for all purposes during the fiscal year ended June 30, 1949, 20.4 percent was for schools. The average per pupil cost of the schools in the school year, exclusive of capital outlay, was \$178.39, the average year's enrollment being 86,481.

SOURCES OF TERRITORIAL SCHOOL REVENUE

The general fund is used to pay all Territorial school costs except those school operational costs (for janitor service and supplies) delegated to the counties. The chief tax sources of the general fund are income taxes and business licenses taxes. No part of the proceeds of any Territorial tax is earmarked for the public schools, except that provided for new kindergartens as noted below.

TABLE 1.—Sources of territorial school revenue, 1948-49

Source	Amount	Percent
1. Legislative appropriations:		
(a) Administration.....	\$387,038	3.2
(b) Teachers' salaries.....	10,596,396	86.8
(c) Instructional supplies and equipment.....	404,988	3.3
(d) Auxiliary services.....	815,414	6.7
Total.....	\$12,203,826	100.0

¹ One-half of biennial appropriation for the 1949-51 biennium, excluding \$23,650 for Territorial expenditures for operation, maintenance, and improvements.

Legislative appropriations from the Territorial general fund.—The amount of the general fund revenues used for public schools in each biennium is based upon an estimate of school costs made by the Territorial board of commissioners of public instruction, which follows the regular budgetary and appropriation

procedure for other Territorial expenditures. The total appropriation for 1948-49 included \$10,596,386 for instruction, \$404,988 for instructional supplies and equipment, and \$815,414 for auxiliary services.

Funds for vocational education allocated by the Federal Government to the Territory were matched dollar for dollar from the general fund.

APPORTIONMENT OF TERRITORIAL SCHOOL FUNDS

The Territory of Hawaii provide support in full for the greater part of the public-school program. It gives no assistance to the counties in financing that part of the school program which is delegated to the counties - the part relating to the construction, maintenance, operation, and equipment of the school plant. On the other hand, as already stated, the counties provide the funds for meeting certain costs of operation of the school plant, the payments for part of which are administered by the Territorial department of public instruction.

Support of general school program.—The 1949 legislature appropriated for the department of public instruction the sum of \$24,154,952 for the 1949-51 biennium. The major part of this amount, \$21,192,771, is for personal services in the instruction division. Teachers' salary payments are made by the department directly to the teachers on the basis of a single salary schedule which provides higher rates for higher educational qualifications and additional years of teaching experience. Legislation passed in 1947 provided for a salary raise of \$45 a month in rates of teachers' base pay and a monthly bonus of \$18. The bonus was paid throughout 1949. Legislation was enacted changing the time of optional retirement from age 60 to age 55 or after 30 years of service.

Support of special projects.—The biennial appropriation of the department of public instruction includes not only an amount for meeting general costs of education, but includes also funds for supplementary educational programs such as dental hygiene, transportation to school centers, aid to the blind, and maintenance of crippled children whose parents have been unable to keep them in school. The total amount spent for these auxiliary services in 1948-49 was \$749,805.

There were 86 kindergarten classes in the islands last year. The 1949 legislature provided for the addition of 104 new kindergartens, 51 to be added in 1949-50, and 53 more the following year. Kindergartens were made a permanent part of the school system in zones throughout the Territory where 15 or more children resided, age 5 to the age of admittance to grade 1. Earmarked for this expansion of the program was \$347,064 for personal services, \$46,500 for other current expenses, and \$83,200 for equipment. The 1949 legislature appropriated \$25,000 for the department of public instruction to maintain, operate, and expand the program for adult education; this program was authorized by the previous legislative sessions.

A law passed in 1945 appropriated \$38,400 annually beginning with the school year 1945-46 for the provision of dental hygiene instruction and the employment of dental hygienists in the public schools.

Although the furnishing of textbooks is an obligation of parents and guardians, the department is authorized to maintain a system of rentals of textbooks in all public schools, charging from \$1 to \$5 a year for the service. All fees collected from such book rentals are kept in a special fund by the principal of each school under bond. The legislature in 1935 authorized two counties to purchase school books for use of elementary-school children without charge. The county of Kauai now pays book rental fees in the jurisdiction. The Territory is not authorized to make any expenditures for textbooks for free distribution.

Vocational teachers are paid according to the regular salary schedule for all teachers, expenditures being made for regular vocational education instructors from the general fund as a part of the costs of instruction; special adjustments may be made at the discretion of the department of public instruction for longer hours and added responsibilities. A vocational revolving fund, known as the special vocational fund, has been created to receive any reimbursements for vocational education expenditures received from the Federal Government, any moneys received from the sale of products of vocational classes and any other moneys specifically designed for the purpose of this fund. The fund is used for payment of part-time evening teachers, for training of vocational teachers, expenses of holding vocational conferences, and for the payment of such portions of the salaries of vocational teachers for which the Territory will be reimbursed by the Federal Government. In the fiscal year ended June 30, 1949, the Federal funds for vocational education instruction granted to the Territory amounted to \$165,000.

Vocational rehabilitation program expenditures are included in the expenditures for auxiliary services.

The legislature also provided, through an authorized bond fund, the sum of \$7,650,000 for new school buildings during the 1949-51 biennium.

TABLE 2.—*Expenditures of Territorial funds for schools, 1948-49*

Type of percent of aid	Basis of distribution	Amount
1. General support (94.2 percent):		
(a) Administration	Administrative positions authorized by statute for biennial period.	\$379,756
(b) Instruction	Single salary schedule	11,899,450
2. Support of special projects (5.8 percent): (a) Auxiliary services	Supplementary educational services authorized by statute, comprising eight separate programs such as pupil guidance and dental health education, instruction costs and equipment are included.	749,805
(Items 1 plus 2 equal 100 percent.)		
Total		\$13,029,011

¹ Territorial funds only; does not include \$341,761 for other current expenses and equipment, operation and maintenance of special school plants, operation and maintenance of special outlay for special Territorial school services. Total Territorial expenditures were \$13,367,772. Other expenditures were: Federal, \$213,310, and county, \$2,579,720; total school expenditures for Hawaii were \$16,160,802.

Governor STAINBACK. I believe that we are—I do not like to say second to none, but certainly we rank as a better State for education. We have a very fine school system, we have very fine teachers there as a whole. They are well qualified and are very efficient.

Now I want to say that the Hawaiian people are skilled in self-government. I pointed out that we have had constitutional government for over 100 years of a certain type, a constitution under the monarchy, a constitution under the provisional government, a constitution under the republic, and a constitution under our own Territorial organization under the organic act.

The legislature has exercised general legislative power, subject only to the restrictions of the organic act and the United States Constitution.

The people have shown a keen interest in public affairs with a larger percentage of registered voters voting in elections than in any State in the Union. We go up to 85 percent.

I made a study of this in the presidential election in 1948. I was rather interested in predicting elections and I noticed that the highest vote I believe in any State in the Union was something like 70 percent. Most of them were 60 or 50, I believe, and we have gone to higher than 80 percent in almost every election.

As long ago as 1937, a congressional committee found that "Hawaii has fulfilled every requirement for statehood heretofore exacted of Territories," but recommended a plebiscite of the voters be held. Such a plebiscite was held in 1940, with two-thirds of the votes for statehood. Of course the war came on after that.

The second largest vote in Hawaii's history on March 21 elected a combination of political veterans and novices to write its State constitution. I believe some 80 percent of the voters voted in this election.

Senator CORDON. What was the percentage of the vote on the statehood plebiscite, Governor, if you know?

Governor STAINBACK. I do not know offhand. I can check up on that and find out. I am informed it is 85 percent. I will find out more definitely. I am not sure.

The CHAIRMAN. The information available to the chairman would indicate that the 1946 plebiscite showed 46,174 votes for statehood and 22,428 against. Are those your figures, Governor?

Secretary CHAPMAN. About 2-to-1 was the vote in favor of it.

Governor STAINBACK. I have here 87,000 voters. Barely under 80 percent of those eligible to vote turned out to register their choice.

The CHAIRMAN. The total vote for and against amounted to 68,602. What percentage is that of the total eligible vote?

Governor STAINBACK. At that time I do not know what it was. I will have to check up on that.

Secretary CHAPMAN. We will get that figure for you, Senator, as to what number was eligible to vote, the year that they voted on the plebiscite, and what number voted. We will get that for you. You ought to have that.

(The following was subsequently furnished in reply to the request above:)

EXHIBIT 13. PRESENTED BY THE HAWAII EQUAL RIGHTS COMMISSION¹

Official tabulation—Results of votes cast, statehood plebiscite, Territory of Hawaii, held Tuesday, Nov. 5, 1946

Summary

Districts.....	1	2	3	4	5	6	Total
Voters registered.....	12,477	4,787	11,952	28,307	22,063	7,735	87,321
Votes cast.....	10,618	3,991	10,198	24,198	18,100	6,635	74,839
Yes.....	6,980	2,724	6,676	13,741	11,623	4,400	46,174
No.....	2,861	923	2,731	8,645	5,599	1,669	22,428
Not voting.....	485	199	571	1,028	882	290	3,455
Ballots rejected.....	352	143	302	790	804	218	2,646

NOTE.—85.3 percent of the registered voters cast their ballots in the 1946 plebiscite.

¹Statehood for Hawaii, hearings before the subcommittee of the Committee on the Territories, House of Representatives, 79th Cong., 2d sess., pursuant to H. Res. 236. (Washington: Government Printing Office, 1946) p. 725.

Governor STAINBACK. The Territory is a modern unit with an economic, social, and political status of the highest order. It is and has been for many years entirely self-supporting, paying all the expenses of the Territory and county governments, except the salaries of the legislators and those officers appointed by the President. I might add when I came before the House committee a number of years ago they were rather surprised by the fact that we asked nothing from the Federal Government in the way of grants of various sorts.

Now we come to Hawaii's war record. In December 1941, came the outbreak of World War II, with an attack on Hawaii. The Territory had set up a full-scale organization for civilian defense which went into immediate action on December 7. Now I digress to say that Hawaii's record was very little known at the time of attack, particularly the record of the civilians.

I think you, Senator, found out there quite a bit of what was going on, but on the mainland there was no publicity at the time concerning the fact that in less than 2 hours after the attack, civilian first-aid units, well-equipped, and well-staffed, were in active service. Women of the Territory had organized themselves into units and had saved the lives of a great many people. They had organized blood banks but you heard nothing about that on the mainland at the time. It

may have been due to censorship, but it is a record that I think is an outstanding record not only in civilian preparedness but in efficiency of service.

The civilian defense also had on hand a blood bank which saved the lives of hundreds of our wounded soldiers and sailors. Not only that, but our doctors who were in special session at that time went out as a unit and saved the lives of a great many soldiers and sailors.

The record of Hawaii throughout the dark days that followed December 7 bespeaks the loyalty, fortitude, and energy of its people. When the history of that period is written, the activities of the civilian volunteers, men and women, will be a record of which Hawaii may be justly proud.

Our citizens of every race and every color also served in the armed services, Army, Navy, and Marine Corps, in the merchant marine, and in war work of every kind and description. The roll of Hawaii's honored dead throughout the world is proof positive of the loyalty of Hawaii's sons and their patriotism was not measured by the color of their skins.

Our population, tested by the fire of battle and trials of war, both at home and abroad, were not found wanting.

I am emphasizing that because the war threw more light upon the loyalty and patriotism of our population than the many preceding years of peace, and settled for all time a question that had been the cause of concern to many sincere democratic citizens who honestly questioned whether children of non-Caucasian parents, of alien cultures, of alien religions, of many races, could be truly knit by a common idealism into a nation.

The situation in Hawaii had no precedent in the old States where the alien population in such States had the same religions, customs, habits, and ways of thinking, more or less common with that of the citizens. No State had had to absorb and deal with a large group of Asiatic aliens who could not be naturalized under our existing laws and whose very religions in many cases were foreign and strange to us.

However, during the years preceding the war there had been tremendous changes in our population since annexation, changes climaxed by the war. Our public schools, our Boy and Girl Scout organizations, and all of our free and democratic institutions had been gradually but efficiently Americanizing each of the coming generations.

I might tell you here a little incident that I heard of some years ago in the Royal School. They were questioning some children and one of the little oriental pupils spoke of our Pilgrim ancestors. Now that shows the true Americanizing. They were ancestors of this little Japanese boy because in spirit he had received the democracy that these people have established in America, so that when he speaks of our Pilgrim ancestors, you might smile but it is a pretty true statement of the situation as we view it in Hawaii.

Hawaii proved to be truly a melting pot with much more than a third of its marriages interracial. From the last statistics I got several years ago, 22 percent of the women of Japanese ancestry married into other races, possibly due to a good many of our soldiers being there.

This is especially conspicuous among the Japanese for, at the time of annexation, marriage among the Japanese people outside of their

own race was almost unheard of; in the meantime our percentage of citizenship population had increased from less than 40 percent to more than 85 percent. That will compare with most of the States of the Union, particularly the States settled by large immigration from Europe in recent years.

As stated, the war removed all doubt of the thorough Americanization of our peoples of all races. In this connection, I call to your attention that Hawaii not only furnished its quota under selective service, but by voluntary enlistment it raised a battalion of infantry among those of Japanese descent which finished the war with an outstanding record and was one of if not the most decorated units of the American Army. In fact, I believe their decoration outnumbered the actual number in the regiment, so it showed that these people of alien religions, of alien culture, had been thoroughly Americanized in the love of liberty and freedom, and even though their religion may be Buddhist, I have gone into Buddhist temples and talked. They love freedom of religion, freedom of action, just as much as any Christian, as far as I have been able to see. As I say, I have made several speeches in Buddhist temples out there, and have been glad and proud to do so.

The geographical position is no bar to statehood. With modern means of transportation and communication, our geographic position is no deterrent. We are closer to Washington today than Boston was at the time of the formation of the Union. The last time I went back to Honolulu I got there in less than 24 hours after leaving Washington. We are certainly much closer than Texas, California, or other Western Territories were at the time of their admission as States. The people of Hawaii are as well informed on national affairs and in as close touch with their fellow citizens as if the Territory were a contiguous area. I might add that Honolulu is very much closer to Washington than Washington is to Hawaii. I write, put a stamp on the letter and it gets back in a day or two, but people putting an ordinary stamp on the letter might have a long time getting a reply, so we are very close to Washington but Washington may be a little further from us.

For example, our papers receive wire services of all leading news-gathering agencies, carry the articles of most nationally known columnists, and two well-known news weeklies appear on the stands here the same day as on the mainland.

Now concerning disadvantages of territoriality, observers pointing to the remarkable progress made by Hawaii since annexation, have been known to say, "You seem to have done all right as a Territory; why change?" This overlooks the fact that the progress of these islands has been made in spite of the disadvantages of the Territorial status and also under this status Congress may modify or completely repeal the Territorial Organic Act. In fact, we had recent attempts or suggestions from certain individuals to place the Territory of Hawaii under naval or military control; so, obviously, even our existing rights of local self-government can be secured only by statehood.

I remember when I was first appointed Governor, one of my biggest fights was to try to maintain constitutional government in Hawaii and to try to prevent the military from taking over complete government of the islands.

Secretary CHAPMAN. And you won, by the way, in the Supreme Court of the United States.

Governor STAINBACK. But equally important with the security of existing rights of local self-government, is a representation in national affairs. It is difficult to secure due consideration from the National Government with merely a voice in the House of Representatives and neither voice nor vote in the Senate. There are numerous instances of legislation by the Congress which have discriminated against Hawaii. When Smith-Hughes funds for the aid of vocational education were provided by Congress in 1917, Hawaii was omitted; not until a special act was passed by Congress in 1924 was Hawaii able to receive Federal vocation allocations. The same is true of Federal aid for roads. The Jones-Costigan Act in 1934 discriminated against Hawaii in allocating sugar quotas. Other instances could be cited.

I do not want you gentlemen to misunderstand me. Congress has always been friendly, cordial, and helpful when matters are brought to their attention. They have leaned over backwards in being fair. I have appeared before congressional committees for the last 15 years, House and Senate, but you gentlemen are busy men taking care of your own interests, your own States, and watching legislation. You have large staffs that are necessary.

How can Hawaii keep up with legislation or know what is going on here when there is nobody to sit in the Senate to raise his voice? We do not know a lot of the legislation. For instance, to give you one example, I did not know that we were entitled to certain benefits available. Nobody from Hawaii had taken advantage of them under this Patman-Robinson Act. Just by accident, soon after I became Governor, I found out that we were entitled to a considerable fund to aid Hawaii in the establishment of game. Well, if we had had somebody back here on the job in the Senate when it was actually passed, we would have known about it years ago and would have taken advantage of it.

It is true with other things. I am not criticizing the Congress at all, because we have no representation. When we show you what you have done, you go out of your way. I have never found the attitude of any Congress any different that I have appeared before.

Senator CORDON. May I interrupt a moment, Governor, to suggest that even though you were permitted as a Territory to representation in the Congress and in the Senate, if you did not have all of the rights of statehood, that representations in my humble judgment would not be sufficient to give to the Territory of Hawaii the protection that the State of Hawaii would get solely because of statehood.

Governor STAINBACK. I do not know that there is any question on that. I am coming to that a little later. I think we need more than a voice. The fact that the discrimination may not have been intended does not make the penalty less severe, and the hazard that it will be repeated remains as long as Hawaii is denied the rights and powers of a State.

Most of the discrimination has been cured after a period of 2, 4 or 6 years, but in the meantime not all of it has been cured. We have no voice in national affairs. As I pointed out, thousands of young men of these islands were drafted during World War II though neither they nor their parents had any voice in the passage of the Draft Act, nor vote in the declaration of war which sent them into battle.

The citizens of Hawaii pay Federal taxes on exactly the same basis as do the citizens of a State, yet they have no vote either in the levying of the taxes or in the disbursing of the revenues.

These conditions are contrary to traditional American principles. No taxation without representation, no government without the consent of the governed, are axioms as much alive and as important to the people of Hawaii today as they were to the Revolutionary father who first gave them utterance, and these principles are particularly applicable when we remember that the overwhelming mass of the residents of Hawaii are citizens of the United States, citizens whose loyalty, patriotism, and ability in self-government cannot be questioned.

Now there has been this talk about communism and I think I have led the fight down there and I have had a fight to convince a lot of people in Washington that there was a "commie" in a carload, but I said that the recent constitutional convention election has shown beyond any doubt that those who are known or strongly suspected of being Communists will be repudiated by the voters. The recent investigation of the Un-American Activities Committee into Communist infiltration activities in the Territory has made known the chief figures in the Communist Party in Hawaii and thus has rendered the Territory a great service that should have a favorable effect on statehood, because as the Secretary says, as soon as we know them, we kick them out. In that connection, I may say that in some of the districts that were strongholds of this political party, some of the suspected Reds were repudiated. That was the case with the man who ran last in one of those districts. It was mainly because he had been associated and more or less classed with the Reds. That was not a single isolated instance.

There were two cases, one not even suspected of being a Red, Kageyama, the other man from Hawaii fairly well known at least among those who were known as Communists. He was expelled immediately by the constitutional convention. As the Secretary pointed out, they only need to be known to be cast out, and I believe we can do a job on that.

SENATOR CORDON. May I interrupt you again, Governor. Will you agree with me that the higher level of restraint and discipline which the people of Hawaii showed under the strain of the recent strike and their action when their legislative body was called to protect the interests of the people of Hawaii, was perhaps as adequate an answer to a charge of communistic influence as any people could make?

GOVERNOR STAINBACK. I do not believe there is any State in the Union that has shown such determination as Hawaii has to settle for itself its right to continued economic existence. Hawaii was patient, Hawaii was long trying, and you cannot imagine what we had to go through with the strike down there.

The leaders were from the mainland and chiefly the California man who has recently been convicted, and we hope adequately disposed of for all time to come as far as Hawaii is concerned.

SENATOR BUTLER. Governor, I want to add my hearty approval of you and the way the others in the island did everything you could to take care of the Communist situation that developed out there in the last year. I do not know whether you and the others will get the award to which you are entitled, which is plenty, but in that connection, however, I wonder if you knew that the man from California

who was really the leader still controls the unions not only in Hawaii but within the last few days, although they have been expelled from the CIO, they have reorganized and are now under the supervision of Harry Bridges not only in Hawaii but along the western coast, including all of the unions of Alaska.

Governor STAINBACK. I did not know that the CIO had thrown them out. I knew it was one of the unions they were going to throw out.

I made mention a couple of years ago that I spoke to Phil Murray about the situation out there, and I think they can take that up. I asked Mr. Beck a few months ago whether he would organize in opposition to Harry Bridges' outfit. I do not know—he may have been down to enjoy the climate. Mr. Beck, as I understand, is a thorough 100 percent American.

I do not know what the ILWU will do. A very small part of our people are Communists and mostly controlled from the California Bridges-Goldblatt-Schmidt set-up, who are all apparently enrolled, active Communists.

It may be and I hope that the men in Hawaii, in the Union, will elect their own union and throw out this control from California. That is a hopeful position, and certainly we are no worse off than the California phase of the set-up, as far as Communist control is concerned.

Senator ECTON. How large is the union membership?

Governor STAINBACK. About 35,000 in Hawaii. They have transportation, sugar, and pineapple. It is a large union. I think Hawaii is Bridges' richest province in the way of contributing funds, so naturally he has tried to hold onto it.

Senator BUTLER. The ILWU, I am told, is more numerous than all of his others combined that he has taken in, including all of the unions connected with fisheries in Alaska.

Governor STAINBACK. I am not prepared to know what his other unions consist of. They claim 35,000 in Hawaii. I doubt if it is that large. There are 22,000 sugar workers, about 2,000 longshoremen. In pineapple there are seven or eight thousand. There may be somewhere between thirty and thirty-five thousand in his union.

As to Hawaii's place in the Pacific, Hawaii is the natural center of the Nation's Pacific affairs. Statehood for Hawaii would increase its prestige among the peoples whose countries border on the Pacific, particularly the people of the Orient. This in turn would benefit the Nation. Just as Americans of Italian ancestry have influenced the thinking of the Italian people, so Americans of oriental ancestry can influence the thinking of the peoples of the Orient—Japanese, Chinese, and Filipinos. They cannot do this as effectively while they remain second-class citizens. Admission of Hawaii as a State would be an affirmation by the Nation of its belief in the people of Hawaii, and would demonstrate to the people of the Orient that under our Constitution self-government is for people of every race and creed.

I might say here that you Senators are dissipating a feeling of racial discrimination against the oriental races in the United States by this recent bill, which will remove the bars to naturalization of orientals otherwise qualified. It passed the House, and I understand it has the full support of the Senate committee. I do not know whether it has passed or not, but I think that will be an excellent step, together with others.

STATEMENT OF HON. EARL WARREN, GOVERNOR OF THE STATE OF CALIFORNIA

Governor WARREN. Thank you very much, Mr. Chairman, and gentlemen of the committee. That is very generous of you, and I appreciate it, because I am under commitment to be in Sacramento tomorrow morning at the opening of business.

I apologize for not having a written statement, but I do not propose to offer any statistics, because I am not here as an expert on the economy of Alaska, I am not here as an expert on the defense of Alaska, nor am I familiar with the details of H. R. 331. I am appearing here as a neighbor, from a neighboring State, a State that is friendly to Alaska and that is hopeful for the opportunities that it may have in the future. I am also appearing as a westerner who happens at the moment to be chairman of a governors' conference of the 11 Western States, which organization has gone on record several times during the past few years in favor of statehood for Alaska.

We in the West believe that the development of any part of the West is of great benefit to the entire West, and we consider Alaska as an integral part of the West. We have had the association of its Governor in the council of the Governors' Conference Committee 5 or 6 years, and we have come to believe that this is the time for Alaska to be given statehood.

We believe that we have a particular interest in the defense of Alaska, and we believe that if Alaska is given statehood, is given an opportunity to develop its resources and its civilization, that it will be a greater factor in the defense of our Nation than it could otherwise be. We believe, in the last analysis, the defense of Alaska will come from the civilization that we develop there rather than just from the airplanes that we send there, or the fortifications that we develop. We are of the opinion that Alaska will not develop to the fullest extent of its potentialities unless it does achieve statehood.

We believe that no Territory of this country that is owned, more than 98 percent, by the Government and managed by it, by bureaus as far away as Washington is from Alaska, can give the people the opportunity to develop in accordance with American principles and ideals.

We believe that this is a particularly significant time, so far as the development of Alaska is concerned, because it is the outpost of our civilization, it is the outpost of our democracy, and we fervently believe that if people are encouraged to go to Alaska and develop its resources that we can make that portion of our country more secure than could otherwise possibly be done.

We believe that statehood will increase the population of Alaska much faster than it has developed in the past. While we are interested in the welfare of Alaska, we are also interested in our own welfare, and we believe that the development of Alaska will help our economy. We believe that the more people there are there, the more trade they have, the more we will share in it and the better it will be for our people.

We believe that it is only justice for the people of Alaska that they be admitted into the Union of the States. For 83 years Americans have lived in Alaska, and for the last 38 years they have lived under a Territorial government. The people have served in two wars, they have served faithfully and loyally, they have paid the taxes that our Government has imposed upon them, and we believe that they have earned statehood in every sense of the word.

On the question of the population, I want to say that Alaska has more people now than my own State had when it was admitted to the Union 100 years ago.

Senator CONNOR. May I also suggest, Mr. Governor, that at the time your State was admitted it also was noncontiguous with another State?

Governor WARREN. Yes, sir. Senator, I was about to say that, and also to point out that I left San Francisco yesterday afternoon at half past four by the fastest mode of transportation that we have, arriving here at 9:30 this morning, and I could have gotten to southern Alaska quicker than I could have gotten to Washington by the same mode of transportation. So we do not feel that the distance out there on the Pacific coast is material to this issue. We are used to distances, and we believe that the great distances in the West represent a great part of its strength.

So we feel that the people of Alaska have earned the right to statehood, and we believe they have earned the right to full development under statehood.

Now, there are always those who view with alarm the distance that the West has been from the Atlantic coast whenever a new State sought admission to the Union, and even some very famous men, men of this Senate, have expressed that alarm in times gone by. I happened to run across a statement of Daniel Webster in the United States Senate just a little over 100 years ago, in which statement he said this:

"What can we do with the western coast? A coast of 3,000 miles, rock-bound, cheerless, uninviting, and not a harbor on it. I will never vote 1 cent from the Public Treasury to place the Pacific Ocean 1 inch nearer Boston than it is now" (laughter).

Senator ANDERSON. Governor, I will say to you I used that quotation some time ago, and the Library of Congress told me Daniel Webster never said that. I think both of us ought to check it.

Governor WARREN. I quoted it from what I considered was good authority.

Senator ANDERSON. I took it on the best authority that I thought there was in the world. I hope it is true, but I just was not able to find it as yet. You do recognize it is typical of the thinking of a great many people 100 years ago.

Governor WARREN. Yes, and perhaps some people today, and I say that without intending to give any offense.

I am sure Alaska seems a great deal farther away to many people in our country than any of the European countries, and perhaps some of the Asiatic countries, but really it is not far away. I believe it can be integrated with the other States in the Union, and I am also of the opinion that it will never develop to its full potentialities and possibilities until it does have the same opportunities for self-government that the other people in the United States have.

I believe this is the time for us to integrate our policy on the self-determination of people, and inasmuch as these people have lived there for a period of 83 years under our sovereignty and for 38 years as a Territory and fulfilled every obligation that has been put upon them, it seems to me a matter of common justice that they should be admitted to statehood and should stand in the way of totalitarianism spreading its influence from the Eastern Hemisphere into the Western Hemisphere. I think, if given statehood, the people of Alaska would measure up to that responsibility.

I thank you very much, Mr. Chairman.

If I might just say a word now on the question of Hawaii, because I must return to California.

Senator ANDERSON. May I ask you just this question?

Governor WARREN. Yes, Senator.

Senator ANDERSON. Has the Council of Western State Governors to which you referred adopted officially resolutions on the question of statehood for either Alaska or Hawaii?

Governor WARREN. They have adopted officially resolutions favoring both.

Senator ANDERSON. Both?

Governor WARREN. Yes, sir.

Senator ANDERSON. Would you supply for the record copies of those resolutions?

Governor WARREN. Yes, sir.

Senator ANDERSON. Thank you.

The resolutions adopted by the Governors' Conference are as follows:

July 13-16, 1947.

XIV. STATEHOOD FOR HAWAII

The people of Hawaii have at the ballot box expressed their desire to achieve statehood. Hawaii is one of the two incorporated Territories of the United States for which statehood, following American tradition and precedent, is clearly indicated as their destiny. Hawaii has been under the American flag for 40 years and has, therefore, undergone a period of preparation and tutelage far longer than that of most Territories, before they achieved statehood. The expressed wish of our own fellow citizens of Hawaii is merely for the fulfillment of the moderate, understandable, traditional, and legitimate aspiration to achieve full equality and responsibility in the family of States and for self-government according to the established American pattern.

Therefore, the Governors' Conference hereby expresses its sympathy with the recorded desire for statehood of the people of Hawaii, and endorses the passage of suitable legislation by the Congress to achieve that end.

June 13-16, 1948.

IX. STATEHOOD FOR ALASKA AND HAWAII

The Governors' Conference hereby reiterates its sympathy with the recorded desire for statehood of the people of Alaska and Hawaii, and endorses the passage of suitable legislation by the Congress to achieve that end.

June 19-22, 1949.

X. STATEHOOD FOR ALASKA AND HAWAII

The Governors' Conference urges the Congress promptly to enact enabling legislation to admit Alaska and Hawaii to statehood.

IV. STATEHOOD FOR ALASKA AND HAWAII

(Resolution adopted by the Western Governors' Conference, Salt Lake City, Utah, November 7-8, 1949)

The last three National Governors' Conferences have adopted resolutions urging the admission of Alaska and Hawaii to statehood.

Since in two successive Congresses, the Eightieth and the Eighty-first, the committees to which were referred the bills providing statehood for the Territories of Alaska and Hawaii have reported favorably thereon, the Conference of Western Governors now urges the Congress to act on this legislation at the coming session and speed the admission of the forty-ninth and fiftieth States.

Governor WARREN. While I am not chairman of the National Conference, it also has adopted resolutions recommending statehood for both Alaska and Hawaii.

Senator ANDERSON. If there is no objection, we will hear the Governor at this time on Hawaii also.

Senator BUTLER. While their resolution was on the question of statehood for Hawaii, it was not on H. R. 331.

Governor WARREN. That is true.

Senator BUTLER. There is a vast difference between the two, you understand that.

Governor WARREN. Yes.

Senator BUTLER. I am strong for statehood for Alaska and Hawaii, under proper conditions, but I do not think they are getting anything like a fair deal under H. R. 331. Of course, I am open to conviction. Maybe the Governor over there can convert me before we are through taking his statement.

Governor WARREN. No, Senator; our resolutions were directed to statehood for Alaska and Hawaii now, not at some distant date in the future. We are for statehood now. As to the terms and conditions of the admission, we have little knowledge and have nothing to urge at this particular time.

Senator ECTON. Mr. Governor, may I ask you if your conference made any recommendations as to the provisions under which Alaska should be admitted as a State?

Governor WARREN. No; we did not. I can say to your, from a discussion with all of the members of the conference, that it was hoped that it would be under conditions that were most favorable to a State, a new State that would have a very hard job to do, and certainly on terms equal to those that have heretofore been granted to other States as they were admitted to the Union.

Senator ECTON. Thank you.

Senator LEHMAN. Governor, may I ask you this question. I want to emphasize that resolution of the National Conference of Governors, of which I was a member for a great many years, is pretty significant, because it is not just one of these hurried resolutions that are acted upon after 5 minutes' consideration. Those resolutions are first submitted and discussed by the executive committee, and then a statement is made to the entire conference, so they did receive very careful consideration.

Governor WARREN. Yes. It so happens, Senator, that I was both on the executive committee and on the resolutions committee, and I know that is true, and that it was considered very seriously by the executive committee and at the conference itself. The resolutions committee gave a great deal of time to the consideration of these resolutions.

Senator LEHMAN. That was my question. Thank you.

Senator ANDERSON. How unanimous was their action? Was it close or overwhelming?

Governor WARREN. It was unanimous, Senator, because we have the rule in the governors' conference, both in our national conference and in our western conference, that we do not adopt resolutions unless they are unanimous.

Senator ANDERSON. That would be a very good rule to have here.

Governor WARREN. The reason for that is because there is so much diversity of opinion, the country is so complex, and unless we can arrive at a unanimous conclusion we do not think it would serve any great purpose.

Senator ANDERSON. Thank you for your statement.

Now, if you will proceed with the question of Hawaii.

Governor WARREN. Mr. Chairman, it seems to me everything that I have said concerning Alaska could well be said concerning Hawaii, and I can add to that also the fact that California has been particularly close to Hawaii for a great many years, and we feel our economic relations and our social relations with the Islands at this time, and for many years in the past, have been just as close as with any of the States of the Union, and much closer than with many of the States of the Union.

We believe that Hawaii, having been a Territory for 52 years and having been an outpost for this country during two wars, and having served faithfully in both of those wars, has earned statehood, if it is possible for any people to earn statehood.

We believe that the Islands have the resources and the ability to take care of themselves, and having paid into the United States Treasury, as I am informed, much more than they have ever received from it, they are well able to govern themselves, to finance themselves in every respect.

We believe that a half million people in those Islands to be deprived of full citizenship for any greater length of time would be an injustice to them and would be a reflection upon the integration of the principles that we have expressed in the United Nations, and otherwise. In California we feel very earnestly that Hawaii should be admitted to the Union at the earliest possible day.

Senator ANDERSON. Are there any questions of Governor Warren by any members of the committee?

Senator BUTLER. Governor, I just have one question.

Governor WARREN. Yes, sir.

Senator BUTLER. I have the impression that there would be very little opposition, if any, to the admission of Hawaii to statehood as a part of California.

Governor WARREN. Well, Senator Butler, we are pretty aggressive out there in California in a lot of ways, but I never have heard California express the desire to take Hawaii into the territorial limits of California.

Senator BUTLER. Well, they are fine people.

Governor WARREN. I have never heard a public discussion of that in my State, where any Californians have ever advocated that. I feel certain that if it were advocated it would be overwhelmingly repudiated, not because we do not like the people of Hawaii, but because we do not want to force ourselves upon them. We believe it would be unfair to them, we believe they would resent it, and there isn't any reason that we can see why those islands at that distance should become a part of the jurisdiction of any State on the mainland.

Senator BUTLER. The distance you said a while ago was no factor in this matter, and I think so, myself—I agree with you in that—but I do think the economy being built largely around sugar in Hawaii, almost entirely on sugar, and the economy and social relations having been so close over the years, that it would not be a bit different than adding another county down below the southern California line, if that was possible.

Governor WARREN. Senator, a difference for one purpose might be one thing, and for another purpose it might be something entirely different. So far as becoming an integral part of the Union and as one of the States of the Union, it seems to me that the distance between the mainland and Hawaii is insignificant, but when it comes to a question of local government in each of these islands in the Hawaiian group, making them counties of California, it seems to me it would present problems that might be insurmountable.

Senator BUTLER. I do not think it would present any problems that would be insurmountable for the State of California any more than for the United States Government.

Governor WARREN. That is, of course, Senator, local government and on a different footing and representation in a State legislature, which, it seems to me, is on a far more intimate basis and on a far more local basis than representation in the Congress of the United States and in the other agencies of the Government.

Senator ANDERSON. Are there any additional questions? If not, thank you very much, Governor, and if you, or the associations to which you referred, desire to make any supplementary statement, we would be glad to have it.

Senator BUTLER. Mr. Chairman, I have just a couple of things to mention.

Senator Millikin is kept from attendance on the committee here because of his rank and his work he has to do in the Finance Committee on H. R. 6000. He wanted that to be in the record.

Senator Watkins is absent from the city.

Senator Malone is detained because of work on another committee.

Secretary CHAPMAN. I would like to say, Mr. Chairman, when Mr. Hickerson is through with his statement—and I understand it is a brief one—I would like very much to have the Delegate from Hawaii be heard before you close today at noon, if time permits it.

The CHAIRMAN. May I ask a question or two, Mr. Secretary, since you have resumed the stand, if Secretary Hickerson will bear with us? You have made reference to the national park in Hawaii.

Secretary CHAPMAN. Yes.

The CHAIRMAN. Does the Department of the Interior have any opinion to express to this committee at the present time with respect to whether or not as a matter of executive policy of the Department it feels that that park should be retained as a national park or should be turned over to the new State?

Secretary CHAPMAN. Senator, that park was created exactly like every other park, including the Yellowstone National Park, by an act of Congress. It would remain as a national park if statehood was given to Hawaii. Hawaii itself gave us the property. We did not pay for it. So Hawaii would not ask for it back, I am sure. I am very happy to express the opinion that we would wish to have it remain as it is.

The CHAIRMAN. Does any other Bureau within the Department of the Interior administer any lands in the Territory of Hawaii now?

Secretary CHAPMAN. No, Senator. The Bureau of Land Management has no administrative program actually functioning in Hawaii. Ordinarily—take Alaska for instance—we do have, of course, but the Bureau of Land Management does not have an active program of management in Hawaii of these acres I have referred to here. We do not have any other land action program in Hawaii.

The CHAIRMAN. I would like to have you prepare for the record a special statistical table, if you will, Mr. Secretary, with respect to the census of Hawaiians.

Secretary CHAPMAN. I will get that.

The CHAIRMAN. I remember from the hearings which were held in Hawaii some 13 years ago by a joint committee of the House and Senate which went to Hawaii as the guests of the Territory, the legislature, perhaps, of the Territory, that the evidence then seemed to show that there had been a very sharp decline in the number of pure Hawaiians and that there had possibly been some change in trend.

Will you give us the figures by years from the beginning of the total population of Hawaiians, full-blood, and part-blood.

Secretary CHAPMAN. Senator, I will get you the census figures for the last 30 years, which will give you the census population breakdown by racial origin. I will have that presented to you in table form to give you the full information on how those various racial groups have either declined or increased.

The CHAIRMAN. Very good, Mr. Secretary.

(The documents referred to above are as follows:)

Population of Hawaii by race, 1896-1950¹

Race	1896 ²		1900 ³		1910 ⁴		1920 ⁴		1930 ⁴		1940 ⁴		1950 ⁵	
	Popula- tion	Per- cent	Popula- tion	Per- cent	Popula- tion	Per- cent	Popula- tion	Per- cent	Popula- tion	Per- cent	Popula- tion	Per- cent	Popula- tion	Per- cent
Hawaiian ⁶	31,019	28.5	28,718	18.6	26,041	13.6	23,723	9.3	22,636	6.1	14,375	3.4	10,500	2.0
Part-Hawaiian ⁶	8,485	7.8	9,536	6.2	12,506	6.5	18,027	7.0	24,224	7.6	49,935	11.8	74,941	14.2
Caucasian.....	22,478	20.6	26,252	17.1	39,158	20.4	49,140	19.3	73,702	20.0	103,791	24.5	157,115	29.8
Chinese.....	21,616	19.8	25,762	16.7	21,674	11.3	23,507	9.2	27,179	7.4	28,774	6.8	31,173	5.9
Japanese.....	24,407	22.4	61,115	39.7	79,675	41.5	109,274	42.7	159,631	37.9	157,905	37.3	181,198	34.4
Korean.....					4,533	2.4	4,950	1.9	6,461	1.8	6,851	1.6	7,415	1.4
Filipino.....					2,361	1.2	21,031	8.2	63,052	17.1	52,569	12.4	53,036	10.0
Puerto Rican.....					4,890	2.5	5,602	2.2	6,671	1.8	8,296	2.0	10,182	1.9
Negro.....					695	.4	348	.1	563	.2	255	.1	(6)	.....
Other.....	1,055	.9	2,618	1.7	376	.2	310	.1	217	.1	579	.1	1,913	.4
Total.....	109,020	100.0	154,001	100.0	191,909	100.0	255,912	100.0	368,336	100.0	423,330	100.0	527,473	100.0

¹ See exhibit 21, Statehood for Hawaii, hearings before the subcommittee of the Committee on the Territories, House of Representatives, 79th Cong., 2d sess., Pursuant to H. Res. 236. (Washington: Government Printing Office, 1946), p. 655.

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Caucasian.....	22,478	20.6	26,252	17.1	39,158	20.4	49,149	19.3	73,702	20.0	103,791	24.5	157,115	29.8
Chinese.....	21,616	19.8	25,762	16.7	21,674	11.3	23,507	9.2	27,179	7.4	28,774	6.8	31,173	5.9
Japanese.....	24,407	22.4	61,115	39.7	79,675	41.5	109,274	42.7	139,631	37.9	157,905	37.3	181,198	34.4
Korean.....					4,533	2.4	4,950	1.9	6,461	1.8	6,851	1.6	7,415	1.4
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**STATEMENT OF JOHN D. HICKERSON, ASSISTANT SECRETARY
DEPARTMENT OF STATE IN CHARGE OF UNITED NATIONS
AFFAIRS**

Mr. HICKERSON. My name, Mr. Chairman, is John D. Hickerson. I am an Assistant Secretary of State. My particular work in the State Department is supervising the Bureau of United Nations Affairs.

May I at the outset say that although we know you followed the hearings of last week, how delighted I am that you are able to be back and preside at this hearing.

Now, my statement, sir, will be very brief. You have in your records the letter from the Department of State dated April 20, 1950, supporting this legislation to make Hawaii a State. I shall supplement that briefly by saying that we feel that the admission of Hawaii to the Union would be in fulfillment of our obligation under the Charter of the United Nations. I refer specifically, sir, to chapter XI of the Charter, the declaration regarding non-self-governing territories.

In particular, I call attention to the fact that among the obligations accepted by the United States and applicable to Hawaii as well as to Alaska, is the obligation, and I quote:

to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions. * * *

It is the view of the Department of State that the enactment of legislation to provide statehood for Hawaii would be in fulfillment of this obligation and would accordingly serve to support American foreign policy and strengthen the position of the United States in international affairs.

In a period when we have witnessed the forced integration of peoples into a totalitarian political system in another part of the world, it is a significant fact, as members of this committee are well aware, that statehood for Hawaii, as for Alaska, would be in accordance with the freely expressed aspirations of the peoples of these Territories.

If the Congress passes this legislation and Hawaii is admitted as a State, I would be particularly proud, sir, to be able to inform the United Nations that we had fulfilled that obligation.

Now, sir, I should like to refer with just a word to some statements of Secretary Chapman and the Governor about the particular significance of statehood for Hawaii because of the nature of the mixed population there.

The CHAIRMAN. Before you proceed to that, may I pursue this obligation to which you referred?

Mr. HICKERSON. Yes, indeed, sir.

The CHAIRMAN. Do you conceive that obligation to be one which extends only to Hawaii?

Mr. HICKERSON. No, sir. It extends to all non-self-governing territories of all of the members of the United Nations.

The CHAIRMAN. How should we make a distinction from the point of view of the United Nations between Puerto Rico and Hawaii?

Mr. HICKERSON. That is very easy to do, sir, because the people of Puerto Rico have expressed themselves as not wishing statehood at this time.

There is no particular time limit on this obligation, sir. It is to accord with the wishes of the people as they progressively express themselves.

The CHAIRMAN. What is the rule, as you see it, by which Congress should be guided in determining the qualifications for statehood of areas which may come within its Territorial jurisdiction?

Mr. HICKERSON. That, sir, I think is a matter for the determination of Congress in the exercise of its constitutional powers, taking into account the freely expressed views of the inhabitants of the particular Territory.

I repeat, sir, there is no especial or particular time limit in this obligation. It is merely a general obligation to assist the people in their progress toward full self-government.

The CHAIRMAN. I take it that the obligation is limited, so far as statehood is concerned, to the inhabitants of Territories which are within the jurisdiction of the United States at the present time or which might be brought within that jurisdiction by any national policy in the future.

Mr. HICKERSON. That is correct, sir. Statehood, of course, is not the only way that obligation can be met.

As regards Puerto Rico, if the people of Puerto Rico want a constitution and want something short of statehood, in our view we could fulfill this obligation fully by taking that action, which would not be statehood.

The CHAIRMAN. Is there any obligation that flows from the United Nations Charter upon the United States with respect to the other islands of the Pacific, which is different from the obligation that you have referred to with respect to Hawaii?

Mr. HICKERSON. Yes, sir; there is a different obligation because of a different situation. The former Japanese mandated islands are administered by the United States, not as United States territories, but administered as a strategic trusteeship under the provisions of an agreement between the United States and the Security Council. It would not, of course, be proper to even consider statehood for those islands, even if they were ready, because they are not United States Territories. They are administered as trust territories. Guam is a United States territory. We have an obligation to promote progressive self-government in Guam, as we have in other United States Territories.

As regards the other islands in the Pacific, United States territories, they are quite small, and the circumstances are completely different from Hawaii.

The CHAIRMAN. Do we then or do we not by the action with respect to Hawaii on this question set a precedent for future action with respect to other areas that lie within either ocean noncontiguous to the United States?

Mr. HICKERSON. No, sir. We do not set any particular precedent for that because the Congress is the judge of the circumstances as regards any particular islands.

There is nothing, of course, in the Pacific comparable to the Hawaiian situation, sir.

The CHAIRMAN. We have this very difficult problem, I will say, arising from the fact that there seems to be, so far as the testimony

given in either of these hearings as yet, no particular rule for the determination of statehood, either by geographical boundary or by population.

In Puerto Rico we have an island with a perfectly huge population, a population which is far beyond the capacity of the resources of that island to support in any degree of prosperity; in Guam we have a population which likewise is undoubtedly very much limited by natural resources; in Alaska we have a small population and a perfectly huge area; with respect to Hawaii, on the other hand, we have a small area and a rather large population, we have excellent natural resources and agricultural possibilities, which have resulted in most remarkable economic development and prosperity. At the same time, we have there a problem of unemployment and also a problem of, I think one might say, the proletariat, because there is a large segment of that population which is wholly dependent upon resources outside of itself for employment. I think that is the real heart of the Communist development which has been noted by many people there.

Mr. HICKERSON. Mr. Chairman, the Constitution, of course, puts the responsibility on Congress to determine what territories should be admitted as States and to be the judge of when the time has arrived to admit them.

There is nothing in our obligation under the Charter of the United Nations that adds to or subtracts from the constitutional power and responsibilities of the Congress to determine this question.

Secretary CHAPMAN. Would Mr. Hickerson permit me to inject a remark?

Mr. HICKERSON. Of course.

Secretary CHAPMAN. Would I be impertinent in offering something on this question, Mr. Chairman?

The CHAIRMAN. May I first read into the record at this point the quotation, article 73 of chapter 12 of the Charter of the United Nations, which is the provision of the Charter that directs the administering power of any non-self-governing territory with respect to its duty. The duty is to—

develop the self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions according to the particular circumstances in each territory and its people and their varying stages of advancement.

Now, the reason that I brought that up was to obtain the statement of the Secretary of State, which I understand has already been made, namely, that this language does not carry by any interpretation any obligation to control the action of Congress with respect to statehood for any particular non-self-governing area, but merely that it shall develop self-government in all the circumstances that exist.

Mr. HICKERSON. That is correct, sir. There is no special obligation other than what you just read, sir, there is no time limit on that, but if Congress, in the exercise of its constitutional powers, grants statehood, we regard that as complete fulfillment of this obligation.

The CHAIRMAN. Mr. Secretary!

Secretary CHAPMAN. I wanted to make this comment: That the Congress of the United States itself decides the basis upon which it would permit a Territory to ask for statehood.

Under the Northwest ordinance, which was enacted by Congress and under the Supreme Court decisions of 1901, in the so-called In-

sular cases, it was decided that those incorporated areas, of which Alaska and Hawaii happen to be the only two remaining, are in a different class from the unincorporated territories of Puerto Rico, Guam, and Samon. And as Mr. Hickerson said, the trust territory of the Pacific is in still a different category.

First, you have not extended the Constitution of the United States. We have pending before the Congress today an organic act for Guam in order that we may organize a self-governing body for Guam.

That has not yet been enacted. The bill would not extend the Constitution. There is a distinction and quite a difference between all of these other islands of the Pacific and Hawaii, a difference in the way the Government has treated it in the past.

The CHAIRMAN. What is your definition according to the decision of incorporation as you have used that word?

Secretary CHAPMAN. That incorporation was used by the Supreme Court to mean the extension of the Constitution to its fullest extent short of statehood.

The CHAIRMAN. Your answer is that the act of Congress creating the Northwest Territory provided for the incorporation of that Territory into the Union in a particular way, which has not been followed with respect to Puerto Rico or Guam?

Secretary CHAPMAN. That is right, because later Congress passed another act incorporating Hawaii and Alaska after that date. The pattern of the Northwest ordinance was followed.

The CHAIRMAN. It would be helpful to the committee, Mr. Secretary, if the Interior Department and the Department of State would prepare a legal memorandum for inclusion in the record on this question of incorporation.

Secretary CHAPMAN. I will be very happy to prepare that.

Senator ANDERSON. It seems to be important if that same principle would apply to the incorporation of Guam.

The CHAIRMAN. That is precisely why I am asking.

Secretary CHAPMAN. There is no attempt to include Guam. The proposed organic act does not make provision for the extension of the Constitution to Guam. We are not even asking for it in that case.

Senator BUTLER. They may ask for it sometime.

Secretary CHAPMAN. They may, but first you must decide that it shall be extended.

The CHAIRMAN. As you have pointed out, Mr. Secretary, Alaska and Hawaii are incorporated Territories.

Secretary CHAPMAN. They are.

The CHAIRMAN. Are there no others?

Secretary CHAPMAN. There are no others.

The CHAIRMAN. It is most important in the consideration of these two acts and the other legislation before this committee that the Congress shall have this distinction between incorporated and nonincorporated territory clearly in mind and that there shall also be a distinction made clear to all the members of the United Nations between the obligation to develop self-government among peoples and the obligation to admit peoples to the status of a State of the Federal Union.

Secretary CHAPMAN. There is quite a distinction and quite a difference.

The CHAIRMAN. That is why I would like to have a carefully prepared legal memorandum on this point.

Secretary CHAPMAN. We will have that prepared, Senator, in consultation with the Secretary of State's office.

(The legal memorandum was subsequently supplied and is as follows:)

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
DIVISION OF TERRITORIES AND ISLAND POSSESSIONS,
Washington, May 10, 1950.

MEMORANDUM

To: The Secretary.

From: Chief Counsel.

Subject: United States Obligation To Grant Statehood to Alaska and Hawaii.

In accordance with your request, there follows a discussion of the United States obligation to admit Alaska and Hawaii to the Union. The views incorporated in this memorandum have been submitted to the House Public Lands Committee at the time of its hearings on the two statehood bills; for the House committee, like the Senate Interior and Insular Affairs Committee, expressed an interest in the question. This memorandum has been cleared informally with Assistant Secretary of State Heckerson. The portion relating to our obligations under the United Nations Charter was prepared in the Department of State.

I. Obligation assumed by the United States under chapter XI of the Charter of the United Nations in relation to statehood for Alaska and Hawaii

The question has been raised whether the admission of Alaska and Hawaii to the Union would, having regard to the provisions of chapter XI of the Charter of the United Nations, constitute a precedent requiring similar action in respect to other United States territories and possessions.

Chapter XI of the Charter of the United Nations is a "Declaration Regarding Non-Self-Governing Territories." Under that chapter the United States, as a Government responsible for the administration of certain non-self-governing territories, accepted the obligation, among others, "to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement." As will be apparent from this language, this constitutes an obligation to develop self-government in the Territories and possessions of the United States, but as will be equally apparent, it is not a commitment to develop such self-government in a specific manner or toward a specific goal, such as statehood. The Charter of the United Nations, in its provisions relating to non-self-governing territories, neither diminishes nor increases the powers of Congress to determine the constitutional status of United States Territories and possessions. Accordingly, the granting of statehood to Alaska and Hawaii would not obligate the United States to give a similar status to its remaining Territories or possessions in order to fulfill its obligations under the United Nations Charter but would leave this Government in future full freedom to deal with other situations or cases in accordance with the particular circumstances of each Territory.

II. Obligations assumed under domestic law

Although the United States has assumed no international obligation to grant statehood to Alaska and Hawaii or to any of the other non-self-governing areas under its administration, it has by implication promised the two Territories of Alaska and Hawaii that when they had shown that they were qualified to exercise the prerogatives and discharge the responsibilities of statehood, they would be advanced to that status on an equal footing with the other 48 States. The implied promise referred to arises from the action of the Congress in "incorporating" both Territories by the express extension to them of the Constitution and from the implications of incorporation.

The distinction between incorporated and unincorporated territories was first clearly drawn by the Supreme Court of the United States in the so-called Insular cases, *De Lima v. Bidwell* (182 U. S. 1) and *Downes v. Bidwell* (182 U. S. 244), in 1901, although the first incorporated Territory was created in 1787. The question before the Court was whether the constitutional requirement that duties, imposts, and excises be uniform "throughout the United States" had been extended to Puerto Rico so as to render invalid a provision of Puerto Rico's organic act establishing a schedule of customs duties on merchandise from Puerto

Rico entering the continental United States. The Court decided that Puerto Rico was not a part of the United States for the purposes of the constitutional provision, because it had not been "incorporated." Subsequent decisions pointed out that "incorporation occurs when a territory is made a part of the United States, as distinguished from merely belonging to it," and that "incorporation is not to be assumed without express declaration, or an implication so strong as to exclude any other view" (*Balzac v. People of Porto Rico* (258 U. S. 208 (1922))).

It is settled that incorporation of a territory takes place when the Constitution is expressly extended to it. Section 5 of the Organic Act of Hawaii (act of April 30, 1900, 31 Stat. 141, 48 U. S. C., 1946 ed., sec. 495) provides: "The Constitution * * * shall have the same force and effect within the Territory of Hawaii as elsewhere in the United States," and identical language with respect to the application of the Constitution to Alaska is contained in section 3 of the Organic Act of Alaska (act of August 24, 1912, 37 Stat. 512, 48 U. S. C., 1946 ed., sec. 23). The incorporated status of both Alaska and Hawaii has been given judicial recognition (*Ngale v. United States* (101 Fed. 141 (1911)); *Rasmussen v. United States* (197 U. S. 516 (1905)); *United States v. Farwell* (70 F. Supp. 35 (1944)); cf. *Hawaii v. Mankichi* (190 U. S. 197 (1903))).

There are at least three reasons for the emphasis on clear evidence of intent to incorporate. One is that by incorporating a Territory the Congress subjects itself to certain limitations upon its power subsequently to legislate for that Territory which do not apply when it legislates for an unincorporated area. This was established by the *Insular Cases*. For example, the Congress could not withdraw from the people of an incorporated Territory the right to a jury trial guaranteed by the Constitution, *Rasmussen v. United States* (197 U. S. 529 (1905)), but need not grant the right to the people of an unincorporated Territory, *Balzac v. People of Porto Rico*, supra; *Dorr v. United States* (195 U. S. 138 (1904)) (Philippine Islands). The second reason is that it is generally agreed that the act of incorporation is irrevocable, since the Constitution, once extended, cannot be withdrawn. See the concurring opinions in *Rasmussen v. United States*, supra (pp. 530, 536); *Cooley's Principles of Constitutional Law* (4th ed., 1931, p. 214). The third, and most important here, is that the act of incorporation has consistently been regarded as a commitment by the Congress ultimately to admit as a State the area incorporated. In the *Blazac case*, supra, the Supreme Court said that "incorporation has always been a step, and an important one, leading to statehood." In *McAllister v. United States* (141 U. S. 174, 188 (1891)), Territorial government was described as temporary and destined to be "superseeded when the Territories became States of the Union." In *Ex Parte Morgan* (20 F. 298, 305 (1883)), a Territory is described as "an inchoate State." In *O'Donoghue v. United States* (280 U. S. 516, 537 (1933)), the Court said that "the outlying continental public domain, of which the United States was the proprietor, was, from the beginning, destined for admission as a State or States into the Union." Constitutional law treatises contain similar statements. There are repeated references to the fact that the ultimate political status of Territories is statehood in the congressional debates on the organic acts. To cite an example in the case of Alaska, Congressman Wedemeyer, of Michigan, declared that by the treaty with Russia itself, "Alaska was incorporated into the body of the United States and * * * those people had the promise of future statehood for the Territory." In an effort to avoid the well-understood consequence of incorporation, namely statehood, when the Hawaiian Organic Act was being debated, Congressman Hill offered the following amendment: "Nothing in this act shall be construed, taken, or held to imply a pledge or promise that the Territory of Hawaii will at any future time be admitted as a State or attached to any State." (33 Cong. Rec. 3864.) The amendment was defeated. The Congressional Record is replete with other evidence that Members of Congress were aware of the significance of proposed incorporation and considered it to be a first step in the direction of statehood.

The strongest possible argument that incorporation is a step toward statehood is historical precedent. All incorporated Territories except Alaska and Hawaii have become States. The first of a series of organic acts for incorporated territories was the Northwest Ordinance of 1787. Besides providing the framework of government for the Northwest Territory, which was erected upon lands ceded to the Federal Government by the Thirteen Original States, the ordinance outlined a policy with respect to ultimate status for the Territory which was followed for Territories subsequently acquired. It provided that when the population in any of the districts into which the Territory was divided should reach 60,000, the district was to be admitted into the Union as a State on an

equal footing with the original States. Organic legislation subsequently enacted for the Southwest Territory, Indian Territory, the Territory of Michigan, the Territory of Illinois and the Territory of Orleans, among others, "incorporated" the territory to which they applied and made provision for ultimate statehood. One by one, all the incorporated territories on the mainland have been admitted, as one or more States, to the Union. The constitutional status of Alaska and Hawaii is identical to those of the mainland territories, and there is no legal basis for treating them in any different way. Although the organic acts of Alaska and Hawaii do not refer in explicit terms to statehood, the fact that they extend the Constitution and thereby incorporate the areas into the Union is sufficient. Once an area has been incorporated into the Union, the only question which remains for determination is when it is to be advanced from the provisional status of a Territory to the permanent status of a State; the question whether it is to be admitted into the Union as a State is settled upon incorporation. It is for the Territory to make out a case that, at a particular time, it is qualified for statehood in terms of population, financial condition, and so on. These conditions go only to the time at which the pledge of ultimate statehood is to be redeemed. Until the incorporated Territory is admitted to statehood, its status as such a Territory must continue, assuming it to be sound constitutional doctrine, as I believe it is, that once the constitution is extended, it cannot be withdrawn. Thus Alaska and Hawaii differ in this respect from the unincorporated Territories. The Philippines were an unincorporated Territory, and consequently it was constitutionally possible to grant them their independence; had they been previously incorporated by extension of the Constitution, a serious constitutional question as to the propriety of independence would have arisen.

It is relevant to emphasize that admission of Alaska and Hawaii as States would not give the other areas presently subject to the administration of the United States a like claim to statehood as a matter of domestic law any more than it would provide a basis for a claim under the United Nations Charter. This is because Alaska and Hawaii are our only remaining incorporated Territories. Their admission would fulfill a long outstanding pledge and would complete a cycle originating with the Northwest Territory; it would not itself establish a precedent. Puerto Rico and the Virgin Islands are unincorporated territories. Puerto Rico's political status has been so described in the *Insular Cases* and in the *Balzac case* cited above; the Virgin Islands are described in the Organic Act (40 Stat. 1807, 48 U. S. C., 1946 ed., sec. 1405a), as an "insular possession," which is shorthand for "unincorporated territory." Guam and American Samoa, by section 3 of the proposed organic acts pending before the Congress, are expressly declared to be "unincorporated" territories, specifically to preclude any claim on the part of either area to statehood as a right. No one of these areas can now identify its status wholly with that of Alaska or Hawaii for the purpose of bottoming a statehood claim. Should some future Congress determine it to be desirable to incorporate any one of these presently unincorporated territories, it may, of course, do so. If it does, however, that action will thereby give the area a claim to ultimate statehood which it does not now possess and which it cannot legally or morally derive from the action of Congress in admitting Alaska and Hawaii to statehood now. Each area must stand on its own merits in acquiring an incorporated status. When that hurdle is passed, then and then only has it a claim to statehood.

In summary, the admission of Alaska and Hawaii to the Union will not commit the United States to the admission of any other area under its administration in order to comply with its obligations under the United Nations Charter, nor will it provide a precedent for like treatment of the other territorial areas as a matter of domestic law. The nature of the status of Alaska and Hawaii as incorporated Territories affords them a claim to statehood on the basis of historical precedent in our treatment of every other incorporated territory, and at the same time distinguishes their case from that of every other territorial area presently under United States administration. The only question actually before Congress for determination is whether, as a matter of fact, Alaska and Hawaii are qualified for admission. Their eligibility as a matter of law was expressly recognized and established in 1912 and 1900, respectively, when they were incorporated into the Union.

IRWIN W. SILVERMAN, *Chief Counsel.*

Mr. HICKERSON. Mr. Chairman, I was going to comment very briefly on the special significance attaching internationally to the admission of Hawaii in view of the mixed population.

Secretary Chapman referred to that, and so did the Governor.

I think if I might quote four sentences from a recent report from a House Subcommittee on Public Lands, I would like to read those, sir. This was dated January 1950:

The prompt admission of Hawaii to the Union as a State will be notice to the people of the Pacific and to the world that this country intends in no sense to retreat from its position of leadership in the Pacific, won at a great cost in World War II, and on the contrary proposes that every legitimate step be taken to preserve and strengthen the objectives achieved in that struggle.

It will be reassuring to the friends of democracy. The United States will give them a practical demonstration of its belief in the democratic system of government by admitting Hawaii to the Union as a State and its people, thereby, to the full privileges of American citizenship. This example will be of far-reaching influence in Japan, the Philippines, Korea, and China, from whence many of Hawaii's people, now American citizens of long residence in the Islands, originally migrated.

It will provide an effective answer to Communist propaganda that is undertaking to persuade the people of the Pacific, and particularly the Far East, that there are racial barriers in the American system of government that militate against people of oriental origin.

This describes my own feeling in it so well, sir, that I took the liberty of quoting from this subcommittee of the House. I have nothing further, sir.

The CHAIRMAN. I take it from that, Mr. Secretary, that it is your opinion and the opinion of the Department of State that the admission of Hawaii as a State would be and is an important part of the program of the United States in its world policy for the development of free institutions throughout the world; is that right?

Mr. HICKERSON. That is correct, sir.

The CHAIRMAN. Are there any other questions to be directed to the Secretary?

Senator TAYLOR. Mr. Chairman, I have one question.

Mr. Hickerson, on page 7 of this bill on line 20, beginning on line 20, there appears this wording:

The constitution--

the Hawaiian Constitution--

shall be republican in form and make no distinction in civil or political rights on account of race, color, or sex and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

We are aware that just recently a California court ruled that a law out there prohibiting the acquisition of property by orientals was declared void because it was in conflict with the principles of the United Nations Charter.

I was wondering if it would be appropriate to include in this paragraph reference to the Charter of the United Nations. Do you think that would be necessary?

Mr. HICKERSON. I do not think that is necessary, sir. I think that Hawaii should be admitted to the United States on the same footing as the other States in the United States.

The obligations of the Charter would apply to her, of course, as they do to other States, but I do not think the Charter should be mentioned specifically in this legislation.

Secretary CHAPMAN. Otherwise, I think Mr. Hickerson agrees the same as I do that the United States Government should determine on its own how it will permit an area to become a State and a member of the Union.

Senator TAYLOR. I simply thought, inasmuch as the courts were taking cognizance and make rulings based on the United Nations Charter, it might be advisable to include a reference to it in the bill.

Secretary CHAPMAN. I am quite certain, if you will check that court decision, that you will find it was based upon a ruling of the Supreme Court in regard to the Constitution of the United States, and not the United Nations Charter.

Senator TAYLOR. There was reference made to the United Nations Charter.

Secretary CHAPMAN. They may have made reference to it, but the decision was based upon the Constitution of the United States.

Senator KNOWLAND, am I correct in that, or are you familiar with it?

Senator KNOWLAND. I saw the newspaper reports, but not the court decision, and they seemed to emphasize the United Nations Charter end of it; but without reading the whole decision, it would be difficult to tell.

Secretary CHAPMAN. I read the decision, and I interpreted it to mean that the decision was based on the Constitution of the United States, that the basic law passed in California saying that certain citizens could not own property was contrary to the Constitution of the United States.

They made further reference to the United Nations Charter as trying to extend—I think they used that to show that the Constitution was fully intended to carry out that purpose. I do not think they placed their technical decision upon that fact alone.

Mr. Chairman, may I make one more correction if Mr. Hickerson does not mind, just a correction that has no reference to him, but it has to do with the previous witness, Governor Stainback.

It has been mentioned to me in a very quiet way that I might be influencing Governor Stainback to come here to testify.

Let me say to this committee publicly and to Governor Stainback that I have not instructed Governor Stainback, either directly or indirectly, regarding these hearings to appear here one way or the other, and I did not know until Saturday that he was coming, and if he came, he came on his own volition, without any words, directly or indirectly, from my office.

The fact that the Governor of Hawaii is recommended for appointment by the Secretary of the Interior, appointed by the President, and confirmed by the Senate, had nothing to do with his appearance here.

I say that for the record because I want that on top of the table. I want no whisperings on any side, whether in regard to lands or rights, I want them all above-board.

The CHAIRMAN. We will now hear from Senator Knowland.

STATEMENT OF HON. WILLIAM F. KNOWLAND, UNITED STATES SENATOR FROM THE STATE OF CALIFORNIA

Senator KNOWLAND. Mr. Chairman and members of the Interior and Insular Affairs Committee, Hawaii's claim to statehood is so overwhelming that it cannot in justice be longer delayed.

One hundred and two years ago the State I have the honor to represent came under the American flag. Two years later California was

admitted into the Union without going through the apprenticeship of Territorial government. For a century we have been the closest neighbor to Hawaii and have some claim to knowing her best. It is with great pleasure that I appear today to plead her cause without any reservation whatsoever.

Hawaii has been an organized Territory for a longer period than any of the organized Territories ultimately admitted to statehood with the single exception of New Mexico. With the lone exception of Oklahoma, it has more population than any of the others had at the time of their admission into the Union. Today it has more population than six of our States and is within close proximity to the totals residing in four more. In fiscal year 1947 Hawaii contributed in Federal taxes more than 12 of our States.

By official vote of her people, she has requested admission into the Union. Certainly, no individual poll of a few hundred people, a part of whom remain anonymous, can outweigh the recorded vote of the people.

I am firmly convinced that Communist activity is a no greater problem than it is in many other areas of our country. Because Hawaii happens to have some of these termites is no valid argument for delaying her admission as a State. To the contrary, statehood will better fortify her people in dealing with a problem which is not just Nation-wide but is world-wide in character.

The record of loyalty in peace and war by the people of the Territory of Hawaii cannot be challenged.

Both the Democratic and Republican platforms have pledged their support to statehood on several occasions.

For the reasons I have outlined and which will be covered more fully by other witness, I believe that Hawaii should become a State now, without further delay.

However, there is another reason which should not be overlooked by the Congress or the American people.

The free way of life is under pressure from the Elbe to the China Sea. Six hundred million people are behind the Communist iron curtain as we meet here on this 1st day of May 1950. In the Far East several hundred million more hang in the balance. International communism is on the march and this may be the year of decision that will determine whether or not it will move on to new destruction or will recede in the face of the determination to maintain their way of life by a free world of freemen.

The people of Hawaii have much to offer in helping to interpret the spirit of America to the Far East, containing more than half of the world's population. They can do equally as much in helping the United States understand the complex problems of that vast area of the world. Never before was it more important to the peace of the world and the very security of this Nation that such mutual understanding be achieved.

We dare not remain static while communism becomes the dynamic force in the world. To the contrary, from the Arctic to the mid-Pacific we should resolutely and effectively proclaim to the world that these American citizens in our two organized Territories are no longer to be stateless persons.

Now is the time for us to clearly point out that the people in both these great Pacific Territories, which are vital to the defense of the

Pacific flank of the continental United States, are not just wards in a distant orphanage, but are integral parts of the American family of States. We will no more tolerate an incursion against either Hawaii or Alaska than we would against any other part of our Union.

Nineteen hundred and fifty is a year of decision for us, also. Let us not fiddle and faddle on the issue statehood. If we fumble the ball now and let the play be taken away from us by those who detest the free way of life future generations may wonder what happened to the youth and vigor that made America great.

This year may well become one of the great turning points of history. We must not be complacent and self-satisfied for therein will be found the seeds of decay.

In life there is no such thing as a status quo: Individuals and governments either grow or they go into a decline and others rise to take their places. As a nation, our country is still young. New horizons are still ahead of us.

In your hands, gentlemen of the committee, rests a fateful decision. You can do much to serve notice on the world that America still retains the spirit and vigor of the pioneer. By your action you can help demonstrate that we have the vision and the faith to know that our new forty-ninth and fiftieth States are but at the threshold of a great development whose horizons are limited only by what a free and enterprising people can achieve when admitted to a full partnership under the Constitution of the United States.

Mr. Chairman, I hope this committee will promptly approve statehood for both Hawaii and Alaska.

The CHAIRMAN. Thank you very much, Senator Knowland.

There shall be made a part of the record at this point a proposed amendment to H. R. 49, suggested by the chairman of the Chief Justice's Judicial Conference Committee and transmitted by the Honorable Albert B. Maris, United States circuit judge, United States Court of Appeals for the Third Circuit, 2070 United States Courthouse, Philadelphia 7, Pa.

(The proposed amendment is as follows:)

[Committee print]

PROPOSED AMENDMENT TO H. R. 49—HAWAIIAN STATEHOOD

By direction of the chairman, the enclosed communication is printed for the use of the Committee on Interior and Insular Affairs.

The covering letter explains that the suggestions are made by the chairman of the Chief Justice's Judicial Conference Committee and are transmitted by the Honorable Albert B. Maris, United States circuit judge, United States Court of Appeals for the Third Circuit, 2070 United States Courthouse, Philadelphia 7, Pa.

UNITED STATES COURT OF
APPEALS FOR THE THIRD CIRCUIT,
Philadelphia, Pa., March 28, 1950.

HON. JOSEPH C. O'MAHONEY,

*Chairman, Committee on Interior and Insular Affairs,
United States Senate, Washington, D. C.*

DEAR SENATOR O'MAHONEY: As chairman of the Judicial Conference Committee appointed by the Chief Justice to collaborate with Congress in the recent revision of title 28 of the United States Code, I have examined H. R. 49, the bill to provide statehood for Hawaii, which passed the House of Representatives on March 7.

I find that the bill which was originally drawn prior to the revision of title 28 should be amended in a number of respects so as to conform with the present

provisions of that title. I have accordingly prepared amendments to accomplish this, two copies of which I enclose, together with two copies of a memorandum which I think fully explains the suggested amendments and the reasons for them. I am taking the liberty of submitting these to you at this time in order that they may be before your committee when it comes to consider the bill.

With kindest regards, I am
Sincerely yours,

ALBERT B. MARIS.

MEMORANDUM RE PROPOSED AMENDMENTS TO H. R. 49 (HAWAII STATEHOOD BILL.)

Sections 9, 10, and 11 of the bill provide that the State of Hawaii shall constitute a judicial district in the ninth circuit, that to the United States District Court thereby created two judges shall be appointed, that the court shall hold regular terms at Honolulu, that the District of Hawaii shall include the outlying Pacific Islands named in title 28 in addition to the State of Hawaii, and that a clerk, United States attorney, United States marshal, and such other personnel as is provided for by the laws relating to district courts, judges, and judicial districts shall be appointed. The provisions of these sections were originally drafted prior to the effective date of revised title 28, United States Code, which was enacted into substantive law on June 25, 1948, effective September 1, 1948. Under the provisions of title 28 Hawaii is now a regularly constituted Federal judicial district which includes, in addition to the Territory of Hawaii, the islands above referred to (see sec. 91 of title 28) and the former District Court for the Territory of Hawaii has now become the United States District Court for the District of Hawaii upon an equal basis so far as constitutionally possible with all the other United States district courts (see secs. 132, 133, 134, and 451 of revised title 28).

In other words, under the revision of title 28, Hawaii and Puerto Rico were made Federal judicial districts upon an equality with the Federal judicial districts in the 48 States and the District of Columbia and the existing district courts in Hawaii and Puerto Rico, created by the respective organic acts, were transferred from those acts to title 28 and integrated as fully as possible into the Federal judiciary. Since, however, the judges of those two courts were not given life tenure it is clear that the two courts do not and cannot exercise judicial power under the judiciary article of the Constitution, article III, section 1, since that article requires judges exercising power under it to be appointed for good behavior. It, therefore, follows that the United States district courts in Hawaii and Puerto Rico must still derive their judicial power as legislative courts created by Congress pursuant to the power to regulate the Territories given by article IV, section 3.

Accordingly it seems clear that all that will be necessary to convert the present United States District Court for the District of Hawaii into a true United States district court upon the admission of Hawaii into the Union will be to provide that the judges shall hold office during good behavior and that the cost shall thenceforth derive its judicial power from article III, section 1. Indeed both these steps are essential if the present United States District Court for the district court if H. R. 49 should be passed with sections 9, 10, and 11 in their will obviously no longer have power to continue the court as a legislative court created under the power to regulate the Territories. Under these circumstances it will lead to a great deal of confusion, ambiguity, and doubt as to the present district court if H. R. 49 should be passed with sections 9, 10, and 11 in their present form. Amendments have accordingly been prepared to these sections as well as to sections 12, 13, and 14 and they will now be discussed.

I

This amendment proposes to strike out all of section 9 of the bill and insert in lieu thereof a new section of three paragraphs effective upon the admission of the State of Hawaii into the Union.

Paragraph (a) provides that the United States District Court for the District of Hawaii now established by and existing under title 28, United States Code, shall thenceforth be a court of the United States with judicial power derived from article III, section 1, of the Constitution, that the terms of office of the present district judges shall terminate and that the President, pursuant to section 134 of title 28, as amended by paragraph (c) of this proposed amendment to section 10 of the bill, shall appoint two district judges for the district of Hawaii to hold office during good behavior.

Paragraph (b) amends section 133 of title 28 so as to eliminate the present provision that 3 years prior residence in Hawaii is requisite to appointment as district judge. This proviso is obviously unnecessary after statehood, when the State of Hawaii will have two Senators in the confirming body, and it is eliminated by section 9 of the present bill.

Paragraph (c) amends section 134 of title 28 so as to provide that the district judges in Hawaii shall hold office during good behavior instead of for the term of 6 years as at present.

II

This amendment proposed to strike out all of section 10 of the bill which is wholly unnecessary since its provisions are already fully covered by section 91 of title 28 and to insert in lieu thereof a new section of two paragraphs effective upon admission of the State of Hawaii into the Union.

Paragraph (a) proposes to amend section 333 of title 28 relating to the Judicial Conferences of the various circuits so as to authorize the district judges in Hawaii to attend the conference for the ninth circuit in the same way as the district judges for the other States of the circuit.

Paragraph (b) proposes to amend section 451 of title 28, the definition section of the title, so as to eliminate the District Court for the District of Hawaii as an exceptional type of district court since it will then be a district court exactly on all fours with every other district court in every other State.

III

This amendment proposes to strike out section 11 of the bill and insert in lieu thereof a new section of four paragraphs effective upon the admission of the State of Hawaii into the Union.

Paragraphs (a) and (d) repeal the provisions of sections 501 and 511 of title 28 that 3 years' residence is requisite to appointment as United States attorney and United States marshal respectively for the district of Hawaii, those provisions not being appropriate upon statehood, having been dropped in section 11 of the bill.

Paragraphs (b) and (c) eliminate the provisions of sections 504 and 511, title 28, which provide that the term of office of the United States attorney and United States marshal for the district of Hawaii shall be 6 years, thereby making their terms 4 years, in order to conform to the term of office of all other United States attorneys and United States marshals in all the other districts. This discrepancy in length of term is likewise eliminated in section 11 of the bill.

IV

Sections 12 and 13 of the bill require some modification insofar as they refer to the United States District Court for the Territory of Hawaii, which is the old name of the court, while it was still under the organic act prior to September 1, 1948, but which under title 28 has now been changed to United States District Court for the District of Hawaii, and insofar as they provide for the transfer of proceedings from the United States District Court for the Territory of Hawaii to the United States District Court for the District of Hawaii. If, as proposed by the amendment to section 9, the present United States District Court for the District of Hawaii is to be continued in existence after statehood no such transfer will be necessary. This amendment accordingly proposes to amend section 12 by correcting the name of the present United States District Court in Hawaii and by eliminating the provisions for the transfer of proceedings from the present court to a new United States District Court for the District of Hawaii.

V

This amendment proposes to make similar changes in section 13 as those proposed to be made to section 12 and above described.

VI

This amendment proposes to make certain necessary changes in section 14. That section as passed by the House makes amendments to various sections of titles 28 and 48. It is proposed to amend paragraph (a) of section 14 so as to cast it into the form of a direct amendment of section 1252 of title 28 which would strike out the word "Hawaii" from the section.

The amendment also proposes to modify paragraphs (d) and (e) of section 14 and to add a new paragraph (f). Paragraph (d) presently provides that section 373 of title 28 "Insofar as it relates to any justice of the Supreme Court of the Territory of Hawaii, shall be null and void." Section 373 is the provision for retirement of judges in the Territories and possessions. It now applies to the judges of the United States District Courts for the Districts of Hawaii and Puerto Rico, the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone, and the District Court of the Virgin Islands and the justices of the Supreme Court of the Territory of Hawaii. It is believed that the intent of the present subsection is to eliminate the justices of the Supreme Court of the Territory of Hawaii from the coverage of the section after statehood. Obviously both they and the judges of the United States District Court for the District of Hawaii should be eliminated from the section upon statehood, the judges of the Supreme Court of the Territory because that court will then cease to be a Territorial court and the judges of the United States district court because they will then be entitled to retirement under sections 371 and 372 as United States judges appointed to hold office during good behavior. However, it is not believed that it is intended to repeal the provisions of section 373 with respect to justices of the Supreme Court of the Territory of Hawaii who may have actually retired under the section prior to statehood. The proposed substitute for paragraph (d) of section 14 accordingly provides for the amendment of section 373 of title 28 by eliminating from its provisions the United States District Court for the District of Hawaii and the Supreme Court of the Territory of Hawaii with the proviso that the amendment shall not affect the rights of any judge or justice who may have retired before statehood.

The proposed amendment by a second proviso also takes care of the situation in which United States District Judge Metzger finds himself. Judge Metzger served over 5 years on the Territorial circuit court and on August 5, 1949, completed 10 years' service on the district court. If he were a United States district judge holding office under article III he would have been eligible to retire on that date with full pay since he was then 74 years of age. However, under section 373, the Territorial judicial retirement provision, service of 16 years on the district court or Supreme Court of Hawaii is required for retirement at full pay. Accordingly if upon statehood Judge Metzger should not be reappointed to one of the life judgeships he would not be eligible to retire on full pay although all the judges of the other United States district courts would be so entitled under like circumstances.

The second proviso to the proposed amendment to section 373 accordingly provides that service upon the circuit courts of the Territory of Hawaii and on the district court for the Territory shall be included in computing length of judicial service for the purposes of retirement under either the Federal Judicial Retirement Act (secs. 371 and 372, title 28) or the Territorial Retirement Act (sec. 373, title 28), in the case of the two district judges now in commission in Hawaii, Judges Metzger and McLaughlin. Since Judge McLaughlin is a comparatively young man the proposed amendment would in fact only apply to Judge Metzger. It would, however, permit him to retire on full pay under the Territorial Judicial Retirement Act on or after June 18, 1950, if the bill is passed and Hawaii becomes a State. Likewise, if he should be reappointed upon statehood it would permit him to retire on full pay at any time thereafter under the Federal Judicial Retirement Act. In view of Judge Metzger's long and distinguished service and the rather anomalous situation in which he would otherwise find himself on the transfer from territorial status to statehood the provision suggested would appear to be fair and just.

The present paragraph (e) of section 14 provides that "title 48, section 634 (a) shall be null and void."

Section 634a of title 48 contains the provisions relating to Hawaii of the act of May 29, 1928 (ch. 904, 45 Stat. 997). Since title 48 has not yet been enacted into positive law it is clear that the bill should deal directly with the act of 1928. That act fixed the salaries of judges in Hawaii, Puerto Rico, the Virgin Islands, the Philippine Islands, and the United States Court for China. So far as it relates to the judges of Puerto Rico its provisions are completely supplied by the acts of June 24, 1948, chapter 610, section 2, 62 Statute 579 and September 7, 1949, chapter 544, 63 Statute 692 (48 U. S. C. 797). Insofar as its provisions relate to the judge of the District Court of the Virgin Islands they are superseded and supplied by the act of May 24, 1940, chapter 209, section 3, 54 Statute 220, as amended (48 U. S. C., sec. 1302a). Insofar as the provisions of the act of

1928 relate to the judges of the Philippine Islands they are obsolete by virtue of the operation of the Independence Act and insofar as they relate to the judge of the United States Court for China they are obsolete in view of the abolition of that court by treaty. Accordingly it will be appropriate, effective upon Hawaii attaining statehood, for the entire act of May 29, 1928, to be repealed. Likewise section 92 of the organic act should be repealed, this being the section which provides that the salaries of the Governor of the Territory, the secretary of the Territory, and the Territorial judges shall be paid by the United States. The proposed amendment to section 14 (e) accordingly repeals both acts.

Finally, the amendment proposes to add a new paragraph (f) to section 14 to repeal section 86 of the organic act as amended. As amended by the act of June 25, 1948, chapter 646, section 8, 62 Statute 986, it provides that the laws of the United States relating to the removal of cases, appeals, etc., as between the courts of the United States and the courts of the several States shall govern in such matters as between the courts of the United States and the courts of the Territory of Hawaii. This provision obviously becomes unnecessary when Hawaii becomes a State.

ALBERT B. MARIS.

MARCH 20, 1950.

PROPOSED AMENDMENTS TO H. R. 40 (HAWAII STATEHOOD BILL) AS PASSED BY HOUSE,
NEEDED TO COMPLY WITH REVISED TITLE 28, U. S. CODE

(Prepared by A. B. Maris, March 20, 1950)

I. Strike out all of section 9, from line 17, page 21, to line 2, page 22, both inclusive, and insert in lieu thereof the following:

"Sec. 9. Effective upon the admission of the State of Hawaii into the Union—

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

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

"(c) Subsection (a) of section 134 of title 28, United States Code, is amended to read as follows:

"(a) The district judges, except in Puerto Rico, shall hold office during good behavior. The district judge in Puerto Rico shall hold office for the term of 8 years, and until his successor is appointed and qualified."

II. Strike out all of section 10 from line 3 to line 5, both inclusive, page 22, and insert in lieu thereof the following:

"Sec. 10. Effective upon the admission of the State of Hawaii into the Union—

"(a) The first paragraph of section 333 of title 28, United States Code, is amended by inserting after the words 'and residing within the continental United States,' the word 'or in Hawaii'; and

"(b) The second paragraph of section 451 of title 28, United States Code, is amended by striking out the words 'including the district courts of the United States for the districts of Hawaii and Puerto Rico,' and inserting in lieu thereof the words 'including the United States district court for the District of Puerto Rico.'"

III. Strike out all of section 11, from line 6 to line 11, both inclusive, page 22, and insert in lieu thereof the following:

"Sec. 11. Effective upon the admission of the State of Hawaii into the Union—

"(a) The last paragraph of section 501 of title 28, United States Code, is repealed;

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

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

"(d) Subsection (d) of section 541 of title 28, United States Code, is repealed."

IV. Amend section 12 by (a) striking out in line 14, page 22, the word "Territory" and inserting in lieu thereof the word "District"; (b) striking out in lines 18 and 19, page 22, the words "in the District Court of the United States" and inserting in lieu thereof the words "shall continue in the United States District Court"; (c) striking out in lines 24 and 25, page 22, the words "and the United States District Court for the District of Hawaii"; (d) striking out in lines 1 and 2, page 23, the words "and the United District Court for the Territory of Hawaii," (e) striking out in lines 8 and 9, page 23, the words "and the United States District Court for the District of Hawaii, respectively," and (f) inserting in line 18, page 23, after the word "said" and before the word "courts" the word "State".

V. Amend section 13 by (a) striking out in line 3, page 24, the word "Territory" and inserting in lieu thereof the word "District"; (b) striking out in lines 12 and 13, page 24, the words "District Court of the United States" and inserting in lieu thereof "United States District Court"; (c) striking out in line 16, page 24, the words "District Court of the United States" and inserting in lieu thereof the words "United States District Court"; and (d) striking out in lines 17 and 18, page 24, the words "as successor to the District Court of the United States for the Territory of Hawaii".

VI. Amend section 14 by (a) striking out in line 6, page 25, the word "excluding" and inserting in lieu thereof the words "striking out", by placing the word "Hawaii" in the same line in quotation marks and by striking out in the same line the words "application of", and (b) by striking out all of paragraphs (d) and (e), lines 17 to 20, both inclusive, page 25, and inserting in lieu thereof the following:

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

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

"(f) Section 86 of the Act approved April 30, 1900 (chapter 339, 31 Stat. 158), as amended, is repealed."

The CHAIRMAN. If it is satisfactory, we shall sit tomorrow morning and Delegate Farrington will at that time open the hearing.

That being the case, the committee will stand in recess until 10 o'clock tomorrow morning. We will meet in room 224.

(Whereupon, at 12:45 p. m., the committee recessed to reconvene at 10 a. m. Tuesday, May 2, 1950, in room 224, Senate Office Building.)

HAWAII STATEHOOD

TUESDAY, MAY 2, 1950

UNITED STATES SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D. C.

The committee met, pursuant to adjournment, at 10:25 a. m., in room 224, Senate Office Building, Senator Joseph C. O'Mahoney, of Wyoming (chairman) presiding.

Present: Senators O'Mahoney, of Wyoming (chairman), Anderson (New Mexico), Taylor, (Idaho), Lehman (New York), Butler (Nebraska), and Ecton (Montana).

The CHAIRMAN. The committee will come to order, please. Delegate Farrington, are you prepared to proceed?

STATEMENT OF HON. JOSEPH R. FARRINGTON, THE DELEGATE TO CONGRESS FROM HAWAII

Mr. FARRINGTON. Mr. Chairman, I am Joseph R. Farrington, the Delegate to Congress from Hawaii.

The CHAIRMAN. A position you have occupied since when?

Mr. FARRINGTON. Since 1942.

What I am to say now is in the nature of an introductory statement. I desire to outline briefly to the committee the plans we have developed for presenting our witnesses and testimony in support of the prompt enactment of H. R. 49.

H. R. 49 will enable Hawaii to become a State.

The bill as passed by the House will require certain amendments. These are necessary as the result of the passing of time and certain developments that are related to this legislation. They do not involve any changes in principle, but represent, rather, refinements and improvements in the legislation as passed by the House. With one minor exception, we do not anticipate any serious controversy on this aspect of the question before the committee.

The original bill calling for the election and holding of a constitutional convention was drafted on the basis of the election 1946. Shifts in population which took place subsequently made necessary some changes in the arrangement of voting precincts. The legislature of the Territory in enacting a law authorizing the holding of an election and a constitutional convention to draft a State constitution took account of these changes. We will ask that the provisions of the law passed by the legislature calling for an election already held and the convention now in progress be substituted for the provisions of the bill before your committee providing for this activity. We will ask that the election and the convention which is now sitting be given the full force of Federal law.

In other words, we want the results of the constitutional convention, which is now meeting in Honolulu, to count in the determination of this issue. That is the constitution under which we anticipate and hope we will become a State.

The question of the disposition of the public lands of the Territory is one to which a great deal of attention has been given. We are prepared to support the bill as passed by the House with some minor perfecting amendments. We strongly support the provisions under which those public lands whose final disposition is not determined in this legislation shall be made by joint committee of the Senate and House of Representatives within a 5-year period.

The future of the Hawaiian Homes Commission project as provided for in the bill as passed by the House will be supported by the majority of the witnesses. Some opposition to this will be expressed by one of the witnesses who has come from Hawaii. We believe the overwhelming majority of our people, however, are in favor of allowing this provision of H. R. 49 to stand as it is.

I want to say that that witness is among those who is listed with those who accompanied the party from Hawaii. He is Senator Nobriga, of the island of Hawaii.

We have been fully informed of the amendments proposed by Judge Maris of Philadelphia to those provisions of the bill relating to the transfer of the judiciary from a Territorial to State status. These amendments are designed to bring these provisions of the bill up to date by making them conform with the amendments in the Judicial Code made in the Eightieth Congress. We are in favor of these amendments.

We believe that the amendments of the bill will be confined to the foregoing and that these, with the possible exception of the one I have already referred to, will not involve in any way the basic principles in our testimony and only questions of procedure and text that can very readily be resolved at the conclusion of the hearings.

Our testimony, therefore, will be designed principally to inform the committee fully of developments particularly of current interest that bear upon the consideration of this question.

H. R. 49 follows the pattern of most enabling acts. With some minor changes, the bill before you is identical with the measure passed by the House of Representatives in June of 1947 by a vote of 196 to 133.

The bill before you passed the House of Representatives on March 7 of this year by a vote of 262 to 110.

Those voting for the bill this year included an overwhelming majority of both Democratic and Republican Members of the House.

An analysis of the vote prepared by the Hawaii Statehood Commission shows the following:

In 37 State delegations, a majority voted for statehood for Hawaii.

Fourteen States voted unanimously for statehood for Hawaii.

Of the seven large States, only Texas, with 15 votes cast, recorded a majority against statehood.

The vote of the California representation showed 16 for statehood and 1 against, with 6 not voting.

In Illinois, 21 voted for statehood and 3 against, with 2 not voting.

Michigan, 12 for statehood and 4 against, with 1 not voting.

New York cast 27 votes for statehood and 8 against, with 10 not voting.

Ohio gave 16 votes for statehood, 5 against, and 2 not voting.

For Pennsylvania, 22 voted for statehood and 9 against, with 2 not voting.

I mention the large States particularly because it was argued extensively in the House that the large States were opposed to statehood on the grounds that it would dilute the representation in the United States Senate. It is evident the Members of the House did not feel that way.

The only State in which not a vote was cast for statehood for Hawaii was Virginia, and to offset this was the strong representation of votes for statehood from every other State in the South. The representation from the South was particularly gratifying.

We of Hawaii believe that nothing could demonstrate more clearly that the people of the United States are today overwhelmingly supporting us in our appeal for admission to the Union as a State.

The fact that the bill providing statehood for Hawaii passed the House in this Congress by a very much larger majority than it passed in the Eightieth Congress seems to us to be very impressive evidence that the support of this legislation continues steadily to become stronger and more widespread.

In the Eightieth Congress the Committee on Public Lands of the House of Representatives reported the bill to the House by a unanimous vote, and in the Eighty-first Congress the same committee reported the bill with only one dissenting vote, and the member who cast the dissenting vote finally voted for the bill on its passage by the House.

As further evidence of the support of this legislation by the American people, I would like to present a list of the national organizations that have gone on record in favor of immediate statehood for Hawaii. This includes the conference of State governors to which Gov. Earl Warren referred in his testimony, as well as most of the leading patriotic, civic, and labor organizations of the country.

I would like to present for the record also a compilation of excerpts from recent editorial comments showing over 90 percent of the press of the country, including newspapers of every shade of political opinion and in all parts of the country, are in favor of admitting Hawaii to the Union as a State at this time.

I believe it is appropriate to incorporate in the record at this time excerpts from public statements by President Harry S. Truman, showing that between January 21, 1946, and January 4, 1950, he has on nine different occasions declared his support for immediate statehood for Hawaii.

I would like to present next a compilation of national party planks on statehood from 1900 to 1948, that is, the Republican and Democratic Parties, covering the position they have taken on this issue. It may be appropriate to point out that in the 1948 platform the Democratic Party promised statehood for Hawaii and Alaska immediately, and the Republican platform statehood for Hawaii and Alaska eventually.

The Hawaii Statehood Commission has made a compilation of the investigations of this question undertaken by Congress since 1935, showing that as a result more than 3,000 pages of testimony have been

taken and more than 600 witnesses heard on this question. I wish to call this to the committee's attention by way of pointing out that we will not undertake in our testimony to cover ground that has already received adequate consideration and, on the other hand, will direct our testimony to the issues that bear on the question of whether this legislation should be enacted at this time.

The attitude of the people of Hawaii on this question is well established. Our people are for immediate statehood by an overwhelming majority.

Some reference was made to the plebiscite in 1940 in which the vote was approximately 2 to 1 for statehood. I think that everyone will agree with me when I say that if a plebiscite were held on statehood, the vote would be at least 4 to 1 and probably 5 to 1. The results of the election of delegates to the constitutional convention that my predecessor, Mr. King, will present to you are complete and final evidence of that.

Furthermore, the people of Hawaii are quite determined to win statehood. We feel it is a matter of fair play and justice. We feel it is in the national interest.

Not the least manifestation of this is the fact that we have here for this hearing about 50 persons who have come to Washington from Hawaii and many more from points within the States to ask for statehood for Hawaii now.

We want this bill passed in this session of Congress.

The list of witnesses that has been presented to the committee includes leaders from all walks of our life: Political, economic, professional, and cultural. We hope to cover all of the main points at issue in the testimony of leaders from these groups. Their place in our community life is clear from the list that has been presented to the committee.

It is not our purpose to prolong this hearing unduly. Many of those who have been listed as witnesses probably will confine themselves only to a brief appearance and the filing of a statement. Mr. Chairman, we will follow the suggestion you made to us yesterday in that respect. They are here so you may understand how deeply we of Hawaii feel about this question and how anxious we are to answer any questions whatsoever that may be raised.

We want you to know that there are factors other than political and economic, the factors of the spirit and the feeling we have with regard to our future, the future of our Territory and our islands that enters very, very definitely into what we have to say.

So far as I know, there is not a single organization of any kind in the Territory of Hawaii which opposes statehood at this time. I am aware of certain individuals who are opposed to statehood and who are active in the opposition to it, but they are without organized support of any kind.

I want to say in that connection that there never was a time in the history of the islands when the people who were opposed to statehood did not feel free to so express themselves. As recently as the election of delegates to the constitutional convention, at least one candidate stood for election on the grounds that he was opposed to statehood for Hawaii.

There has not been any attempt to suppress discussion of this question or to penalize those who are opposed to it, and any contention to the contrary is without any foundation in fact.

Although statehood has been the objective of the people of Hawaii for many years and even before we became a Territory of the United States, the present effort to achieve statehood probably should be said, historically, to have had its beginning in 1932 when we were seriously confronted with the threat of losing the rights of government we enjoy under the Territorial form of government, as the result of the feeling aroused by the *Massie* case. I refer to this because one of the first witnesses we will call will be Seth W. Richardson who, as Assistant Attorney General of the United States at that time, conducted an extensive inquiry into law enforcement of the Territory, and in consequence of it presented to Congress a series of recommendations relating to our government that were subsequently rejected. I believe Mr. Richardson's point of view at this time on the question of statehood is deserving of special consideration.

In 1935 a subcommittee of the House Committee on Territories, at the instance of the then Delegate to Congress from Hawaii, Samuel Wilder King, conducted an investigation of this question in Hawaii and recommended an inquiry by a joint committee of Congress.

The latter materialized in 1937. Among those who participated in that inquiry were the present chairman of the Committee on Interior and Insular Affairs, Senator Joseph C. O'Mahoney of Wyoming, and former Senator Edward R. Burke, who is today counsel of the Hawaii Statehood Commission and who will also be called as a witness.

The joint committee recommended that statehood be postponed for reasons which witnesses will show have been met by the record of the war.

Immediately following the war, an investigation of the question of admitting Hawaii to the Union was undertaken by a subcommittee of the then House Committee on Territories. The chairman of the subcommittee was Representative Henry D. Larcade, of Louisiana, who is among the witnesses who are being called. The committee recommended immediate consideration of statehood for Hawaii after holding extensive hearings in the Islands.

The question was presented again to the Eightieth Congress. The new Committee on Public Lands held extensive hearings on the question and reported the bill to admit Hawaii to the Union as a State.

Among the witnesses were Admiral Chester W. Nimitz, and Maj. Gen. Charles D. Herron, who was in command of Hawaii just prior to Pearl Harbor. The testimony included reports on the conference with Gen. Douglas MacArthur, who informed a group of us that he supported statehood for Hawaii also.

The chairman of that committee was the late Representative Richard Welch of California. The ranking member of the committee and the present ranking minority member of the present committee was Representative Fred Crawford, of Michigan. We of Hawaii regard Mr. Crawford as one of the best-informed men in Congress on this issue and take pride in presenting him as one of our witnesses.

The question came under investigation under the direction of Senator Guy Cordon, of Oregon, by a subcommittee of the Senate Com-

mittee on Interior and Insular Affairs, early in 1948, and again was made the object of an investigation by a subcommittee of one of which Senator Hugh Butler of Nebraska was chairman, late in 1948. The report of the latter committee was made public in 1949. That is the Butler report.

The chairman of the House Committee on Public Lands which ordered this legislation reported last year is Representative J. Hardin Peterson, of Florida. We are proud indeed to have him appear as one of the witnesses in support of prompt enactment of this legislation by the Senate.

The House Committee on Un-American Activities has just concluded an investigation of communism in Hawaii, and two of its members including the chairman of the special subcommittee and the ranking minority member, in fact I think three members, will be among the witnesses who will be called and be prepared to answer any questions raised.

The investigation was carried on over a period of 9 days and was preceded by an extensive inquiry into the problem of communism in the Territory of Hawaii that began well over a year ago.

The members of the committee who will appear are well able to inform your committee fully on the results of their investigation. We believe this will answer in full the questions raised on the report on this question made to the committee by Senator Butler in 1949. I am sure, Senator, you will be satisfied that that question has been adequately met by this investigation. We are confident that after hearing the report of this committee you will agree that this question no longer constitutes an obstacle to the admission of Hawaii to the Union as a State.

In conclusion I wish to say that I do not believe there is any aspect on this problem on which we cannot provide you with a prompt answer from someone in the group of persons who are present at this hearing.

We appeal to you to give us an opportunity to answer any question that you may have in your minds so that you may be in a position to come to some conclusion on this issue as the result of these hearings.

I would like to request that at the conclusion of all the testimony I be given an opportunity to make a closing statement for the purpose of covering any points that may not have been adequately met by the witnesses whom you will now hear.

I would like to present to the committee, Mr. Chairman, what is probably the last report on this subject that was referred to by Mr. Hickerson yesterday, the report of the subcommittee which investigated the government of the Pacific island this last November and December. They returned to Hawaii, and their emphasis was particularly on the importance of this issue to the future of our country.

The CHAIRMAN. You are referring to a House committee?

Mr. FARRINGTON. Yes, sir.

The CHAIRMAN. The report will be inserted in the record at this point along with the other documents that you have offered.

(The documents above referred to follow:)

STATEMENTS FAVORING STATEHOOD FOR HAWAII BY PRESIDENT HARRY S. TRUMAN

1. *January 21, 1946.*—Annual message on the state of the Union to joint session of Congress of the United States.

"I urge, too, that the Congress promptly accede to the wishes of the people of Hawaii that the Territory be admitted to statehood in our Union."

2. *February 28, 1947.*—As spokesman for President Truman, Secretary of Interior Julius A. Krug told the Hawaii Territorial Legislature that the President assured him just before he set out for Hawaii that he "was firmly behind Hawaiian statehood and would do everything he could to obtain it."

3. *January 7, 1948.*—Annual message on the state of the Union to joint session of Congress of the United States.

Prefacing his statement with the words, "Our first goal is to secure the essential human rights of our citizens," the President said:

"We should also consider our obligations to assure the fullest possible measure of civil rights to the peoples of our Territories and possessions. I believe the time has come for Alaska and Hawaii to be admitted to the Union as States."

4. *February 2, 1948.*—Message to House and Senate dealing with 10-point civil-rights program.

The President asked for legislation, among other things, to grant statehood for Hawaii.

5. *August 12, 1948.*—The President, on the occasion of the fiftieth anniversary of Hawaii's annexation to the United States, sent a message to the people of Hawaii, through the Governor, as follows:

"Please convey to the people of Hawaii my best wishes on the occasion of the fiftieth anniversary of Annexation Day and reaffirm my strong faith in Hawaii's readiness for immediate statehood.

"Every effort possible will be made to fulfill the people's expressed wishes for statehood, a goal they richly deserve and one mutually beneficial to Hawaii and the rest of the Nation."

6. *January 5, 1949.*—Annual message on the state of the Union to joint session of Congress of the United States:

"The civil-rights proposals I made to the Eightieth Congress, I now repeat to the Eighty-first Congress. They should be enacted in order that the Federal Government may assume the leadership and discharge the obligations clearly placed upon it by the Constitution.

"I stand squarely behind those proposals." (NOTE.—Civil-rights proposals referred to include statehood for Hawaii.)

7. *January 14, 1949.*—President Truman today personally assured Delegate Joseph R. Farrington, of Hawaii, of his intention to continue to work for statehood for Hawaii.

8. *March 12, 1949.*—The President wrote to the chairman of the Hawaii Statehood Commission, Mr. A. T. Longley, in Honolulu, as follows:

"I wish to thank you for your letter of January 9, in which you express appreciation for the support I have given to the people of Hawaii in their efforts to attain statehood.

"I attach great importance to the enactment by the Congress at its present session of legislation to enable Hawaii to become a State. This measure has my unqualified endorsement and is receiving my personal attention and active support.

"I am aware of the important contribution which the Hawaii Statehood Commission has made toward the attainment by Hawaii of statehood. Please extend to the members of the commission my best wishes."

9. *January 4, 1950.*—Annual message on the state of the Union to joint session of Congress of the United States:

"I again urge the Congress to enact the civil-rights proposals I made in February 1948. These are proposals for the enactment of Federal statutes which will protect all our people in the exercise of their democratic rights and their search for economic opportunity, grant statehood to Alaska and Hawaii * * *"

It should be pointed out that at various press conferences held by the President the subject of statehood for Hawaii has been raised by reporters; at each instance the President has said emphatically that he still favors statehood for Hawaii.

Record of congressional investigations of statehood for Hawaii, 1935-49

Dates of hearings (1)	Site of hearings (2)	Days of hearings (3)	Committee membership (4)	Members visiting Hawaii (5)	Witnesses for statehood (6)	Witnesses against statehood (7)	Number of witnesses (8)	States represented by committee membership (9)	Pages of printed hearings and reports (10)
1. Oct. 7-18, 1935.....	Hawaii.....	12	6	5	90	15	105	5	343
2. Oct. 6-22, 1937.....	do.....	17	25	19	47	19	66	23	835
3. Jan. 7-18, 1946.....	do.....	12	6	5	91	16	107	4	909
4. Mar. 7-19, 1947.....	Washington.....	13	27	0	35	0	35	20	350
5. Jan. 5-23, 1948.....	Hawaii.....	16	5	1	215	16	231	5	461
6. Apr. 15, 1948.....	Washington.....	1	13	0	8	0	8	5	63
7. Nov. 1-12, 1948.....	Hawaii.....	11	13	1	(2)	(9)	77	11	15
8. Mar. 3 and 8, 1949.....	Washington.....	2	26	0	4	0	4	19	77
Total.....	.....	84	121	31	491	66	633	92	3,043

¹ Testimony appears in printed hearings held Jan. 5-20, 1948.

² Data not available.

³ The report of Senator Hugh Butler (Republican, Nebraska) recommended statehood be deferred indefinitely, "until communism in the Territory may be brought under effective control."

⁴ The report of the House Public Lands Committee recommended statehood; of the 16 committee members present, only 1 dissented, and that individual voted for the bill when it later passed the House on Mar. 7, 1950.

⁵ Not including Hawaii's Delegate to Congress.

⁶ Witnesses presenting only written statements not included in total.

⁷ Representing 36 different States.

⁸ Approximately equal to the number of pages in 15 average-length books.

NOTE.—Committees reporting on investigations of statehood for Hawaii in January 1946, March 1947, January 1948, and March 1949 urged that Hawaii be made a State.

NATIONAL PARTY PLANKS ON STATEHOOD¹

1900

DEMOCRATIC

REPUBLICAN

"We are not opposed to Territorial expansion when it takes in desirable territory which can erected into States in the Union, and whose people are willing and fit to become American citizens. We favor expansion by every peaceful and legitimate means."

Promised immediate statehood to Arizona, New Mexico, and Oklahoma, and took stand favoring home rule for Territories.

1904

Immediate statehood for Arizona, New Mexico, and Oklahoma.

Administrative officials of any Territory "should be bona fide residents of that Territory."

¹ Planks for years 1900-36 from hearings before the Joint Committee on Hawaii, Seventy-fifth Congress, second session, October 6 to 22, 1937 (Washington: Government Printing Office), pp. 557-559; planks for years 1940-48 from hearings before the Subcommittee of the Committee on the Territories, House of Representatives, Seventy-ninth Congress, second session, January 7-18, 1946 (Washington: Government Printing Office), pp. 896-897.

1908

Immediate statehood for Arizona and New Mexico.

Administrative officials of all "Territories" should be thoroughly qualified by previous bona fide residence."

Application of land laws to Hawaii and promotion of homesteads.

Immediate statehood for New Mexico and Arizona.

Territorial officials "should be bona fide residents of the Territory in which their duties are to be performed."

1912

"Officials appointed to administer the government of all our Territories * * * should be qualified by previous bona fide residence."

1916

Territorial officials "should be qualified by previous bona fide residence."

Bona fide residents for Territorial officials.

1920

Full Territorial government for Puerto Rico and Alaska, "with view to ultimate statehood accorded to all Territories of the United States since the beginning of our Government."

Bona fide residence for Territorial officials.

"For Hawaii we recommend Federal assistance in Americanizing and educating her greatly disproportionate foreign population, home rule, and the rehabilitation of the Hawaiian race."

1924

Territorial self-government for Alaska.

Favored Federal assistance in harbor improvements for Hawaii, the appropriation of its share of Federal funds, and extension of homesteads for Hawaiian race.

1928

"We favor appointment only of bona fide residents to office in the Territories."

Territorial government for Puerto Rico, "with a view to ultimate statehood."

1932

Ultimate statehood for Puerto Rico.

"We believe that the customary status of self-government * * * enjoyed by * * * the Territory of Hawaii should be maintained, and that officials * * * should be bona fide residents of the Territory."

1940

"We favor a larger measure of self-government leading to statehood for Alaska, Hawaii, and Puerto Rico. We favor the appointment of residents to office and equal treatment of the citizens of each of these three Territories. We favor the prompt determination and payment of any just claims by Indians and Eskimos, citizens of Alaska, against the United States."

"Hawaii, sharing the Nation's obligations equally with the several States, is entitled to the fullest measure of home rule and to equality with the several States in the right of her citizens and in the application of our national laws."

1944

"We favor enactment of legislation granting the fullest measure of self-government for Alaska, Hawaii, and Puerto Rico, and eventual statehood for Alaska and Hawaii."

"Hawaii, which shares the Nation's obligations equally with the several States, is entitled to the fullest measure of home rule looking toward statehood and to equality with the several States in the rights of her citizens and the application of all our national laws."

1946

(Resolution of national committee,
May 1946)

"Whereas the Republican Party in its national platform has supported policies looking toward ultimate statehood for Hawaii;

"Whereas the people of Hawaii have demonstrated beyond question their loyalty, patriotism, and, by an overwhelming vote, their desire to assume the responsibilities of statehood;

"Whereas the capacity of the people of this Territory to assume the responsibilities of State government has been fully demonstrated; and

"Whereas the admission of the Territory of Hawaii as the forty-ninth State would be in fulfillment of a promise long made, is in keeping with a policy of self-determination, and would strengthen the position of this country in the Pacific; Be it further

"Resolved, That the Republican National Committee endorse the effort of the people of Hawaii to obtain immediate statehood."

1948

"We urge immediate statehood for Hawaii and Alaska; immediate determination by the people of Puerto Rico as to their form of government * * *."

"We favor eventual statehood for Hawaii, Alaska, and Puerto Rico."

National organizations adopting resolutions supporting statehood for Hawaii

Association	Convention held	Dates
1. American Legion.....	San Francisco, Calif.....	February 1946.
2. American National Livestock Association.....	Philadelphia, Pa.....	September 1949.
3. American Veterans Committee.....	Boise, Idaho.....	Jan. 13-16, 1948.
4. American Water Works Association.....	National convention, Des Moines, Iowa.....	June 14-16, 1946.
5. Association of State and Territorial Health Officers.....	National convention, New York.....	June 1948.
6. Chamber of Commerce of the United States, board of directors.....	Annual meeting.....	April 1946.
7. Committee for Maritime Unity (went out of existence in 1949).....	San Francisco.....	Nov. 22, 1946; Apr. 28, 1948.
8. Congress of Industrial Organizations, executive board.....	San Francisco.....	May 6-11, 1946.
9. Congress of the National Society of Delta Sigma Rho.....	National convention, Chicago, Ill.....	May 17-19, 1949.
10. Disabled American Veterans.....	Convention, Las Vegas, Nev.....	Apr. 10-12, 1947.
11. General Conference of the Methodist Church.....	Convention, New York, N. Y.....	Apr. 4, 1949.
12. General Council of Congregational Christian Churches.....	Convention, Cleveland, Ohio.....	Aug. 17-23, 1947.
13. Governors' National Conference.....	Boston, Mass.....	Aug. 15-21, 1948.
14. International Association for Identification.....	Salt Lake City, Utah.....	May 10, 1948.
15. International Longshoremen's and Warehousemen's Union.....	Portland, Me.....	July 17, 1947.
16. Kiwanis Club.....	Colorado Springs, Colo.....	June 13-16, 1948.
17. Lions International.....	Rochester, N. Y.....	June 22, 1949.
18. National Association of Real Estate Boards.....	7th biennial convention, San Francisco, Calif.....	July 18, 1946.
19. National Association of Sanitarians.....	36th annual convention, Los Angeles, Calif.....	Apr. 7-11, 1947.
20. National Education Association.....	Philadelphia, Pa.....	June 6-10, 1948.
21. National Federation of Women's Republican Clubs.....	New York City.....	July 20, 1946.
22. National Society, Daughters of the American Revolution.....	Atlantic City, N. J.....	July 29, 1948.
23. Railway Labor Executive Association (motion).....	14th annual convention, Salt Lake City, Utah.....	Nov. 15, 1946.
24. Republican National Committee.....	Convention at Buffalo, N. Y.....	Sept. 15-17, 1947.
25. Soroptimists Clubs.....	Convention at Chicago, Ill.....	July 1946.
26. United States Junior Chamber of Commerce, board of directors.....	55th Continental Congress, Atlantic City, N. J.....	March 1947.
27. Veterans of Foreign Wars.....	Washington, D. C.....	May 20-23, 1946.
28. World Trade Committee.....	Tulsa, Okla.....	Apr. 27, 1949.
29. Young Women's Christian Association.....	St. Louis, Mo.....	April 1946.
30. Zonta Clubs of America.....	Miami, Fla.....	Aug. 21, 1947.
31. Attorneys General Association.....	San Francisco.....	Aug. 29-Sept. 3, 1948.
32. National Grange.....	Swampscott, Mass.....	Aug. 21-Sept. 26, 1949.
	St. Paul, Minn.....	February 1947.
	Sacramento, Calif.....	Mar. 14, 1949.
		June 1946.
		Oct. 13, 1949.
		Nov. 23, 1949.

(The committee print of January 10, 1950, addressed to Hon. J. Hardin Peterson, chairman, Committee on Public Lands, House of Representatives, is as follows:)

[Committee print]

JANUARY 10, 1950.

HON. J. HARDIN PETERSON,
Chairman, Committee on Public Lands,
House of Representatives,

MR. CHAIRMAN: Your Special Committee on Pacific Territories and Island Possessions strongly urges that steps be taken to bring to a vote immediately H. R. 49, the bill to admit Hawaii to the Union as a State. This measure has been pending on the House Calendar since last March, when it was reported by the Committee on Public Lands with only one dissenting vote.

En route to Samoa, the Trust Territory, Guam, and the Far East the committee stopped for 2 days at Honolulu. The headquarters of the Pacific Fleet Command and the government of the Trust Territory is stationed there. The officials charged with the government of Samoa, the Trust Territory, and Guam

have drawn heavily upon the experience and the personnel of Hawaii in meeting many of their most important problems in the field of education, science, and agriculture. In traveling through these islands the committee found in many places the results of the very important influence being exerted by Hawaii. People of the Pacific look to Hawaii in many respects much as the French do to Paris, the British to London, and Americans to Washington and New York. It is unquestionably one of the principal cultural centers of the Pacific and recognized as such by those who have been charged with the responsibility for the administration of our Pacific possessions.

On its return from Tokyo the committee spent 4 days in Hawaii. Its members met with the principal public officials of the Territory and leaders in every field of civic activities. The committee was a guest at a community luncheon organized by the Honolulu Chamber of Commerce and conferred at length with members of the Hawaii Statehood Commission, an official agency of the Territorial government charged with the responsibility of promoting statehood for Hawaii.

The committee found Hawaii more aggressively determined to achieve statehood than at any time in the past. The overwhelming majority of people with whom its members talked expressed themselves emphatically in favor of the admission of Hawaii to the Union, believing this would serve not only the best interest of the Territory but of the United States.

This point of view has been strengthened rather than weakened by the serious economic situation that has resulted first from the sharp reductions of the Military and Naval Establishment in Hawaii and second from a strike of longshoremen that lasted for a period of almost 6 months. The Territory is preparing to deal vigorously with the serious problem of unemployment that was brought about by the former development and take pride in the action of its legislature which brought about a resumption of stevedoring operations and at least a limited amount of shipping during the period of the longshoremen's strike. The emphasis given to local responsibility by the Federal administration and the Congress in meeting these problems has caused people in Hawaii to feel more strongly than ever that the additional local authority and greater representation in Washington that would come with statehood should be granted at once.

Prompt enactment of H. R. 49 will strengthen the position of this country among people of the Pacific islands and the Far East. Many of these people regard the future with great apprehension. The advances of communism and the uncertainties as to what course this country might pursue to meet these advances in the Pacific has filled them with grave doubts. That they look to the United States for leadership in meeting this problem and all of the threat that it holds for the freedom inherent in the democratic way of life is unmistakable. The committee found evidences of this both in the principal centers of population in the islands of the South and Central Pacific and in the Orient. These people are anxious to be reassured that the influence of this country will be exerted to the fullest in support of their efforts to achieve and sustain the freedom inherent in democracy.

The prompt admission of Hawaii to the Union as a State will be notice to the people of the Pacific and to the world that this country intends in no sense to retreat from its position of leadership in the Pacific, won at a great cost in World War II, and on the contrary proposes that every legitimate step be taken to preserve and strengthen the objectives achieved in that struggle.

It will be reassuring to the friends of democracy. The United States will give them a practical demonstration of its belief in the democratic system of government by admitting Hawaii to the Union as a State and its people, thereby, to the full privileges of American citizenship. This example will be of far-reaching influence in Japan, the Philippines, Korea, and China, from whence many of Hawaii's people, now American citizens of long residence in the islands, originally migrated.

It will provide an effective answer to Communist propaganda that is undertaking to persuade the people of the Pacific, and particularly the Far East, that there are racial barriers in the American system of government that militate against people of oriental origin.

It will serve to bring the people of Hawaii into closer relationship to the people of the rest of the country and the latter to a full appreciation of our responsibilities in the Pacific.

Hawaii has long been a proving ground of the American way of life. It has been a lighthouse of democracy in the Pacific. Its relationship to the Pacific

and the Far East has been and is today important to the future of our country in this great area. It is both a gateway to the Pacific and the Far East and a common meeting ground of the divergent cultures of Occident and the Orient. Your committee therefore recommends that the promise of statehood long held out to the people of Hawaii be promptly fulfilled. It believes that action at this time is in the national interest.

JOHN E. MILES,
 FRED L. CRAWFORD,
 WILLIAM LEMKE,
 JAY LEFEVRE,
 GEORGE I. MILLER,
 EDWARD H. JENKINSON,
 JOSEPH R. FARRINGTON.

*Chairman.
 Delegate from Hawaii.*

Mr. FARRINGTON. Senator Knowland was our first witness. He has already made his statement.

The CHAIRMAN. Before we proceed to any other witness, Delegate Farrington, I shall ask the members of the committee if they have any questions to propound at this time.

Senator Butler?

Senator BUTLER. Mr. Chairman, Delegate Farrington referred at the close of his statement to the report that I made in 1949 as a result of a visit that I made to Hawaii in 1948, and I think it has been well understood that the only objection that I have considered to date as a valid objection to statehood for Hawaii is the question of communism and communitistic control, and I would like, Mr. Chairman, to ask Delegate Farrington if he can give us some information—you do not need to do it now if you do not have it; I doubt if you have it—with reference to the Territorial Democratic Convention that was held there I believe, as you know.

The question is this: Is the left-wing element of the party, was it in control of that Territorial convention? Do you have a list of the nominees that were made at that convention so that it will help us in weighing the testimony that may be introduced later along the lines that you have just stated?

In your opinion, the question of communism has been pretty well taken care of. There are some, of course, who have a little doubt on that score. One of them is the former chief justice, James L. Coke, who I think had expected to be a witness, but is not, I understand, now going to be heard.

Mr. FARRINGTON. Senator, I am glad you raised that point at this time. We will develop the argument that we believe we will be better able to contend with that problem as a State than as a Territory.

We have in our delegation here some of the leading Democrats of the Territory; in fact the men who I regard as the leading Democrats, and I am sure they will be glad to inform you fully on that.

Senator BUTLER. I will make it very plain, Mr. Delegate, that so far as I am concerned, there is not a particle of partisanship in any consideration of this question, and I do not think that there will be at any time. There has not been up to date.

It just happened that my report made the point that the Bridges-Hall element had gotten control of the Democratic Party organization that was not in accordance with the desire of the real Democrats; I am sure of that. They did have the control, and what I would like

to have brought up to date is whether they still have that control as shown by the convention that was held there recently.

Mr. FARRINGTON. We will provide you with that information.

Senator BUTLER. And a list of their nominees.

The CHAIRMAN. You are not prepared at the moment to provide that?

Mr. FARRINGTON. We will provide it later today I am sure.

The CHAIRMAN. Senator Butler, you referred to a communication from Judge Coke. Do you care to make that part of the record?

Senator BUTLER. I will be glad to.

The CHAIRMAN. Will you read it please?

Senator BUTLER. It is addressed to me. It came yesterday. I think it was sent from Honolulu on the 30th. It says:

Your position on Hawaiian statehood vindicated completely here today. Democratic Territorial Convention taken over again by Bridges-Hall left-wing forces by 2-to-1 vote. Not at all improbable this element will similarly control State if statehood granted Hawaii.

JAMES L. COKE, *Former Chief Justice.*

Mr. FARRINGTON. I appreciate particularly your presenting that issue at this time, as it will prepare us to meet it with the Hawaiian witnesses who will follow our congressional witnesses, if that is agreeable to you.

(Senator Hugh Butler subsequently supplied the following additional information from Judge Coke:)

MEMORANDUM SUBMITTED BY SENATOR BUTLER

Former Chief Justice James L. Coke has presented two statements in the form of letters to me which are submitted for the hearings. The letters are submitted intact except for the deletion of personal references and of repetitious material.

The following biographical data on Judge Coke are submitted to give the background of his career.

He was born on the west coast of Oregon and migrated to Hawaii as a young man, arriving in Honolulu August 8, 1898, and has resided in Hawaii ever since. He is a lawyer by profession. In 1908 he was elected by popular vote prosecuting attorney of the county of Maui; moved to Honolulu in 1910 and in 1912 was elected a Territorial senator representing the city and county of Honolulu in the legislature. A very short time following the end of his term as senator in 1916, he was appointed one of the three circuit judges of Honolulu. In the following year, he was promoted to the office of associate justice of the Territorial supreme court and, after serving about 1½ years, was appointed chief justice of the supreme court, serving his full 4-year term. In 1934, he was again appointed chief justice of the Territorial supreme court and served for something over 6 years, at which time he voluntarily retired because of the demands of private business which required all of his time. He also served as chairman of the governor's fact finding board for the purpose of endeavoring to settle the longshoremen's strike which was called last spring and which was finally settled last fall.

HONOLULU 13, T. H., April 26, 1950.

Hon. HUGH BUTLER,

Senate Office Building, Washington, D. C.

DEAR SENATOR BUTLER: I regret exceedingly my inability to appear before the committee and furnish what I consider ample reasons why the enactment of the proposed legislation should be deferred, but the financial sacrifice to defray the expense of the trip is more than, in fairness to myself, I can afford to assume.

Let me point out that the statehood advocates have for a number of years been able to put through the legislature large appropriations of public funds to meet every conceivable expense which in their opinion might further their end, the last appropriation being \$250,000, which I understand is now about exhausted. This lavish expenditure, and I perhaps should say extravagance, will be apparent

to the members of your committee when it convenes next Monday and observe the horde of statehood supporters who are in the National Capital at the expense of the taxpayers of Hawaii. This obvious attempt to frighten the Senate committee by force of numbers called for a protest by former senator, Harold Rice, a member of the statehood commission, which appeared on the front page of the Honolulu Advertiser on Tuesday, April 25, and entitled, "Rice Calls Statehood Exodus 'Big Junket' ". Then, it goes on to say, "Harold W. Rice, a former Maui senator and delegate to the constitutional convention threw that body into a turmoil when he labeled the statehood exodus to Washington as one of the biggest Junkets that has ever been pulled off so far as this Territory is concerned."

Also, that while the statehood commission can afford to pay the expenses of what Senator Rice calls a junket, its chairman, Mr. King, refused point blank to permit the expenditure of a single dime for the purpose of hearing even a single individual representing the many thousands of local residents who believe as I do that statehood for Hawaii at the present time would be a colossal blunder and might turn out to be a tragic one.

There is a great probability that the Philippine Islands will fall into the hands of the communistic rule within a very short time, and, in this connection, the Senate committee ought to be interested in the fact that the disastrous long-shoremen's strike of 1949 here in Honolulu was composed of more than 74 percent of Filipinos.

It is freely predicted by those having knowledge of the situation that Japan will go communistic as soon as the restraining hand of General MacArthur is removed. At the last election in Japan, the Communists cast more than 3,500,000 votes and elected 35 members of the National Diet, all of which is a tremendous increase over their former strength, although just prior to the election we were assured that there were no Communists in Japan.

With this Red army at our back door and gradually moving closer to us, can we afford to set Hawaii up as a State out in the middle of the Pacific Ocean with no Federal control--a State which may very promptly go under the domination of officials from governor down who are far more friendly to Moscow than to Washington? I do not say that this will happen, but I do say that it can happen. Hence, I insist that it is utterly irrational for us to assume the risk and danger of statehood at this time, and I confess my utter inability to account for the support of this legislation by such members of the national Senate as Senators Cordon and Knowland.

The Un-American Activities Committee of the lower House discovered a number of known Communists here in Hawaii, most of whom refused to divulge their political alliance by refusing to admit or deny that they were or are members of the Communist Party and took refuge behind their presumed constitutional immunity. There are undoubtedly hundreds of other Communists in Hawaii who were not located. The actual number will never be known because all Communists are taught to deny their identity, but they are here in sufficient force to become a menace, and, in this connection, there appeared in the Honolulu Advertiser of Sunday, April 23, 1950, an editorial which is one of the most astounding articles, coming as it does from a paper supporting statehood, that has come to my attention. I quote as follows:

"COMMUNISTS' NUMBERS UNIMPORTANT

"Harping on the small number of Communists witnesses at the recent Un-American Activities Committee hearing were able to say reside in Hawaii is misleading. The Communist cell system prevents one group of party members from knowing the number or the identity of their comrades in sedition. What is important is that the Communists and their fellow travelers here had sufficient strength to seize and hold the Democratic Party machinery.

"Whether there are 130 Communists in Hawaii or 1,300 has little significance. Some estimates place the total number of Communist card holders in the whole United States at only 200,000. Postwar investigations have shown that Hitler controlled Germany with a handful of Nazis. Mussolini dominated Italy with a small group of Fascists.

"In subversive treachery it is what is done, not how many persons do it, that tells the story. Even one Communist in Hawaii who can deceive innocent Americans into disloyalty is one too many."

This statement supports 100 percent the contention which those of us here who are fearful of statehood have been preaching for years--that is to say, that a comparatively small number of trained Communists can wield tremendous power, exactly as they did here in Honolulu 2 years ago when the radical group took

over the entire domination of the Territorial Democratic Convention composed of about 500 of us. I know personally that this took place because I was a delegate and attended the convention.

One of the most fallacious representations sponsored by the proponents of statehood is to the effect that as a State Hawaii could much more effectively control communism within its borders. Possibly that statement would be true if the control of the State remain in the hands of loyal Americans, but let that control be taken over by a Communist group, then Hawaii is sunk. The Federal Government would have little legal constitutional power to control the State, but Congress would while Hawaii remains a Territory have plenary authority to do so.

Jack Hall, of Honolulu, closely allied locally with Mr. Harry Bridges and repeatedly in the recent hearing and investigation before the Un-American Activities Committee of Congress was identified by witnesses as a member of the Communist Party here in Hawaii and who has for a number of years been the direct representative in the Hawaiian Islands of Mr. Bridges, made a public speech in the grounds of Iolani Palace in Honolulu on Labor Day, on September 3, 1947, before a large crowd. In that address, he said, "and never for a second forget that statehood for Hawaii is our most important political objective. We niche for statehood; for self-determination." Grant statehood and undoubtedly Mr. Hall and his kind will give fervent thanks that their prayer has been answered.

With cordial regards and sincere best wishes, I have the honor to remain

Yours respectfully,

JAMES L. COKE.

HONOLULU 13, T. H., May 8, 1950.

Senator HUGH BUTLER,

Senate Office Building, Washington, D. C.

MY DEAR SENATOR BUTLER: In my letter of April 27 I submitted to you a memorandum, dated April 26, setting forth some of the more important arguments against statehood for Hawaii at the present time, the focal point being the danger of the State coming under Communist control, and to me, it is downright amazing how such men as Secretary of the Interior Chapman, Delegate Farrington, and others have attempted to belittle and brush aside this obvious danger. I do not know and neither does the Secretary of the Interior nor anyone else know how many Communists there are in Hawaii.

I, of course, know that not all of what is known as the left-wing element of the Democratic Party here are Communists, but I do know that the left-wing members took over the domination of the party 2 years ago and are in control at the present time in greater strength than they were at that time. I further know that the left-wing group, by a huge majority, voted to seat 15 delegates who had just recently appeared before a subcommittee of the House of Representatives having the power of subpoena and examination, hid behind what they claim as their constitutional immunity, declined to answer whether they are now or have been members of the Communist Party.

I was a delegate to the convention, and I felt so outraged at the action of the convention in seating these delegates that I immediately left the convention and did not return. This was before the walk-out of about a hundred other delegates to the convention, led by Mr. Harold Rice.

I have tried in the past to emphasize the point that the Communists of the East are moving rapidly toward Hawaii. They have recently taken over the island of Hainan, and everybody knows that with Russian assistance they can take over the island of Formosa at any time they elect to do so. It is likewise well known that the Philippine Islands are right on the brink of communism. It is also freely predicted that as soon as General MacArthur moves out of Japan that country will move into the ranks of the Communists. A press dispatch, dated May 6, has just come in from Tokyo. A part reads as follows:

"A member of Gen. Douglas MacArthur's legal staff outlined to the Japan Civil Liberties Union today his case for curbing communism in Japan as constituting a graver threat than the war lords of World War II."

Also, in the Honolulu Advertiser, a local daily paper, issued today, we have on page 16 a photograph just received from Japan which shows a meeting in Tokyo, consisting of a crowd of 200,000, to hear Mr. Sanzo Nozaka, a Communist Party leader, deliver his May Day address.

If we were living in normal times, objection to statehood would carry much less weight, but conditions throughout the world are not only abnormal, but are fraught with the gravest danger to our national life. By retaining Hawaii as a Territory, the Federal Government through Congress could in a moment's time

make any change it considers conducive to the national security. On the other hand, if Hawaii is a State, all power having to do with the internal affairs of the State would be under the control of the State government. * * * The States are sovereign within their separate spheres as to all powers not delegated to the United States or prohibited to the States, and subject to these restrictions each State is supreme, and possesses the exclusive right of regulating its own internal affairs * * * see *New Hampshire v. Louisiana* (108 U. S. 70; 4 Cent. Dig., title "States," sec 1, et seq.) ; *State v. Hanson* (113 N. W. 371).

It is, therefore, apparent that if Hawaii should become a State and should fall under the control of the Communists the increased danger to the United States of America and to Hawaii would be obvious.

During the last administration of President Cleveland we had a railway men's strike, which among other things prevented the movement of United States mail. The President, in order to secure the passage of mail, communicated with the different governors of the several States requesting that they endeavor to prevent the unlawful stoppage of the mail in transit through their respective States. One such message was sent to Governor Penoyer of the State of Oregon. To this timely request Governor Penoyer replied to President Cleveland as follows: "Attend to your business, and I will attend to mine."

In numerous instances, the proponents of statehood have grossly misrepresented the facts to the Senate committee at the recent hearing. As an illustration, they have repeatedly endeavored to lead the committee to believe that during the period of annexation in 1898, the people of Hawaii were promised statehood. I was present at the ceremonies of annexation on August 12, 1898, and have lived in Hawaii continuously ever since. I listened to the address of the American Minister Harold M. Sewall accepting surrender of the islands in behalf of the United States of America. He said nothing whatsoever that could be interpreted as a promise of subsequent statehood. The three American Commissioners, Senator Morgan of Alabama, Senator Cullum of Illinois, and Congressman Hitt of Illinois, at no time pretended to commit the Federal Government to the idea of statehood and at no time since has any official of the United States with authority to speak on the subject made any such commitment until just recently when, for reasons unknown, the present administration seems to be afflicted with a phobia based upon wholly groundless fear that something dreadful will happen to Hawaii if it is not promptly granted statehood and this notwithstanding the fact that Hawaii has prospered for more than 50 years under a territorial form of government and fared much better than many States of the Union.

Much has truthfully been said about the racial harmony existing in Hawaii. This condition will, I believe, continue in the Territory, but it is my fear that amity will cease if Hawaii becomes a State and all of our executive, judicial, and administrative officers here are elective.

Another erroneous representation by the proponents of statehood is the gross underestimation of the number of Communists in Hawaii and belittling their danger to the community. The same thing happened 2 years ago at which time the word repeatedly came out of Tokyo that the number of Communists in continental Japan was negligible. But shortly thereafter a national election was held in Japan, at which there were 3,500,000 Communist votes cast, electing 35 members of the of the National Diet.

With highest regards and very kind best wishes, I am

Sincerely yours,

JAMES L. CORE.

The CHAIRMAN. Senator Anderson, do you have any questions?

Senator ANDERSON. No. There is a statement in here that "there was an investigation by a joint committee, and that committee recommended that statehood be postponed for reasons which witnesses will show have been met by the record of the war."

I assume that will be a subsequent witness.

Mr. FARRINGTON. Yes, but I can give you the answer in one sentence. The committee recommended first that a determination be made of the attitude of the people in Hawaii on the question of statehood and a plebiscite was held in 1940 as the result. It was also recommended that the issue be deferred until the international situation clarified, having some doubt as to the loyalty of our people, and I

think that was answered by the record of our people during the war. That is my recollection, Senator.

The CHAIRMAN. It may be appropriate for me to state, since I was a member of that joint committee, that, as my recollection serves me, one of the most important issues raised during that period was the issue of dual citizenship on the part of Japanese nationals.

It was represented to our joint committee that the Japanese Government claimed for its nationals the right to retain Japanese citizenship while adopting citizenship in the United States. There was a great deal of testimony with respect to that, and it raised a very serious doubt in the minds of the members of the joint committee. I think that was the influential circumstance in persuading the joint committee to recommend postponement of the proposal.

Mr. FARRINGTON. Yes; I think that issue very manifestly was dissolved by the results of the war.

The CHAIRMAN. Senator Lehman, have you any questions?

Senator LEHMAN. No questions.

The CHAIRMAN. Senator Taylor?

Senator TAYLOR. I have no questions at this point, Mr. Chairman.

The CHAIRMAN. Delegate Farrington, in your opening statement you spoke of the witnesses who are to appear as being prepared to meet all of the arguments which have been advanced against statehood. Did I understand you correctly?

Mr. FARRINGTON. That is right.

The CHAIRMAN. Therefore, you must have made a review of those arguments?

Mr. FARRINGTON. That is correct.

The CHAIRMAN. Would you care to state, in your study of the matter and the struggle you have had in the House, what have been the principal arguments raised against statehood so that the committee may know now what points your witnesses plan to discuss?

Mr. FARRINGTON. I will review them very briefly, Senator.

The first is the question of whether the Territorial status carried the implied promise of statehood. We believe that it did. We believe that we were promised and have been promised statehood. That point is a matter of some dispute.

Another question is that of noncontiguity. Some people object to the admission as a State of an area which is not contiguous to the continent.

I recognize that those who hold that point of view are quite sincere in feeling that Statehood for Hawaii will offer a precedent that will plague the country in the future.

The third issue is the character of the people of Hawaii. My opinion is that that goes right to the heart of this question, that fundamentally the opposition to statehood comes from people who do not believe our people are good American citizens.

Now, we feel that question very, very deeply because our population has been drawn from all parts of the Pacific, as you know. We have under the American flag in Hawaii more people of the Japanese race, more people of the Chinese race, more people of the Filipino race, more people of the Korean race, and more people of the Pacific island race than the rest of the country today. The people of Hawaii are American citizens, but those of the same race in their homeland are watching the deliberations of this Congress on this question.

To them it will be the measure of our attitude on the position they will have in a democratic system of government. So we have brought to these hearings people representing all aspects of our life. Many of them have attained positions of prominence. They will give you something of the spirit in which we approach this issue.

Finally, opposition will come to statehood on the grounds of communism. It will be contended that we are not capable of dealing with this problem as a State.

We recognize that communism is a problem with us. But some people contend and I concede their sincerity, that this problem can be dealt with more effectively under the territorial form of government, with Congress in control, and the administration in control of our executive and judicial branches of Government, than it can if we are given the responsibility of statehood which is irrevocable.

I hope that the committee will inquire into the record of our legislature last spring when we were pleading here for help from Congress and other sources to contend with the strike of the longshoremen.

We have the president of our senate and the speaker of our house. They will give you the answers to any questions you may raise in that connection.

I think, Senator, other than some corollary points, that covers the main points of opposition. I did not mean to answer them while I was presenting them.

The CHAIRMAN. I think your statement was quite adequate. What is the present status with respect to the constitutional convention already started?

Mr. FARRINGTON. The legislature in its regular session last year enacted a law authorizing the holding of an election and the calling of a constitutional convention to draft a State constitution, and they provided the funds necessary to do so.

Incidentally, the original bill anticipated that Congress would pay the cost of this election and convention, but we are paying for it now. The elections were held in February and March. We chose 63 delegates to the convention and the convention met on April 4. The president of the convention, my distinguished predecessor, Samuel Wilder King, is here to tell you about it. I want to say that we are particularly proud of the record of that election and the character of the people—

The CHAIRMAN. Will he testify in respect to that convention?

Mr. FARRINGTON. He will testify as to the details of it. We hope that this bill will be enacted in such form that the deliberations of that convention will be given the full force of law and that the constitution that comes out of it will be the constitution of the State of Hawaii.

The CHAIRMAN. Evidence was given yesterday of the unemployment in Hawaii. Have you any comment to make upon that, particularly from the point of view of what the effect of statehood will be upon meeting the problems which give rise to unemployment?

Mr. FARRINGTON. Well, of course, in a general way the same factors apply in that situation as they do in others.

Under State government, greater emphasis is given to local responsibility. There is no disposition now, and there should not be, to defer

to Washington for the solution of this problem—a habit we can well get into if we continue as a Territory but if we become a State and greater force will be given to the representation that we make in Congress by reason of the privilege of voting in the Senate and the House.

Unemployment probably constitutes our most serious problem at the present time. I think we are fully capable of dealing with it whether we are a Territory or a State.

I do not believe it is an issue in the consideration of this legislation, except that it reflects general economic conditions in the islands which have caused our payment of taxes into the Federal Treasury to drop below what they have been in the past.

The CHAIRMAN. Will somebody be prepared to discuss the economic situation in the islands, the opportunities which are presented for employment, and the like?

Mr. FARRINGTON. Yes, sir.

The CHAIRMAN. Who will be that witness?

Mr. FARRINGTON. Well, I had hoped to have Dr. Shoemaker here in order to discuss that question. He is in Honolulu, and it may be that he can be brought up here for that purpose.

Mr. KING. He was unable to come, but there are others.

The CHAIRMAN. If it is possible, I hope that he will be brought here.

Senator LEHMAN. In the hearings on Alaska, in the proposal for statehood, great stress was laid upon the fact that statehood would facilitate defense. Do you take the same position?

Mr. FARRINGTON. Yes; in this respect: In the final analysis the strength of any country is in the character of its people. I think the record of the Philippines is very much in point in dealing with the people of Hawaii.

When Japan invaded the Philippines, the people of the Philippines resisted, and they resisted to the end because they were living in the promise made by this country that some day they would be free men. The record of the war, and particularly that of the Japanese-Americans in Hawaii who were under suspicion, dramatically demonstrates the influence of the promise of freedom, of equality, such as we see in the question of statehood for Hawaii, on the conduct of the population of any given area.

I think that there is no question that our hope for statehood and the promise of equality that it holds for our people was a great source of inspiration and of strength. Every man who had a position of responsibility in the Military Establishment in Hawaii on December 7 will tell you that it was the civilian population that saved Hawaii in its hour of greatest need. The people were almost as one man to protect their country—America. I believe this was the result of long training in the responsibilities and meaning of American citizenship—of the same spirit that moves us in the fight for statehood.

I say, Senator Lehman, that this is what makes a country strong, and I say that when you enhance the position of a people, make them free, give them equality, then you have an element of strength that really counts in the national defense.

I would also say that national defense will not suffer representation in the Senate from Hawaii. In fact, I am sure that representation from Hawaii will be of great value. It will emphasize the de-

fense needs of the Pacific and bring to the Senate a consciousness of our problem out there that may not be present at this time.

The CHAIRMAN. You speak of freedom and the aspirations of the people for freedom. It inspires me to remarks that another aspect of the hearings of 1937 had to do with the evidence that was presented there on the part of some, alleging that economic freedom was not as complete in the islands as it should be. Will that be discussed by your witnesses?

Mr. FARRINGTON. Yes. One of the objections raised to statehood for Hawaii, prior to the war particularly, was that our life was dominated by what is known as the Big Five. I think that situation has been brought into balance by the organization of labor.

I know there are many aspects of the labor situation that are objects of criticism at the present time and have raised very serious doubts, for reasons which Senator Butler has pointed out. I believe, however, that this is a phase in our development that is in the exact pattern of what has happened in other parts of the country. It is one that will run its course and disappear. It happened in coal, it happened in steel, it happened in automobiles, where, in the early days of organization, a very conservative management was confronted with an extremely militant unionism. I have not any doubt in my mind that with the passing of time, the working men and women of Hawaii will meet the problems that have been presented by infiltration of Communists. I believe this answers any argument that the Big Five runs Hawaii. Incidentally, we have representatives of the Big Five, if you choose to call them such, here as witnesses.

The CHAIRMAN. Do you think that the attitude of the economic leaders of the islands is now such as to inspire the belief that under statehood that leadership would throw its weight upon the side of social and economic justice to the masses of the people of Hawaii?

Mr. FARRINGTON. You mean the leadership in management?

The CHAIRMAN. That is right, the economic leadership.

Mr. FARRINGTON. Oh, I am quite confident of that, Senator. In certain fields we have been far advanced, particularly in the field of racial relationship. It should be pointed out also that our industrialists for years have supported appropriation of adequate funds and heavy taxation to sustain a good system of education. I think you will find from the testimony of men like Mr. Henry White, the president of the Hawaiian Pineapple Co., that their point of view is a very advanced and progressive one.

The CHAIRMAN. I raise that question, Delegate Farrington, because I am convinced that, in the present very delicate international situation, the greatest progress that the people of the United States could make toward bringing peace in the world would be if they could find a way of convincing the inhabitants of the Eastern Hemisphere that under the system of private property, economic freedom and political freedom would go hand in hand to raise the standards of living for the masses of the people and to provide equal economic opportunity.

Mr. FARRINGTON. Senator, Hawaii has been a proving ground of exactly that thing. We are a lighthouse of democracy in the Pacific.

Our peoples are disciples of the American way of life. If you do not believe that, I invite you to go down through the islands of the south and central Pacific as I did with Congressman Crawford and a com-

mittee this fall. You will find that all the way through the Pacific, Honolulu is to those people what Washington is to all Americans, what London is to the British, what Paris is to the French. That same influence manifests itself through the Far East.

You will find our boys are leaders in the fight for democracy. Where do the churches who want to advance their work in the Pacific islands, in the Far East, look for missionaries? They look to Hawaii, because in Hawaii the boys and girls have been trained in this philosophy of life—trained to impart to people who they know and who they have been a part of, the facts and spirits of the American way of life.

THE CHAIRMAN. You desire former Delegate King to take the stand now?

MR. FARRINGTON. No. I am going to call on the congressional witnesses first. Mr. King will open for the Hawaiian witnesses. We will hear the congressional witnesses first.

THE CHAIRMAN. Very good. Senator Kefauver.

STATEMENT OF HON. ESTES KEFAUVER, UNITED STATES SENATOR FROM THE STATE OF TENNESSEE

SENATOR KEFAUVER. Mr. Chairman and gentlemen of the committee. It was my privilege to introduce in the Eighty-first Congress S. 1782, a companion bill to S. 156 which was introduced jointly by my colleagues Senator Knowland, of California, and Senator Cordon, of Oregon.

I should first identify myself. I am the junior Senator, very junior, from the State of Tennessee. Ever since I came to the House of Representatives in 1939, I have been very much interested in the desire of the people of Hawaii for statehood. I have been much impressed with the case that they have made for statehood.

I have also been highly impressed with the character of representation the Hawaiian people have sent to the Congress and to other legislative hearings and bodies that have been studying this problem.

When I first came to the House of Representatives I became acquainted with the then Delegate, Capt. Sam King, and through him I learned much about the conditions in Hawaii and became convinced then that the time had come that they should be granted statehood. Then, in 1942, I believe it was, when Mr. Farrington succeeded Captain King, I joined Mr. Farrington in this effort.

Also, Mr. Chairman, I have known Governor Stainback for many years. Governor Stainback, I believe, became Governor of Hawaii 8 years ago. He is a conservative, intelligent, thoughtful man of a pioneer Tennessee family, and I know that if Governor Stainback as well as all the Members of the Senate and the House of Representatives who are supporting this cause—I see Congressman Peterson, Congressman Crawford, and Congressman Larcade here today—I know if there was any real question about communism or any condition in Hawaii not entitling the Hawaiian people to statehood that they would be the first to speak out and the first to oppose statehood.

It is my considered opinion, Mr. Chairman, that Hawaii has long been promised statehood both by implication and by official action of the Government of the United States and that the strategic time has come for the Congress to keep that promise.

I know that a number of the members of the committee and the chairman are familiar with the history of the implied promises that have been made, and also these matters I have found have been covered to some extent in the testimony of Governor Stainback and Secretary Chapman, but I do want to go over them briefly. Fifty years ago Hawaii voluntarily surrendered its independence at the urgent invitation of this country. This action between two governments took place in order that Hawaii might be, as officially stated, "incorporated into the United States as an integral part thereof." It was understood that the language used and the action taken was an assurance that when Hawaii was able to meet the requirements it would be granted statehood. This action of Congress incorporating Hawaii into the Union was an implied promise of State government for Hawaii.

On a number of occasions, prominent leaders of our Government have also led the people of Hawaii to believe that they would be granted statehood.

In 1854, almost a century ago, President Franklin Pierce authorized negotiations to annex Hawaii to the United States. The treaty of 1854, as proposed, stated that the "Hawaiian Islands shall be incorporated into the American Union as a State, enjoying the same degree of sovereignty as other States, and admitted as such as soon as it can be done in consistency with the principles and requirements of the Federal Constitution, to all the rights, privileges, and immunity of a State as aforesaid on a perfect equality with other States of the Union." Though the treaty was not ratified, the discussions in official circles of making Hawaii a State caused the people of Hawaii to believe statehood was their destiny.

President Andrew Johnson, in his annual message to the Fortieth Congress on December 19, 1868, in speaking of a reciprocity treaty with Hawaii, said, "It would be a guaranty of the good will and forbearance of all nations until the people of the islands shall of themselves, at no distant day, voluntarily apply for admission into the Union." Twenty-two years later, Hawaii was incorporated into the Union. Since then, Hawaii has petitioned Congress for statehood on 16 different occasions.

Our own President, Harry S. Truman, as long ago as January 21, 1946, recommended statehood for Hawaii in his annual message on the state of the Union. He has publicly repeated his recommendation again and again, including statehood for Hawaii in his message to Congress when we reconvened this year.

When the elected leaders of our American democracy throughout nearly a hundred-year period officially recommend that Hawaii should be granted State government, it is time the recommendation be fulfilled.

Congress itself, through utterances of its members and by action of its committees, has caused the people of Hawaii over the years to believe that State government would soon be achieved.

The action taken by Congress is much more than an implied promise—it is the continuation of a policy firmly established by Congress on 29 other occasions when States have been brought from territoriality to statehood.

It has been recognized historically that when Congress actively recognizes a Territory as a "part of the United States," and incorpo-

rates it into the Union as such, that in itself is a prerequisite to any step in the direction of statehood.

As long ago as 1900, Congress rejected an amendment to the proposed Organic Act for Hawaii which would have provided that Hawaii should not at any time in the future be admitted to statehood. It was during the Fifty-sixth Congress, first session, that Congressman Ebenezer J. Hill, Republican, of Connecticut, during debates on the proposed Organic Act for Hawaii, moved to add an amendment as follows:

Nothing in this Act shall be construed, taken, or held to imply a pledge or promise that the Territory of Hawaii will at any future time be admitted as a State or attached to any State.

When questioned by a colleague, Congressman Joseph G. Cannon of Illinois, as to whether or not there was anything in the bill providing a government for Hawaii which committed Congress to admit Hawaii to statehood, Congressman Hill replied,

I think there is, * * * The American people look upon the authorization and full organization of a Territory as the first step toward statehood. It has always been so construed; it always will be so construed.

The amendment was rejected. But Congressman Hill was correct when he stated:

The American people look upon the authorization and organization of a Territory as the first step toward statehood.

Senator Morgan of Alabama, during debate on Hawaii's Organic Act in the Senate on February 20, 1900, said that when he was in Hawaii as a member of the Commission appointed by President McKinley to draft a form of government for Hawaii, he had made a study of Hawaii's experiences in government.

Following his two visits to Hawaii, he said, "I became satisfied that those people had built up a government that was at least equal in all respects to any government in the American Union." This utterance was made 50 years ago. He then told the United States Senate his first proposition to the members of the Commission meeting in Honolulu was that "we should recommend that the people of the Hawaiian Islands should hold a convention, adopt a Constitution and apply for admission into the American Union."

A member of the historical group who, in 1900, drafted Hawaii's Organic Act, Justice Walter Frear, wrote to Hawaii's Delegate to Congress, the Honorable Joseph R. Farrington, that the five-man Commission "did recognize and realize at the time that they were recommending for Hawaii a status which was regarded at the time as leading to statehood."

During the past 15 years Congress has, on a number of occasions, sent its committees to Hawaii to investigate the readiness of Hawaii to attain statehood. Several of these congressional committees have also held statehood hearings in our National Capital. Every year since the end of the war, a congressional committee has recommended immediate statehood for Hawaii. It is no wonder the half-million people of Hawaii feel that statehood has been promised to them. Yet the nearest to actual attainment of their goal came in 1947—after 27 years of effort—when the House of Representatives first passed a statehood bill for Hawaii, and then followed by the passage of a bill in this Congress.

From every historical precedent in our dealing with former territories which are now States, the people of Hawaii have had every reason to believe that they would one day attain State government. Statehood for Hawaii has been promised by implication ever since our Nation began to function.

The Continental Congress provided in the Ordinance of 1787 for the admission of States. In those days when a territory had 5,000 free male inhabitants, it was granted legislative powers and allowed to have a Delegate to Congress; when it had 60,000 inhabitants it was eligible for statehood. Hawaii, today, has a half-million inhabitants—more than any of the other 29 territories had when they attained statehood, excepting only Oklahoma. Yet Hawaii, which has served an apprenticeship of half a century, in contrast to the average of 20 years for all other former territories now States, still lives on in hopes of having the promises of statehood fulfilled.

The promises of statehood have not only been held out to Hawaii by action of our Government, and by statements of our Presidents, but by the two major political parties of the United States. It is repetitious but both the Democratic and Republican Parties endorse statehood for Hawaii. Ten years ago the Democratic Party platform announced it favored a larger measure of self-government leading to statehood for Hawaii. In 1944, the Republican Party said that—

Hawaii * * * is entitled to the fullest measure of home rule looking toward statehood—

in this same year the Democratic Party endorsed "eventual statehood for Hawaii."

Two years ago the Republican platform supported "eventual statehood for Hawaii," while the Democratic Party urged "immediate statehood for Hawaii." These promises to the people of Hawaii must be kept. We must give increasing evidence to the teeming millions of people the world over that democracy works.

The United States Congress has a direct obligation to the citizens of Hawaii to grant them statehood. Hawaii was annexed by act of Congress nearly 52 years ago as a "part of the territory of the United States." Congress, in 1900, by enactment of an Organic Act—in reality a pattern of a State constitution—completed the incorporation of Hawaii as an integral part of the Union. Based on historical precedent, Hawaii has been promised statehood.

Our Supreme Court recognizes the ephemeral character of Territorial status. The Court in one case before it concluded that—

* * * the organization of governments for the Territories was but temporary, and would be superseded when the Territories became States of the Union.

The three branches of Government under our Constitution have by their actions implied or promised State government to Hawaii: Congress has already enacted legislation to admit as States 29 former Territories; a number of our executives, including President Truman and the Secretary of the Interior, have endorsed State government for Hawaii; Supreme Court decisions have pointed out that Territorial government was necessarily limited to a period of pupilage before they become States of the Union.

I feel, Mr. Chairman, that we should keep our promises to the people of the Territory of Hawaii that with maturity will come responsibility. In this modern world of ours, Hawaii needs voting representation in Congress. Let us not act contrary to American prin-

ciples of democracy. "No taxation without representation" and "No government without the consent of the governed," are axioms as much alive and as important to the people of Hawaii as they were to our forefathers who first conceived them.

Now, Mr. Chairman, I know that Senator Knowland and other witnesses have much to say about the effect upon our foreign policy of this action. I personally think that with our situation in the Pacific, with our effort as you stated a few minutes ago to convince people everywhere that democracy is an expanding thing: a form of government that people want and we hope that free people will attain; that this action is not only something the people of Hawaii are entitled to but would do more to help us in our relations with people in the rest of the world, particularly in the Far East and the Pacific, than anything we can do. I feel very strongly and have a deep conviction, that this Senate this session would be missing a great opportunity to take a great move toward strengthening our foreign policy in the interest of democracy, if we did not act upon this bill at this time favorably.

Thank you, Mr. Chairman.

The CHAIRMAN. Are there any questions?

Senator Butler?

Senator BUTLER. Senator, you spoke about taxation without representation and the situation in the Pacific, each of which would be taken care of if Hawaii were given statehood. Do you not think that the answer to those two questions would be made just as well if Hawaii were made a part of California or Oregon or Washington on the west coast?

Senator KEFAUVER. No, sir; I certainly do not, Senator. I think, on the basis of the economy of Hawaii, that they are entitled to statehood. It is a separate State toward which they have been working.

Senator BUTLER. My question does not deal with the question of whether they are entitled to it or not. I just wanted you to answer the question, if it does not take care of those two points, if they can become a part of another State.

Senator KEFAUVER. I think the feeling of the people in the Pacific Islands and the Far East, if Hawaii were made a part of Oregon or California, or whatnot, would frankly be worse than if we just left it in its present status.

Senator BUTLER. We have many very prominent citizens in my own State who came from Japan, of Japanese origin.

Senator KEFAUVER. Yes, sir.

Senator BUTLER. You find them in professions, you find them in business, you find them especially in agriculture, and they are all leaders. They have not asked me in Nebraska to admit Japan as a part of the United States territory in order to show my feeling toward the oriental situation, and I believe that they would be perfectly satisfied, if they have any desire along that line, if Hawaii were made a part of some other State.

Senator KEFAUVER. Well, Senator, the Japanese situation is not comparable at all. Of course, our relationship with Japan has been very different than with Hawaii.

I think the people of the Far East and the Pacific who have an interest in democracy would be very much let down. They would have the feeling that the United States Senate did not have enough confidence in the Hawaiian people to feel that they could sustain state-

hood on their own, and had to be incorporated into another State, and that the effect would be just the opposite of what we are trying to accomplish. That is my opinion.

Senator LEHMAN. Is it not a fact too, Senator, that it would be entirely impracticable for a State to administer a Territory?

Senator KEFAUVER. I would think so.

Senator LEHMAN. I can say from my own experience as Governor of New York that, while we favored the admission of Idaho, Nevada, New Mexico, Arizona, Oklahoma and these territories, we certainly never would have suggested or thought it was practicable to govern those territories from New York State or from any other State in the Union. No State would have the machinery to do it, while the Federal Government has.

Senator KEFAUVER. I think that is a point very well taken. It would be impossible, I think, from an administrative viewpoint; and furthermore the Hawaiian Islands are an integral unit of their own, and they have very different problems from California or Oregon.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, indeed, Senator Kefauver.

Delegate Farrington, I believe Congressman Peterson will be your next witness.

STATEMENT OF HON. J. HARDIN PETERSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. PETERSON. Mr. Chairman, I will make my statement very brief. I do not want to be in the position of a friend of the legislation and actually take a lot of time filibustering against it.

I was one of those who originally had some sort of an ingrained prejudice against going out of the continental United States. As a school child, I used to make these speeches: "Nature has fixed the boundaries of this glorious Republic of ours," quoting from some Senator. That is in the Congressional Record way back.

The CHAIRMAN. It is a little difficult to know whether you regard that as a compliment or not.

Mr. PETERSON. That was my general feeling. Then when I became a member of the Public Lands Committee, I started going into the testimony. I wanted to be fair and I wanted to be thorough, and as I went along and analyzed the whole situation based on the history and on the facts and on the accomplishments, I determined that Hawaii was entitled to statehood. I think, by reason of the fact that I had had the other feeling, and based on the series of long hearings which I studied, I became thoroughly convinced first that by reason of the peculiar method by which Hawaii came under the American flag, the utterances made over that period of time, it was the hope and implied assurance that ultimately she would become a State.

Then I analyzed and have prepared and wish, if you have no objection, to place in the record, as I think it might be of interest, a table showing the area and population of each of the other Territories as they came into statehood. I received it too late to put it into our House committee hearings, but I have the data of the Original Thirteen States which I think it might be well to place in the record. The second chart shows the population of the various Territories as they came into Statehood.

The CHAIRMAN. The material will be received and made a part of the record.

(The documents above referred to follow :)

Ratifications of the Constitution by the Thirteen Original States, their population and area

State	Date of ratification of the Constitution	Population at date of ratification	Population in 1830	Population in 1940	Area in square miles
Delaware	Dec. 7, 1787	59,069	238,380	296,405	2,050
Pennsylvania	Dec. 12, 1787	434,373	9,613,350	9,900,180	45,215
New Jersey	Dec. 19, 1787	184,139	4,041,334	4,160,165	7,845
Georgia	Jan. 2, 1788	82,548	2,908,506	3,123,723	59,475
Connecticut	Jan. 9, 1788	238,141	1,606,903	1,709,242	4,900
Massachusetts	Feb. 6, 1788	378,767	4,249,614	4,316,721	8,315
Maryland	Apr. 28, 1788	319,728	1,631,520	1,821,244	12,210
South Carolina	May 23, 1788	249,073	1,738,715	1,899,804	30,570
New Hampshire	June 21, 1788	141,809	405,293	491,524	9,305
Virginia	June 25, 1788	747,610	2,421,851	2,677,773	42,450
New York	July 26, 1788	340,120	12,588,066	13,479,142	49,170
North Carolina	Nov. 21, 1789	303,751	3,170,276	3,571,623	52,250
Rhode Island	May 29, 1790	68,825	687,497	713,346	1,250

REMARKS

Georgia: Succeeded Jan. 19, 1801. Readmitted to representation by the act of July 15, 1870.

South Carolina: Succeeded Dec. 20, 1860. Readmitted to representation upon ratifying the fourteenth amendment, July 9, 1868.

Virginia: The area of Virginia at the date of ratification was 61,352 square miles, but Dec. 31, 1862, a portion of its territory was set off and admitted into the Union as a free and independent State under the name of West Virginia. The State succeeded Apr. 17, 1861, and readmitted by act of Jan. 26, 1870.

North Carolina: Succeeded May 21, 1861. Readmitted to representation upon ratifying the fourteenth amendment, July 4, 1868.

States admitted into the Union since the adoption of the Constitution, their population and area

State	Date of admission	Population at time of admission	Population in 1930	Population in 1940	Area in square miles
Vermont	Feb. 18, 1791	85,530	359,611	359,231	9,565
Kentucky	June 1, 1792	73,677	2,614,589	2,845,627	40,400
Tennessee	June 1, 1796	77,262	2,616,556	2,915,841	42,040
Ohio	Nov. 29, 1802	41,915	6,640,697	6,907,612	41,060
Louisiana	Apr. 30, 1812	75,556	2,101,593	2,303,880	48,720
Indiana	Dec. 11, 1816	63,897	2,238,593	3,472,796	36,350
Mississippi	Dec. 10, 1817	75,512	2,096,821	2,183,766	46,810
Illinois	Dec. 3, 1818	34,620	7,630,654	7,897,241	56,650
Alabama	Dec. 14, 1819	144,317	2,646,248	2,832,961	52,250
Maine	Mar. 15, 1820	208,335	797,423	817,226	33,040
Missouri	Aug. 10, 1821	96,587	3,629,367	3,784,665	69,415
Arkansas	June 15, 1836	552,240	1,854,482	1,949,387	53,850
Michigan	Jan. 26, 1837	1200,000	4,842,325	5,256,106	58,015
Florida	Mar. 3, 1845	54,477	1,468,211	1,897,414	58,680
Texas	Dec. 29, 1845	1250,000	5,824,715	6,414,821	265,780
Iowa	Dec. 28, 1846	81,920	2,470,939	2,538,268	56,025
Wisconsin	May 23, 1848	210,596	2,939,006	3,137,587	56,040
California	Sept. 9, 1850	107,000	5,077,251	6,907,387	158,360
Minnesota	May 11, 1858	150,042	2,563,953	2,792,300	83,365
Oregon	Feb. 14, 1859	52,465	953,786	1,098,684	96,030
Kansas	Jan. 29, 1861	107,236	1,890,999	1,891,029	82,080
West Virginia	June 19, 1863	376,683	1,729,205	1,901,074	24,780
Nevada	Oct. 31, 1864	140,000	91,058	110,247	110,700
Nebraska	Mar. 1, 1867	69,090	1,377,963	1,315,834	77,510
Colorado	Aug. 1, 1876	150,000	1,035,791	1,123,286	103,925
South Dakota	Nov. 2, 1889	400,000	692,849	642,916	77,650
North Dakota			680,845	641,935	70,795
Montana	Nov. 8, 1889	112,000	537,456	559,456	148,080
Washington	Nov. 11, 1889	1273,000	1,563,396	1,736,191	69,180
Idaho	July 3, 1890	84,385	445,030	524,873	84,090
Wyoming	July 10, 1890	60,705	225,565	250,742	97,890
Utah	Jan. 4, 1896	241,000	507,847	550,310	84,970
Oklahoma	Nov. 16, 1907	—	2,396,040	2,336,434	70,057
New Mexico	Jan. 6, 1912	—	423,317	531,818	122,520
Arizona	Feb. 14, 1912	—	435,573	499,261	113,020

¹ Estimated.

The territories: 1 Date of the establishment of a territorial government in each, the population and area

Territory	Date of establishment of Territorial government	Population in 1930	Population in 1940	Area in square miles
Alaska	May 17, 1884	59,278	72,524	590,894
District of Columbia ²		480,869	663,001	70
Hawaii	June 14, 1900	308,336	423,330	6,449

¹ Includes the District of Columbia.

² District of Columbia established under art. 1, sec. 8, clause 17 of Constitution. Territory originally ceded by Maryland (legislative act of Dec. 23, 1788) and Virginia (legislative act of Dec. 3, 1789), cessions accepted by Congress by act of July 16, 1790, lines and bounds established by proclamation of President Washington, Mar. 30, 1791. Virginia's cession retraced by act of Congress July 9, 1840. Governed by board of 3 commissioners appointed by the President (act of June 20, 1874).

Mr. PETERSON. We had in the House the problem which was outlined by Delegate Farrington. There was the fear on the part of some that this might be a model and we would be taking in other offshore areas as States. There were those who might object to offshore areas, and analyzing the situation we found this: that Alaska and Hawaii were the last two incorporated Territories. We found in our own opinion that incorporating Territories by the United States was virtually a probationary period toward statehood.

It is my feeling that Hawaii has served that probationship and is entitled to statehood.

I have a short prepared statement which in the interest of time I will not attempt to read, but will offer for the record.

In that I include the findings of the Larcade committee which made a rather extensive study. It gives facts with reference to the population of each race there, increase in certain races, the economic trend, the number of farms, the amount of revenue raised over a period of years.

The CHAIRMAN. It may be received.

(The prepared statement of Congressman Peterson follows:)

Mr. Chairman, gentlemen of the committee, the Committee on Public lands reported the bill favorably after a number of subcommittee hearings and the record will show a series of hearings over the years developing a large amount of factual data. Alaska and Hawaii are the last of the incorporated Territories. Shortly after the purchase of Alaska, Secretary Seward referred to the time when Alaska would become a member of the sisterhood of States. When Hawaii came under the flag of the United States, she had already established her existence as an independent republic. Later, Hawaii was established as an incorporated Territory of the United States and for half a century has virtually been on probation. Today its economic affairs are in good shape and its population is far in excess of a large number of Territories that acquired statehood.

I invite particular attention to the findings of the subcommittee of the former Committee on Territories, in 1946, which appear on pages 64 to 70 of the House hearings, which I include herewith:

FINDINGS

On the basis of this detailed and voluminous record the committee finds—

1. That the population of the Territory of Hawaii in 1945 was 502,122. Ethnically, the population consists of 10,988 Hawaiians, or 2.2 percent of the total population; part-Hawaiians, 61,422, or 12.2 percent; Puerto Ricans, 9,090, or 1.8 percent; Caucasians, 172,583, or 34.4 percent; Chinese 30,005, or 6 percent, Japanese, 163,300, or 32.5 percent; Koreans, 7,042 or 1.4 percent; Filipinos, 46,464, or 9.3 percent; all others, 1,228, or 0.2 percent.

2. That the Hawaiians have declined from an estimated 300,000 persons in 1778 to 10,988 in 1945.

3. That the Caucasian population has increased steadily since 1878, when the percentage of the total population was 5.09 percent.

4. That persons of Japanese ancestry in 1890 numbered 12,360, or 13.7 percent of the total population. By 1920 it increased to 42.7 percent, declined to 37.9 percent in 1930, and to date is placed at 32.5 percent, numbering 163,300 persons.

5. That since 1912 the proportion of interracial marriages has increased from 14.1 to 38.5 percent—the recent war has accentuated this trend. During the war years over one-third of the children born had two or more racial strains.

6. That well over 85 percent of the present population were born in Hawaii or on the mainland.

7. That the war record of Hawaii is in every respect commendable. Hawaii had a full-scale organization for civilian defense and volunteer defense units sponsored by the Army, as well as participating in the usual Red Cross, USO blood bank, and similar activities, making liberal contributions to the war chest and oversubscribing for war bonds. The Territory established a number of emergency agencies, such as a bureau of registration and identification, office of food control and food production, and a commercial rent-control program.

8. That Hawaii did its part in contributing men to the Armed Forces. Selective service did not apply to Hawaii during the first 2 years of the war, because of the Territory's crucial position and shortage of manpower. Since the application of the draft Hawaii has met its full quota.

Hawaii had two National Guard regiments, which were called into the Federal service on October 15, 1940. In all, 33,000 of the citizens of Hawaii served in the Armed Forces. Although Americans of Japanese ancestry constituted only 36 percent of the registrants under selective service, 52 percent of the total inductions from December 1940 to September 1945 came from this racial group, because of the large numbers of volunteers. Because of the Army policy of organizing and segregating units composed of citizens of Japanese ancestry, it is possible to follow their activities and to compare their record with the distrust initially shown by the military commanders. Hawaii residents of Japanese ancestry constituted the entire original One Hundredth Infantry Battalion and by far the major part of the original Four Hundred and Forty-second Combat Team. The record of those units, made in major offensives in the European Theater, includes 5 Presidential unit citations, 1 meritorious-service plaque, 65 Distinguished Service Crosses, 290 Silver Stars, 782 Bronze Stars, 16 Croix de Guerre (French), 3 soldiers' medals (Italian), 50 Army commendations, and 82 division commendations.

9. That according to Robert L. Shivers, Federal Bureau of Investigation agent in charge at Honolulu, there was not one single act of sabotage or fifth-column activity committed in Hawaii before, during, or after the attack on Pearl Harbor. Hawaii's people of various racial ancestries can and do work together. What goes on in the countries of their ancestors is of minor concern to them compared to their interest in the United States. People of all racial ancestries cooperated in preparing for and prosecuting the war, and Hawaii, despite its polyracial composition, is essentially American in thought, purpose, and action.

10. That the people of the Territory of Hawaii are a law-abiding people. Its different racial groups live together with a minimum of friction and no racial clashes; life and property are as safe in Hawaii as in any section of the mainland.

11. That such evidence of "bloc voting" as exists indicates that the practice has not assumed, and is not likely to assume, serious proportions. Members of the Territorial Legislature whose ancestry is Japanese constitute normally less than 20 percent of the total membership, although 32.5 percent of the total population of the islands is of Japanese descent.

12. That in 1944, 71,704 of 84,326 registrants, or 85.03 percent, voted in the general election. The percentage of registered votes of Hawaiian ancestry declined from 33.8 percent in 1932 to 24.7 percent in 1940; Caucasian votes declined from 38.2 percent in 1932 to 30.1 percent in 1940. The Japanese showed an increase from 17.6 to 31.1 percent. With few exceptions, the percentage of registrants voting in each general election ranged between 85 to 90 percent.

13. That of the Territory's 4,118,400 acres, 1,762,050 acres, or 42.78 percent, is in public ownership and 2,356,350 acres, of 57.22 percent, are privately owned. The largest single owner has 8.87 percent of the total of privately owned lands, and the 10 largest owners (including the largest owner) together hold 30.11 percent; the 50 largest owners (including the 10 largest owners) hold 39.55 percent, and all other owners hold 17.67 percent of all privately owned land.

14. That the largest owner is the B. P. Bishop estate, holding approximately 370,000 acres. This is a charitable trust, founded by a Hawaiian princess for the support of the Kamehameha schools, which are devoted to the education of Hawaiians and part Hawaiians and the expenses of administering the trust are paid from trust funds.

15. That of the Territory's total 4,118,400 acres, 2,917,330 acres are devoted as follows: 1,045,085 acres are devoted to forest reserves; 161,205 acres to national parks; 84,010 acres to Army, Navy, or other public use (including Territorial and county purposes but not including highways); 1,350,000 acres to pasturage; 220,000 acres to the growing of sugarcane; 63,000 acres to the growing of pineapples; and approximately 21,000 acres to the growing of other crops, including 6,760 acres, truck farming; 4,000 acres, coffee; 2,090 acres, fruits; 2,067 acres, taro and field crops; 770 acres, macadamia nuts; and 5,438 acres for miscellaneous crops.

16. That in 1940 there were 2,094 farms of less than 5 acres, and 4,724 farms of less than 100 acres (including those less than 5 acres).

17. That in 1941 Hawaii produced 874,946 tons of sugarcane, the crop being valued at \$65,498,535.

18. That in 1940 (the latest year for which complete figures are available) Hawaii produced 22,341,429 cases of pineapple valued at \$45,851,706.

19. That the coffee production of the islands in 1944 totaled 7,656,000 pounds, valued at \$1,091,000.

20. That the Territory has consistently paid into the United States Treasury a considerably larger amount than the Federal Government, exclusive of military expenditures, has spent upon the Territory.

21. That in 1944 and 1945 Hawaii exceeded several States in the total of its internal-revenue collections. In 1945 Hawaii paid into the Federal Treasury \$173,999,227.22.

22. That the finances of the Territory have been very well managed. At the end of last biennium on June 30, 1945, total budgetary resources of the Territory amounted to \$68,339,384, with total obligations and reserves in the amount of \$57,873,691, leaving an unappropriated surplus of \$10,465,693. The bonded debt of the Territory as of December 31, 1945, was \$16,520,000, with \$7,151,344 in the sinking fund, leaving a net amount of \$9,368,656.

23. That during the calendar year 1945, the following tax revenues were produced from the following sources:

Real property	\$6,568,605.43
Personal property	3,697,620.65
Income: Personal and corporation	3,529,447.21
Public utility	1,897,497.05
Liquid fuel	1,932,749.57
Compensation and dividend	8,819,507.92
Bank excise	50,000.00
Liquor	1,908,979.50
Tobacco	422,664.84
Gross income and consumption	10,460,310.25
Unemployment compensation	1,888,749.18
Business excise, poll, public welfare (prior years)	96,468.83
Administered by tax commissioner	41,272,600.45
Inheritance and estate	661,274.16
Insurance	451,472.58
Miscellaneous licenses	10,252.63
Administered by Territorial treasurer	1,122,999.37
Total	42,395,499.82

24. That there are 35 sugar companies operating in the Territory with a total capitalization of approximately \$175,000,000, and with stock held by approximately 16,000 persons. That there are five corporations, known as the Big Five, which act in the capacity of factors or agents for practically all of these plantations, and to some extent have substantial stockholdings in the plantation companies. The companies, with the number of plantations represented and the

approximate percentage of sugar production for each group of plantations, are as follows:

	Number of plantations represented	Approximate percentage of total sugar production
American Factors, Ltd	9	30.8
C. Brewer & Co., Ltd	14	23.5
Alexander & Baldwin	4	20.8
Castle & Cooke, Ltd	3	14.5
Theodore H. Davies, Ltd	4	0.9
Total	34	90.5

The agency system is not used to such a predominant extent in the pineapple industry, although some of the Big Five are connected with that industry through stock ownership or other affiliation. The Big Five has other interests as well.

25. That the commerce of Hawaii with the continental United States exceeds that between the mainland and all but a few foreign countries. From 1935 to 1940 only five foreign countries—the United Kingdom, Canada, Japan, France, and Germany—bought more from the mainland than did Hawaii. In 1940 the value of the Territory's imports from the mainland totaled \$127,539,539, while the value of exports to the mainland was \$102,145,130.

26. That bank deposits have increased from \$1,002,131 in 1904 to \$493,295,040 in 1945, a good deal of the increase in later years being due, of course, to military and naval operations in the area.

27. That Hawaii's gross assessed value of real property is over \$500,000,000, higher than that of any State at the time of admission with the exception of Oklahoma.

28. That as of December 1945, 36,875 corporations, firms, or individuals were engaged in 54,412 different enterprises as employers or self employers.

(a) There were 12,918 persons or companies engaged in retailing, representing the following businesses:

Appliances	66	General merchandise	1,135
Auto dealers	42	Groceries	641
Auto supplies	69	Hardware	61
Bakeries	61	Household products	15
Barrooms and saloons	380	Jewelers	185
Books and stationery	34	Liquor stores	173
Building materials	10	Lumber	10
Chemicals	17	Meat dealers and meat markets	333
Cold drinks	206	Milk supplies	11
Confectionery	205	Music stores and composers	23
Curios and novelties	298	Newspapers	25
Department stores	12	Nurseries	88
Drugs	151	Office equipment and supplies	27
Dry goods	222	Optical	17
Electric supplies	21	Poultry	636
Equipment	43	Radio and radio supplies	67
Fish dealers and fish markets	532	Restaurants	952
Food products	481	Service stations	387
Fountains and lunchrooms	444	Shoe stores	68
Fruit and vegetable	713	Toilet articles and cosmetics	55
Furniture	91	Wearing apparel	172

(b) There were 2,999 companies or persons engaged in wholesaling, including the following types of wholesaling:

Appliances	14	Building materials	7
Auto dealers	14	Cocoanuts	9
Auto parts	36	Confectioneries	23
Bakeries	55	Curios and novelties	137
Beverages	11	Drugs	39
Block printing	19	Dry goods	42
Boatbuilding	10	Electrical appliances	19
Bottle dealers	21	Equipment	16

Feed.....	6	Junk dealers.....	8
Fish dealers.....	273	Lauhala weaving.....	160
Florists.....	41	Leis.....	10
Food products.....	100	Lumber.....	5
Fruit and vegetable dealers.....	280	Magazines.....	7
Furniture.....	20	Men's.....	50
General merchandise.....	261	Misc.....	0
Groceries.....	44	Tobacco.....	6
Hardware.....	12	Toilet articles and cosmetics.....	11
Household products.....	5	Toys.....	10
Jewelers.....	70	Wearing apparel.....	32

(c) Eight thousand three hundred and fifty-eight companies or persons were engaged in producing raw products, including —

Dairies.....	66	Hog raisers.....	580
Farming.....	1,051	Poultry producers.....	811
Fishing.....	350	Sugar growers.....	2,135
Flower growers.....	214	Vegetables and fruits.....	1,512

(d) One thousand four hundred and twenty-six persons or companies were engaged in manufacturing, including —

Alcoholic beverages.....	12	Foods.....	137
Bakery products.....	86	Footwear.....	21
Block printing.....	17	Furniture.....	35
Chemical and fertilizer.....	30	Jewelry.....	16
Clothing.....	27	Mattresses and springs.....	12
Concrete, lime, and stone products.....	11	Nonalcoholic beverages.....	38
Confectionery.....	20	Soup.....	7
Curios and novelties.....	80	Wood products.....	37

29. That out of a total of 170,000 employees (not including part-time work by school children under the schools' temporary program to meet the manpower shortage) the sugar industry employs about 24,500 workers. Pineapple agricultural labor (not including the engineers) is about 4,750; 11,300 are employed in manufacturing (excluding sugar); 10,700 in transportation, communication, and other utility services; 23,000 in wholesale and retail trades; 13,500 in various service industries; 7,400 in diversified agriculture; 6,000 in construction and quarrying; and 3,000 in financial, insurance, and real-estate establishments; 59,500 are in Government service and 1,075 in domestic service.

30. That since 1937, the Territorial legislature passed a number of labor laws, creating the department of labor and industrial relations, and dealing with such matters as apprenticeship, child labor, vocational training, vocational rehabilitation, unemployment compensation, regulation of employment agencies, minimum wages and maximum hours, payment and collection of wages, workmen's compensation and safety regulations.

31. That the Territory's department of labor is considered by the local representative of the Federal Labor Department as doing an able job, and the Territory's labor legislation as comparing very favorably with that of many progressive States, and in some respects is in advance thereof.

32. That the average cash wage paid to sugar employees in 1945 is in excess of \$5 per day for unskilled labor, not including the value of perquisites, which include housing, fuel, water, lights, and medical and hospital services. The cash wage paid in the pineapple industry is comparable. Wages paid industrial workers have advanced in Hawaii more than on the mainland during the period 1940-45 and Hawaii now is on a par with the mainland.

33. That a standard 8-hour day is in effect throughout the Territory.

34. That Hawaii is the only Territory or State with the exception of Wisconsin to pass a "Little Wagner Act" extending collective bargaining to agricultural labor.

35. That unionization of labor has made strides during the past 10 years both in industry and agriculture; nearly all major industries, including the sugar and pineapple industries, are now organized or organization is pending.

36. That there are 46 organizations in the Territory affiliated with the American Federation of Labor, 68 with the CIO, 2 independent unions, and 5 government employees' organizations.

37. That in 1940 there were 7 strikes, involving 502 workers with 33,217 man-days lost; in 1941 there were 16 strikes, involving 2,530 workers, resulting in

31,241 man days lost; in 1942 there were 2 strikes, involving 49 men, resulting in 67 man-days lost; in 1943 there were 4 strikes, involving 202 workers, resulting in 716 man-days lost; in 1944 there was 1 labor dispute, involving 6 men, with 60 man days lost; and in 1945, up to November, there had been 9 strikes, involving 1,047 men, with 8,876 man days lost.

38. That at the last Territorial election a majority of those elected to both houses were endorsed by organized labor.

39. That illiteracy in the islands among native born citizens is almost non-existent. Hawaii has well equipped schools throughout the Territory, most villages or hamlets being provided with the proper educational facilities.

40. That the standards of instruction, according to the United States Chamber of Commerce, are the same as on the mainland and higher than those in many States. The average number of pupils enrolled per teacher is 27.9 in Hawaii, as compared with 31.4 in the United States urban schools and 26.1 in rural areas. The average pay per teacher in Hawaii is \$2,014 annually, as compared to \$2,013 in urban centers and \$1,018 in rural areas of the mainland.

41. That there is a public library on each of the principal islands. There are 82,435 registered card holders. Each island library owns a bookmobile serving rural schools and homes, and approximately \$620,000 is spent annually on library facilities.

42. That the University of Hawaii compares favorably with many State universities. For the year 1944-45 there were enrolled 1,463 regular students and 145 graduate students. The university had financial support in the amount of \$3,126,028 for the biennium 1943-45, of which Territorial appropriations from general revenues provided 50.8 percent, university income 27.46 percent, and Federal grants 21.74 percent.

43. That the level of the Territory's spiritual and moral life is in the best American tradition.

44. That in 1945 the board of health spent \$1,623,385, or a per capita cost of \$3.23 as compared with \$1.66 in 1937.

45. That in 1943 Hawaii's death rates from 18 causes were below the national median. It was higher for syphilis, tuberculosis, and accidents including automobile accidents. The mortality rate of infants under 1 year had declined from 87 per thousand in 1930 to 30 per thousand in 1945; the number of maternal deaths for 1,000 living births had declined from 7 in 1932 to 1.6 in 1945.

46. That the venereal-disease infection rate per 1,000 in Hawaii declined from 175 in 1911 to 7.5 in 1945. On the mainland the rate has declined from 163 in 1911 to approximately 43 in 1945. In Hawaii the locally acquired rate was 1.4 in 1945.

47. That according to the Social Security Board, Hawaii's public-assistance program is based on "liberal progressive legislation." Hawaii has no maximum limitation of public assistance; thus the Territory has placed itself in a position to make payments to needy individuals, commensurate with need, and to give recognition to changes in living costs. Hawaii also has a medical-and-dental-care program, and provides other forms of public assistance for which no Federal grants are given.

48. That in 1945 Hawaii ranked thirty-ninth in the average grant for old-age assistance, fifteenth in the average grant for aid to dependent children, thirty-fifth in average grant for aid to the blind, and fifteenth in the average grant for general assistance.

49. That the Territorial legislature has enacted legislation comparable to that of many States. Hawaii has adopted 20 of the mainland uniform laws. In addition to laws mentioned above, Hawaii has a civil-service law, a modern retirement system for all employees; in the field of public health the Territory enacted the crippled children's act, created the bureau of mental hygiene, passed a uniform narcotic drugs act, established compulsory vaccination for smallpox, typhoid, and other diseases. In addition to the existing public medical-care program the legislature in 1945 provided for a study of health insurance and hospital facilities. In 1935 the legislature created the Hawaii housing authority, passed the Federal Housing Act, authorizing the acquisition by any Federal agency of property suitable for housing projects, and an act entitled "Government Aid for Housing Projects," authorizing the Territory and its political subdivisions to aid in the planning, construction, and operation of housing projects.

Until I went into the matter thoroughly, I had some ingrained thought that we should keep the United States within a compact body and shouldn't go without the continental limits. Rapid changes in world conditions, the study of the records of the past, and analysis of the various hearings caused me to change that

conclusion. It is my strong feeling today that Hawaii has earned its right to statehood, that we should not delay longer her admission into the Union and that both Alaska and Hawaii, the last of the two incorporated Territories now existing, both having served their apprenticeship and probation, so to speak, should be admitted into the Union as States.

Mr. PETERSON (continuing). Then last year I appointed a subcommittee which was headed by former Governor Miles, of New Mexico. Mr. Crawford of Michigan was the ranking Republican member. They came back and made a rather complete report which recommended statehood, and that has been placed in the record by Delegate Farrington.

I feel that Hawaii should be granted statehood. I feel likewise, as I said before, that in the granting of statehood for Alaska and Hawaii we have recognized the probationship of Territories. We are not holding out any particular promise to any other area, because there are no other incorporated Territories.

If any other area came to that point, it would first have to be acted on by Congress under a Territorial status and serve that status before any action could be taken. The real issue is at the time of granting of Territorial status.

That, in the bills which were being drafted, was very carefully preserved in matters relating to the other offshore areas, so as one who has at one time been what you might say is almost a rank isolationist, who had to revise his method of thinking as world conditions changed, and having analyzed a large number of hearings and public utterances by those in authority, I have no hesitancy in urging statehood for Hawaii based upon its population, economic facts, and the progress it has made as a Territory.

I thank you very, very much.

The CHAIRMAN. Chairman Peterson, has anything transpired since the bill was enacted by the House to suggest to your mind any amendment which might have been considered had it been brought up before the House had acted?

Mr. PETERSON. I do not recall in the case of Hawaii. In the case of Alaska, there is a slight amendment by the State Department. There is a communication before your committee on that with reference to the seal, but I do not recall anything with reference to Hawaii that has come up as suggested amendments, unless some detailed amendment is involved, but none has been called to my attention.

The CHAIRMAN. Do you care to make any comment with respect to the problem of the public land owned by the United States, the disposition of such land in Hawaii?

You will recall in the bill as passed by the House that determination of such issue has been postponed for the future.

Mr. PETERSON. That is right. I believe that can be left open to the future with safety. Since they had their constitutional convention, I see no reason why you should not determine that now if you wish, but it is my recollection that that was left open for the future.

The percentage of land owned there is not as high as in many other areas, and is not in my opinion as important a factor as the actual granting of statehood.

The CHAIRMAN. Are there any other questions? Thank you very much, Chairman Peterson.

Congressman Crawford.

STATEMENT OF HON. FRED L. CRAWFORD, A UNITED STATES REPRESENTATIVE FROM THE EIGHTH CONGRESSIONAL DISTRICT OF THE STATE OF MICHIGAN

Mr. CRAWFORD. Mr. Chairman, for purposes of the record I am Fred L. Crawford, Member of Congress, Eighth District of Michigan.

Mr. Chairman, it has been my privilege since 1917 to be rather closely affiliated with what I would call the industrial brains or the empire builders or the managers of industry in the Hawaiian Islands. For the fifteen-years plus it has been my privilege to sit on the committee of the House that has to do with Territories and insular affairs.

I want to say at the very beginning that the industrial leaders of Hawaii have from my certain knowledge during the last 33 years been more aggressive and progressive in their so-called social progress than have the industrial leaders of the United States. I have no fear whatsoever about what the industrial leaders, designated as the Big Five or the Big Thirteen or whatever you may want to call them, will do insofar as handling the affairs of that great area is concerned, whether a Territory or a State.

I have no patience whatsoever with those who continually "yap" about what the Big Five or Big Thirteen will do over there. They have human hearts the same as the people in the United States, and they are just as kind to their people. They have a few responsibilities over there with respect to keeping the structure of those islands tied together, so that when a rainy day comes, such as did happen there a few months ago, they still had a little place where people could proceed to obtain a little income.

This progress which we have not made here in the United States with respect to statehood for Hawaii reminds me of a little experience I had down in the British island of Tortuga the last week of this past March. There is a little town there, the capital of the island. They have been approximately 3 years trying to build a little road about six blocks long. We have been some 50 or 75 years talking about statehood for Hawaii, making just about as much progress as the British have made in trying to build those little six blocks of road in that little village down there.

If we are to play fair with our own people under the American flag, if we are to back up in the least degree this philosophy which we are continually spreading all over the world to the so-called little people as set forth in more than a score of international agreements which we have entered into with other nations, then we should put our cards on top of the table and treat the Hawaiian people with some decency. Now that is as about as blunt and frank as I can state that.

Taking every one of these opposition arguments that have been offered, when this first question came up directly before our combined Committee on Territories and Insular Affairs, I questioned it from one standpoint only. That was from the standpoint of the communistic influence in Hawaii. The FBI, the Navy Department, the State Department, the Department of the Army, convinced me by direct testimony that there was no reason whatsoever for any fear from that direction, that is no more than from our own cities here in the United States, whether it be Detroit, New York City, Kansas City, Philadelphia, or San Francisco, or any of the other large cities of this

country where bloc voting is effectuated in every general election that is held, and where we have reason to fear the damaging influence of bloc voting more than we have from any of our offshore areas.

I do not believe that anyone can proceed with the argument of the destructive influence of the Communists on the United States insofar as two Senators sitting in this body and one of two Members from the House sitting here might be bloc voting. I do not believe you can sustain the argument that that would be any more destructive than will be the so-called bloc voting of our big city districts here in the United States.

I have much more fear on the so-called bloc voting in these big cities here on the mainland than I do from Hawaii or Alaska, if you want to bring that into the picture. We have the unorganized territories, we have the organized territories.

The gentlemen of Congress here learned in law are familiar with the Supreme Court decisions with respect to the terminology, organized and unorganized. We know that American Samoa does not come within the concept of organized territory. Neither does American Guam, Puerto Rico, nor the Virgin Islands.

We do know that Hawaii and Alaska come within the concept of organized territories. These other areas I have just mentioned are unorganized territories. They are not subject to statehood by any rhyme or reason or argument that might be presented, while on the other hand Hawaii and Alaska are subject to becoming States of the Union.

I have no more objection to bringing in an off-shore area as a State of the Union than I would have in throwing an industrial plant located in the State of Texas into a company with another plant located in the State of Michigan, or vice versa. If it is good business to do it from the standpoint of this general welfare, then why bring up the argument of the off-shore area.

How can we justify such an argument when we go out, as this Congress has gone out, as past Congresses for the past 5 or 6 years have gone out, to every point of the compass, as broad as the earth is, regardless of the argument that is made, we inject ourselves into those governments where we back them with our billions of dollars, where we back them with our substance, back them with the faith and credit of this country as reflected by the general funds of the United States. We apparently seem to think that those people will make good, but we question our own people that have been under our wing for 50 years.

I continually have to answer arguments made to the effect that the Puerto Ricans are no good, that the Virgin Islanders are no good, that the Alaskan people cannot pay the bills of those concepts of government which they themselves create for themselves, that the Hawaiian people cannot carry the responsibilities of statehood.

When we participate in such arguments, such destructive arguments, we argue against the very foundation stones and the ideals and institutions of our own Government.

It is not up to me to say what any man can do, because if I started out on that kind of a program, before I was through saying he could not do it, he would accomplish it beyond my wildest dreams. So it is with people all down through the history of mankind, if you give them the responsibility.

We have the illustration in Puerto Rico right now where the Puerto Rican people are walking away with the cake, you might say, because we put the responsibility on them and said to them "Elect your own Governor and go ahead and do the work as it should be done." They are showing us up in that we were just a little bit too late in doing that. I think we should have given it to them years before. I put the character of the people of Hawaii, against the character of the people in my own State or against the character of the people of any other State in the Union.

The question was raised I believe by Senator Butler with respect to making Hawaii a county or a part of the State of California or some Western State. Of course that would not work out satisfactorily to anybody, and we should know that. It would be impossible of administration, it would be unfair to the two groups of people involved, it would be unfair to the people of the United States.

Every Member of this Congress knows what we are up against insofar as the Pacific and the Far East are concerned. If the next 50 or 100 years is to be the history of the Pacific so far as our participation in world affairs is concerned, how can we avoid making Hawaii the very keystone of whatever structure we may design for the Pacific and the Far East. How can we avoid doing that?

As we traveled through those trustee islands, everywhere we went where Joe Farrington was introduced as the Delegate from Hawaii, there was a new expression on the faces of the people.

You could see the hope light up in their hearts, because, as he pointed out a few moments ago, the people of those far Southwestern Pacific areas look to Hawaii as the gateway to the United States, and whatever philosophy we pass to those people in this forthcoming battle in the Pacific, we have to clear it through the gateway of Hawaii whether we like it or not. There is no way you can jump that area, and the sooner we come to that realization, the better it will be for ourselves as well as for Hawaii.

We need Hawaii as a State much worse than Hawaii needs to be a State of the Union. At least that is my humble opinion about it. As to the details of this bill which the House has approved, you can take any bill and reconsider it and think of one or two or three or more amendments to put into it.

The question was raised about the disposition of the land. So far as I am personally concerned, I would not disturb that at this time if I was going to grant statehood to Hawaii. I would let that come along later, because the land acreage has been substantially fitted into the economy and the living conditions of the people over there. I see no reason why you should disturb that if you are going to give them statehood. Let it be handled after the representatives get here on the ground, sitting in the Senate and the House, and work out the details at that time. Therefore I would not recommend any change in the bill as approved by the House with respect to the public lands.

The constitutional convention which is being held over there, the act which was approved, in my opinion is a step in the right direction. I do not think we should stop now and attempt to force them into a further delayed program with respect to statehood by reason of the fact that they are working on this constitutional program to which they have already given so much attention.

The Territorial status in my opinion can never be satisfactorily operated at any time in the future by reason of the added power that Hawaii has taken on from the standpoint of industrial development, from the standpoint of contributing revenues to the Federal Treasury, and particularly due to the fact that Hawaii is substantially a pivot point for our operations as they relate to the new United States of Indonesia, as they relate to Pakistan in India, as they relate to this baby republic we have in our arms known as the Philippine Republic, as they relate to whatever disposition we are going to make of the Empire of Japan, as they relate to whatever we are to do with the trust islands under the trustee agreement we have made with the United Nations Organization, and finally as they relate to our future relationships with Australia and New Zealand when we well know, Mr. Chairman, that as western Europe moves into decay, the United States must necessarily assume the burden in the far Pacific which has come about through the collapse of the colonial governments that have operated over in that area for so many decades, and which are now out of the picture.

Australia must necessarily directly relate herself to the United States instead of to the British control in London. Australia's and New Zealand's welfare is wrapped up in what we do in the Pacific and the Far East, and that comes directly back again to the status of Hawaii.

The CHAIRMAN. I am sure it is not your intention to imply, Congressman Crawford, by anything you have now said, that the United States must at any time imitate the colonial policies of the European governments which heretofore have been operating in the Far East.

Mr. CRAWFORD. Mr. Chairman, there is no way we can possibly do that, if we made the attempt to do it. At the same time if the new Republic of the Philippines and the new United States of Indonesia, with Pakistan, the new relationship of Pakistan and India, internationally speaking, if those new governments are to survive, we know they have to have strength from the United States, very substantial strength, far beyond anything we have put in western Europe, not including the two direct war bills, World War I and World War II.

We know that the resources of this country are being channeled in that direction through the Export-Import Bank. We know as a result of the conference that was held at Ceylon, by reason of all the attention that has been given to that area, that we are as yellow as anybody can be if we step out of the Philippines after spending 50 years there in tutoring them, and we know that the Philippine Republic cannot survive unless we keep our strength completely under that Republic.

Now, if we are going to do that, if we are going to assist Indonesia and those other areas, that pulls us right into the harness with Australia and New Zealand, and the Australian officials have been bold enough to say that very effectively. I do not think there is any secret about that.

That is all the time I want to take of the committee, unless you have some questions to ask, and if you want to ask me any questions about this, you will not embarrass me. I do not care what the questions are. There are no questions barred so far as I am concerned on this particular bill.

The CHAIRMAN. Senator Butler.

Senator BUTLER. No, thanks.

The CHAIRMAN. Thank you very much, Congressman Crawford. We are obliged to you.
Congressman Larcade.

STATEMENT OF HON. HENRY D. LARCADE, JR., A UNITED STATES REPRESENTATIVE FROM THE SEVENTH CONGRESSIONAL DISTRICT OF LOUISIANA

Mr. LARCADE. My name is Henry D. Larcade, Jr., Representative from the Seventh Congressional District of the State of Louisiana.

Mr. Chairman and gentlemen of the committee, I appreciate this opportunity to appear before your honorable committee in support of statehood for Hawaii. I would like to say that, as chairman for the subcommittee of the former Committee on Territories of the House of Representatives, I had the honor to be chairman of that subcommittee which made an investigation of this subject in 1946.

The subcommittee visited and held hearings on all of the principal islands of the Hawaiian group, and they heard more than 100 witnesses.

The Congress of the United States has heretofore taken into consideration certain factors in determining the readiness of a Territory for statehood. Among these are the area of the Territory, its population, its economic resources and state of development, and the ability of its people to maintain stable and orderly government.

Three very complete and thorough investigations of Hawaii's readiness for statehood have been made in the past 12 years by our Congress. It is my firm belief and conviction that these investigations show without a doubt that the Territory of Hawaii fully meets and, in most instances, far surpasses the requirements for statehood heretofore exacted of Territories.

The first congressional committee on the Territories to hold hearings in Hawaii on the question of admitting Hawaii to statehood traveled to the islands in October 1935. The six members of the committee visited various parts of the Territory and endeavored to obtain the views of its residents in regard to the question of statehood.

The committee made a thorough investigation and study of all phases of the question of statehood for Hawaii. Exhaustive hearings were held on all of the five principal islands. Two members of the committee remained in Honolulu after the formal hearings had been completed, and made individual research into the subject.

In all, there were 105 witnesses heard; 90 of these witnesses testified in favor of changing from a Territorial status to that of a State.

The committee reported:

The Territory of Hawaii to be a modern unit of the American Commonwealth, with a political, social, and economic structure of the highest type.

Its educational program is an advanced one, with a large proportion of the tax dollar being spent for the training of its youth. Even during the period of the depression this program was neither relaxed nor reduced, and its school facilities compare favorably with those of the most advanced States.

Hawaii's economic standards are high, with an industrial and agricultural development forming a sound basis for the continued growth of the Territory.

Nevertheless the committee concluded that considerable further study was necessary before a favorable report might be made on a proposal to admit Hawaii as a State.

In October 1937, pursuant to a concurrent resolution of the Senate and House of Representatives, a joint congressional committee visited the Territory of Hawaii.

Sixty-seven witnesses appeared before the joint committee of 12 in Hawaii. Although the majority of the witnesses favored statehood, and the testimony received by the committee afforded substantial reasons in support of statehood, the report of the committee recommended that the question of statehood because of the disturbed international conditions should again be deferred until further study and consideration could be given.

It was the committee view also "that unmistakable evidence that a substantial majority desire statehood should precede affirmative action by Congress."

The committee indicated that their failure to act affirmatively upon the question of statehood would not prevent further consideration of the subject, particularly after the sentiment of the people of Hawaii had been fully determined.

A plebiscite to determine the wishes of the people of Hawaii was authorized by the legislature of the Territory in 1939. The vote for statehood was in the majority in the ratio of 2 to 1 at the general election in Hawaii in 1940.

The first Gallup poll on statehood held on the mainland in 1941 revealed that opinion in the continental United States for and against statehood for Hawaii was in almost the same proportion as the Territorial view expressed in the plebiscite.

During the war years Congress was not able to give renewed consideration to Hawaii's statehood ambition. But with the end of the war in sight, the duly elected representatives of the people of Hawaii in the Territorial house and senate adopted in 1945, by overwhelming vote in each house, resolutions that the Congress of the United States take immediate action on admitting Hawaii to statehood.

Up to this point, the Legislature of Hawaii had petitioned Congress 14 times for admission to the Union and had made 11 appropriations for congressional investigations of statehood.

It was my assignment and distinct honor to act as the chairman of the subcommittee of the Committee on Territories which investigated statehood for Hawaii in January of 1946. Along with five other Members of Congress, I traveled extensively throughout Hawaii for a period of nearly 2 weeks. Our committee heard more than a hundred witnesses. The testimony heard by the committee amounted to more than 500 printed pages. Statements presented by interested citizens of Hawaii and the exhibits offered in support of the sound operation of the government of Hawaii as a modern American community were compiled and printed, along with the comprehensive testimony taken, for the record.

In all due humility, and with the greatest respect for the untiring efforts of every member of the subcommittee on statehood, I would like to indicate that the data collected by our committee is said to be a most complete and searching record of the Territory of Hawaii, and that it clearly shows the readiness of Hawaii to assume the role of a State.

At this point, Mr. Chairman, I would like to present to the committee two copies of our hearings—hearings before the subcommittee

of the Committee on the Territories, House of Representatives, Seventy-ninth Congress, second session, pursuant to House Resolution 236, January 1946.

The CHAIRMAN. Thank you, Congressman.

Mr. LARCADE. I would also like to present a copy of the report of the committee which has already been incorporated in the record.

On the basis of the data collected, and our own investigations of Hawaii's readiness for statehood, our committee unanimously recommended in January 1946 that the Committee on the Territories give immediate consideration to legislation to admit Hawaii to statehood.

I am very glad to note that the case for statehood made by our group received further confirmation in the overwhelmingly favorable report of the House Public Lands Committee in March of that year.

This, Mr. Chairman, is the gratifying indication of the completely bipartisan and unanimous support which is being given to the movement for Hawaiian statehood. I also note that not a single person in the entire Nation testified against the bill now before us.

Congressional committees of the House have thoroughly investigated Hawaii's readiness for statehood, and documentary evidence gathered by Congress has proven Hawaii has earned the right to be admitted to the Union as a State.

Hawaii has an area larger than three of our States. Her population at present is larger than the combined total of eight of the States when they were admitted to statehood. Normally, her resources make her our fifth best customer, and she more than pays her own way on the financing of the National Government. Her apprenticeship under American principles of constitutional government for almost 50 years, and the distinctly American pattern of Hawaii's way of life, have eminently fitted the islands for statehood.

Hawaii and its people are entitled to an affirmative vote by this Congress to their petition for acceptance as the forty-ninth State in the Union.

Mr. Chairman, statehood for Hawaii has been approved by the majority of the people of the United States, as indicated by the Gallup poll. Statehood for Hawaii has been almost unanimously endorsed editorially by all of the leading newspapers of the United States, by all of the officials of the Army and Navy, by former Secretary of the Interior Ickes, by former Secretary of the Interior Krug, by present Secretary of the Interior Chapman, and by both political parties of the United States. Both the Democratic and Republican Parties made statehood for Hawaii a part of their platform. Last, but not least, statehood has been endorsed by the present President of the United States, Harry S. Truman.

Hawaii is an integral part of the United States. Its people are as much American citizens as citizens from any other State of the Union. They enjoy the same rights and privileges as any other American citizen. We are responsible for the protection and welfare of the Territory of Hawaii just as we are for any other State.

In my opinion, Mr. Chairman, Hawaii should be admitted into the Union as the forty-ninth State.

Mr. Chairman, I have read the entire debate in the House and Senate when Hawaii was admitted into the Union as a Territory. Reference thereto will disclose that there was no question but that Hawaii would be granted statehood after being admitted as a Territory. As a

matter of fact, the then distinguished Senator Caffrey, from Louisiana, who opposed the admission of Hawaii into the Union as a Territory, stated that if Hawaii was admitted as a Territory, from the law and precedent quoted in the argument, Hawaii must be admitted into the Union as a State.

At this point I would like to present to the committee the reference to the debate on the Hawaiian annexation resolution and the Hawaiian Organic Act. Any member of the committee can check these references and obtain the entire debate on that subject.

The CHAIRMAN. This is a letter from Director Ernest S. Griffith of the Legislative Reference Service of the Library of Congress. It will appear at the conclusion of your statement.

Mr. LARCADE. The entire debate and argument bears this out. I think that this country and Government assumed this obligation when Hawaii was admitted into the Union as a Territory, and in view of the fact that Hawaii is prepared to assume all of the responsibilities of statehood that Hawaii is now entitled to be admitted to statehood.

Therefore, the issue of whether or not Hawaii should be granted statehood is not the issue. This issue was closed when Hawaii was admitted as a Territory.

The only issue here is whether or not Hawaii will be granted home rule or self-government and be entitled to representation in the Congress of the United States, or—as our forefathers claimed the issue in the American Revolution—whether Hawaii shall have taxation without representation.

Our flag flies over every public building and over the islands of Hawaii. Hawaii is our first line of defense in the Pacific, and this is the only part of the United States that was actually attacked during World War II.

Mr. Chairman, is there any question that Hawaii is part of the United States now?

In conclusion, Mr. Chairman, I know that many of my distinguished colleagues from the South have asked me why I have given my approval to the admission of Hawaii into the Union because of the racial issue which has been raised in this debate due to the large Caucasian, Asiatic, and Mongolian population of Hawaii.

Mr. Chairman, every Member of this House is aware of my position on this question, as I have stated same here on the floor of the House. I do not think that I am inconsistent in my position in regard to this question in approving the admittance of Hawaii into the Union.

As I have stated here, my people, the South, and myself have definite opinions in regard to the racial question; however, on my visit to Hawaii I observed men and women and children of all races intermingling and assimilating in perfect peace and harmony. If that is their way of life, that is their business, and they are entitled to their way of life.

In the South we do not approve of this way of life, and this should be our business. Like Hawaii, all that we ask is that we be given the same privilege to make our own determination in this respect.

Mr. Chairman, I have no fears for the future of Hawaii. I am of the opinion that when Hawaii is admitted into the Union there will be another shining star added to the constellation in our flag, and that we may depend upon Hawaii exercising the fullest realization of a glorious, patriotic, and peaceful State.

(Letter from Mr. Ernest S. Griffith, Director of Legislative Reference Service, above referred to is as follows:)

THE LIBRARY OF CONGRESS,
Washington 25, D. C., April 18, 1950.

Hon. HENRY D. LARCADE,
House of Representatives, Washington, D. C.

DEAR MR. LARCADE: In response to the request of April 17, we submit the legislative action and references to the debate on the Hawaiian annexation resolution and the Hawaiian Organic Act.

House Resolution 259, Fifty-fifth Congress, second session, to provide for annexing the Hawaiian Islands (30 Stat. 730) (all page references are to vol. 31 of the Congressional Record):

Introduced by Mr. Newland and referred to Committee on Foreign Affairs, 4000.

Reported back (H. Rept. 1355), 4089.

Made special order, 5765.

Debated and amended, 5770, 5782, 5828, 5872, 5905, 5910, 5967, 5973.

Passed House, 6010.

Referred to Senate Committee on Foreign Relations, 6022.

Reported back, 6062.

Debated, 6140, 6188, 6225, 6229, 6250, 6300, 6326, 6331, 6341, 6350, 6357, 6364, 6400, 6405, 6517, 6509, 6582, 6603, 6604, 6605, 6607, 6634, 6630, 6667, 6693.

Passed Senate, 6712.

Examined and signed, 6754, 6785.

Approved by President, 6806.

S. 222, Fifty-sixth Congress, first session, to provide a government for the Territory of Hawaii (31 Stat. 141) (all page references are to vol. 33 of the Congressional Record):

Introduced by Mr. Cullom and referred to Committee on Foreign Relations, 80, 233.

Reported back with amendment, 613.

Debated and amended, 1559, 1836, 1839, 1918, 1978, 1979, 2022, 2122, 2128, 2170, 2240, 2316, 2386, 2438.

Passed Senate, 2449.

Referred to House Committee on Territories, 2490.

Reported back with amendment (H. Rept. 549), 2637.

Made special order, 2740.

Debated and amended, 3702, 3746, 3769, 3800, 3814, 3857, 3865.

Passed House, 3866.

Laid on table in Senate with House amendment, 3907.

Senate nonconcurs in House amendment, 3964.

House insists on its amendment, 4072.

Conference appointed, 3965, 4072.

Conference report made, debated, and rejected in Senate, 4357, 4409, 4454, 4508.

Senate further insists on its disagreement to House amendment, 4528.

Second conference appointed, 4508, 4528.

Conference report made, debated, and agreed to, 4648, 4733, 4766.

Sincerely yours,

ERNEST S. GRIFFITH,
Director, Legislative Reference Service.

The CHAIRMAN. Are there any questions?

Senator BUTLER. No questions, Mr. Chairman, but I believe the Honorable Congressman would like to correct one statement.

Mr. LARCADE. What is that, sir?

Senator BUTLER. That Hawaii was the only part of the United States area that was attacked during the last world war.

Mr. LARCADE. Yes, I do. The Aleutians were also attacked. Thank you, Senator.

Senator BUTLER. Somebody from Alaska would call you on that if you did not put that in.

Mr. LARCADE. You are quite correct, Senator. I realize that omission and had intended to make the correction in my statement, but overlooked doing so. I thank you for calling it to my attention.

The CHAIRMAN. Are there any other questions?

Thank you, indeed, Congressman.

Mr. FARRINGTON. Mr. Chairman, we had hoped to present at this time Mr. Francis Walter, but he has to be on the floor of the House until 2 o'clock as the Consent Calendar is up.

We would like to present him as the first witness this afternoon if you are meeting this afternoon, and that will just about conclude our national witnesses, and we can go to Mr. King.

The CHAIRMAN. On the list here is Congressman Velde, of Illinois.

Mr. FARRINGTON. He is ill. He will appear later.

The CHAIRMAN. Is Mr. Richardson here?

Mr. FARRINGTON. We will call him later this afternoon.

The CHAIRMAN. He is not available at the moment?

Mr. FARRINGTON. He is not here now, no.

The CHAIRMAN. So that you would prefer to recess now and call Mr. Walter the first thing this afternoon?

Mr. FARRINGTON. At 2 o'clock, if we may, or such time as you designate. His testimony I think is very important, although I think it will be rather brief. Mr. King will follow him and Mr. Velde's testimony we can bring in later.

The CHAIRMAN. It would be possible to proceed now, unless you prefer to adhere to this order?

Mr. FARRINGTON. We would prefer that.

The CHAIRMAN. Very well. Then the committee will stand in recess until 2 o'clock this afternoon.

(Whereupon, at 12:05 p. m., the hearing was recessed to reconvene at 2 p. m., this same day.)

AFTERNOON SESSION

Senator TAYLOR (presiding). The committee will come to order.

Mr. FARRINGTON. Mr. Walter is our first witness this afternoon, Mr. Chairman. He was the chairman of the special committee of the House Un-American Activities Committee which conducted an investigation on communism in Hawaii during the month of April. I think he is prepared to testify on the extent of that activity, what the committee discovered, and its relationship to the question before the committee.

Senator TAYLOR. We are happy to have you with us, Mr. Walter.

STATEMENT OF HON. FRANCIS E. WALTER, A UNITED STATES REPRESENTATIVE FROM PENNSYLVANIA

Mr. WALTER. Mr. Chairman, I am Francis E. Walter, a Representative in Congress from Pennsylvania.

Several weeks ago, after a resolution was presented to the House of Representatives from the Legislature of Hawaii requesting an investigation of the infiltration of communism in Hawaii, the Committee on Un-American Activities conducted a very lengthy investigation. Preliminary to the hearings, our staff, together with the FBI, Naval and

Military Intelligence, went over the files and records pertaining to this subject. As a result of the examination made by these investigative bodies, we reached the conclusion that at no time were there more than 160 Communists in Hawaii.

Senator TAYLOR. In all of Hawaii?

Mr. WALTER. In all of Hawaii. That was the maximum strength. The maximum was reached some time in 1946. We have reached the conclusion that since that time the Communist strength has dwindled to the point where today there are no more than 90 Communists in all of Hawaii.

This group is led by militant Communists, who are native Americans sent to Hawaii from the United States.

For the most part the Hawaiian Communists don't know what it is all about. The field is very fertile for the activities of that sort of a group. The workers' conditions were not good, with the result that, as these trained Communists found their way into Hawaii and infiltrated into the labor movement, and into the Democratic Party, I am ashamed to say but I do say quite frankly, they found the type of people who, for economic reasons, were willing to follow leaderships that could offer them more than they had.

The labor movement is dominated by a handful of well-trained Communists who were quite successful in either recruiting people who became Communists subsequent to the time that the agitation started, or Communists who were members of various racial groups, who were given positions of importance in the union. As an example, a man working in the sugar fields, a leader in a certain racial group, found one morning that he had been elected to an executive committee of the union when, as a matter of fact, there had been no election and he had not been a candidate for anything, but the leadership selected that man—and that is a typical case—because of his influence with a certain racial minority group or in a particular industry.

Senator TAYLOR. You mean they elected him to this important office and then put the pressure on him, or made it attractive for him to become a Communist?

Mr. WALTER. In the case I have in mind this man was not a Communist until after he had been selected. Then he was taken to a meeting, which he thought was a union meeting but it was actually a Communist meeting, and he subsequently received a Communist card.

Now it is quite significant that a large number of these people came before our committee and quite frankly admitted that they had become Communists in some manner or other, unwittingly usually. Many of them broke with the Communist Party when they saw that they were actually in an international movement and not merely members of an organization that was set up for the purpose of endeavoring to improve the lot of the workers.

I believe that as the result of the investigation the Committee on Un-American Activities held the members will continue to decrease. While there are 90 today, it is my guess that before the end of this year there will not be over 40 Communists left in all of the islands. The people are aware of what the situation is. The people realize full well that they have been duped and, for the most part, they do not care to be associated longer with that sort of movement.

Now as to the infiltration into the Democratic Party, that too is understandable. In certain sections of Hawaii the Democratic Party was not strong, was not organized, so it was a comparatively simple matter to select somebody in a particular area in Honolulu, have him elected as a committeeman, and then of course in that manner endeavor to obtain control of the party machinery. They succeeded, I believe, in electing four or five Communists or fellow travelers to those positions.

Senator BUTLER. Congressman, on the same theory, could we assume that it will be comparatively easy for the real Democrats to recapture control of their party organization?

Mr. WALTER. I don't think there is any question about it, Senator, because now the people realize just exactly what communism is, just what it means to the islands, and with the spotlight on these people, I am fairly convinced that the decent Democrats will clean house.

Senator BUTLER. Did you get any report on the Territorial convention, the Democratic convention there Sunday?

Mr. WALTER. Well, I know what happened, but, after all, the time was too short for the people who are opposed to this group to organize.

Senator CORDON. What did happen, Congressman?

Mr. WALTER. I understand the left-wing group retained control, and I am certain that is due to the fact that the people who should have control of my party, and who ultimately will have control of it, have not had an opportunity to organize.

Senator TAYLOR. Mr. Congressman, I have devoted a great deal of thought to this question of Communists representing themselves as being what they are not, and getting into other political parties. I have been wondering if it would be a good idea—and of course it may not even be constitutional, as far as that goes—if the Congress could pass a law that any political party could ask of a candidate to be a member of that party, that they had taken an oath that they were not a member of any other political party or organization, and attach a penalty to it if they misrepresented.

Mr. WALTER. You would have the same situation that they have in England, where the coal miners are not represented at labor conventions because the head of a coal-mining union happens to be a Communist.

Senator TAYLOR. Then if the political party wanted to protect itself from infiltration, whether it be the Democrats from being infiltrated by the Republicans, or Communists, or Progressives, or any other cross mixture, there would be some way for them to do that. I have been thinking it might be an excellent idea.

Senator ECTON. Are you afraid of Republican infiltration into the Democratic Party, Senator?

Senator TAYLOR. I am very much afraid of it in Idaho this next election.

Mr. WALTER. Well, that is something that does not disturb us Pennsylvania Democrats. The Republicans have never attempted to infiltrate our party.

Senator CORDON. May I make one or two inquiries, Mr. Chairman?

Senator TAYLOR. Yes.

Senator CORDON. Congressman Walter, you stated in the opening portion of your remarks that your committee reached a conclusion that the high tide of communistic infiltration in the Hawaiian Islands occurred in the year 1946, at which time there were, however, not over 160 Communists in the islands.

Mr. WALTER. Yes, sir.

Senator CORDON. That at the present time there are not over 90 Communists?

Mr. WALTER. Yes.

Senator CORDON. When you mention Communists, do you include the so-called sympathizers, the fellow travelers?

Mr. WALTER. No, I do not; because it is very difficult to draw the line of demarcation. I have been charged with being a Communist myself because I have been for rent control. As a matter of fact, 2 years ago I was charged with being a Communist on the day I was elected vice president of one of the biggest banks in Pennsylvania. That was because of my position with respect to the measure that was under consideration. Of course you can't draw the line. I mean card-carrying Communists. The people, in some manner or other, became members of the Communist Party and were assigned to various cells of the Communist Party.

Senator CORDON. How did you reach your conclusion as to the number?

Mr. WALTER. As the result of the investigations made by the committee staff working in conjunction with the FBI, Naval Intelligence, and Military Intelligence.

Senator CORDON. Would you say that your estimate is reasonably accurate as an estimate or a count, rather than, perhaps, reasonably accurate as an educated guess?

Mr. WALTER. I think my estimate of 90 is excessive, and my guess is as of today it does not exceed over 60, because almost hourly these people are leaving their associations. It was very interesting to us to hear one witness after another testify he had gotten out of the Communist Party because his wife had found out what communism was, and it influenced him into breaking ties with that group.

Senator CORDON. Did your subcommittee have reported hearings?

Mr. WALTER. Yes, sir.

Senator CORDON. Will those hearings, or a transcript, be available by any chance to this committee?

Mr. WALTER. They will, of course.

Senator CORDON. I think it would be most helpful if we could have access to them.

Mr. WALTER. All right.

Senator CORDON. Now the next question, Congressman—and here I realize that, to a very great extent, it is a matter of opinion, but even so, you have had considerable experience in this particular field of subversive activities and you have a trained staff who had even more experience in the field—what is your view as to the extent of the influence which the card-carrying or non-card-carrying but true Communists, international conspirators, have among the people of Hawaii?

Mr. WALTER. I think that the rank and file of the people, because of

the splendid press in Hawaii, have now become aware of the fact that communism is a world-wide conspiracy. I think they recognize it today for what it actually is. I don't believe that 6 months ago they knew what it was, but I do think that they understand it now, and given the opportunity they will put their own houses in order. As the best proof of that I would like to point out to you the fact that two members of the constitutional convention were deprived of their seats because of their connection with the Communist Party, which certainly indicates to me that that group is bound and determined to take appropriate action to see to it that subversives have no voice in the government.

Senator CORDON. Did you have an opportunity to have access to the information of the Armed Forces intelligence and the FBI?

Mr. WALTER. Yes, sir.

Senator CORDON. And, of course, an opportunity for oral discussion with the representatives of both agencies located in the islands?

Mr. WALTER. Yes, sir; and for months before the investigation was held we were in frequent consultation with the representatives of the several agencies charged with the responsibility of our security. We were furnished with the kind of information that made is possible for us to unmask the whole conspiracy out there.

Senator CORDON. Well, they had both been very kind to me when I was there, as was Governor Stainback. I was interested in knowing just what cooperation you had. Did your investigation, or that of your staff, go beyond Oahu to the other islands?

Mr. WALTER. Yes, sir. We brought witnesses from the other islands to Oahu, and they testified.

Senator CORDON. I think, Mr. Chairman, that is all. I would suggest that at the appropriate time a request be made, through Congressman Walter, for a copy of the transcript of the hearings of his committee.

Mr. WALTER. Consider it as having been made. You will be furnished with a transcript.

Senator TAYLOR. All right.

Senator BUTLER. Mr. Walter, I telephoned you the other day and made the same request personally.

Mr. WALTER. Yes.

Senator BUTLER. I appreciate the conversation I had with you at that time, without any particular specification, but your committee seemed to confirm what I had in my report last year in substance.

Mr. WALTER. Your report was quite helpful as a guide to us when we started.

Thank you, Senator.

Senator TAYLOR. Thank you, Congressman.

Mr. FARRINGTON. I think, Mr. Chairman, we are ready to proceed with Mr. King. Mr. Richardson will be here later in the afternoon. Mr. King was my predecessor in Congress. At the present time he is chairman of the Hawaii Statehood Commission and he is also president of the constitutional convention.

Senator TAYLOR. We are glad to have such a distinguished citizen of Hawaii with us today.

STATEMENT OF SAMUEL WILDER KING, CHAIRMAN, HAWAII STATEHOOD COMMISSION, PRESIDENT OF HAWAII STATE CONSTITUTIONAL CONVENTION, AND FORMER DELEGATE TO CONGRESS FROM HAWAII

Mr. KING. Thank you, sir.

Senator COMMON. May I inquire Mr. King, when will your convention meet?

Mr. KING. The convention met on April 4.

Senator COMMON. You mean it has met?

Mr. KING. Yes.

Senator COMMON. And has it concluded its work?

Mr. KING. No; they are still assembled in Honolulu, but a good many of the delegates to that convention are present here as witnesses at this hearing.

Senator COMMON. Would you hazard a guess as to when you may finish it?

Mr. KING. About the middle of June, perhaps. There is no time limit in the law that created the convention.

Senator COMMON. I understand that. I think this committee will be interested in the final product.

Mr. KING. May I make a short summary first before I discuss the convention, Mr. Chairman?

Senator TAYLOR. Proceed in your own way, sir.

Senator COMMON. Pardon me. I was referring to the final product, which has not yet come out of the convention.

Mr. KING. Yes.

Mr. Chairman, as Delegate Farrington has said, my name is Samuel Wilder King. I am chairman of the Hawaii Statehood Commission, a special agency of the Territorial government created by the legislature to promote statehood. I am president of the constitutional convention, which was also established by authority of our legislature. I have served in Congress as Delegate for Hawaii for 8 years, a period of four terms, between 1935 and 1942.

For my personal record, I am a native-born citizen of Hawaii and of part-Hawaiian ancestry. I was appointed to Annapolis in 1905 from Hawaii, by the Delegate serving in Congress at that time. I served in the Navy a total of 27 years, in the Regular Navy, and in the Reserves, and I served through both World War I and World War II. My tour of duty in World War II was in the central Pacific, in Samoa, at Eniwetok, and Saipan, and ended up at the war's end in Japan where I was port director at Wakanoura, the port where the Sixth Army disembarked, as part of the United States Army of occupation.

When it was known that this committee was going to grant hearings on the statehood bill, H. R. 49, and the companion bills introduced in the Senate, there was a great deal of interest in Hawaii. We have here perhaps 50 witnesses, and many more would have come if they had any assurance that the committee would be able to give them time to be heard, or that their testimony would not be in duplication. Among those who have come here, there are 20 members of our legislature. The whole Hawaiian Legislature consists of 45 members—15 senators and 30 representatives—and we have 20 members of

our legislature here, including 9 senators and 11 representatives. There are six of us who are members of the statehood commission, myself and five others, and there are four gentlemen here representing our county governments, and a great number of civilians, private citizens, representing industry, business, and the professions. As I say, many more would have come if they thought it would help.

We have been interested in statehood ever since I can remember. As a matter of fact, we were interested in statehood before some of the present States became States. I don't know whether any members of the committee realize it, but Hawaii was led into the American pattern of life and culture long before annexation. Hawaii never was a part of any foreign country; it was always a small independent nation, ruled by its own Hawaiian king, and then was a republic until annexation came.

From the very earliest days, right after its discovery by Captain Cook, the culture of Hawaii has been trained along American and British lines. In the days of the monarchy the British had a great deal of influence in Hawaii, but gradually that influence diminished and American influence became predominant.

The early traders and settlers were American and north European. The American whaling fleet made Hawaii its berth during the winter seasons.

The American missionaries brought Christianity to Hawaii in 1820, which is a long time ago. The Hawaiian language was gradually replaced by the English language; and, as a matter of fact, English was the legal language in 1890, 8 years before annexation. The coinage used was American, and the Government was set up in the framework of American democracy. As a matter of fact, the missionaries brought the ideas prevalent in New England in 1820, right after the period when this Nation was founded, and they had the same ideas in their heads as to how the government should be worked, as to the division of responsibility between the three branches, legislative, executive, and judicial. So, even in the days of the monarchy we were patterned after a democracy; and, as the king yielded to the demand for greater and greater democracy, Hawaii became almost a part of the United States before the American flag was hoisted on the flagpole in front of the royal palace.

I was born in Hawaii of a Scott father, a naturalized American citizen, who settled in the islands in 1860. My mother was of New England and Hawaiian ancestry. One of her ancestors came from New England and settled in Hawaii in 1793, a contemporary of George Washington. I am not the only one of that category of similar background; there are many more.

The Hawaiian people died off very fast. In 1872 there were only 56,897 people in the whole of Hawaii.

Senator CORDON. What year was that?

Mr. KING. 1872. Those are Hawaiian statistics, and they are fairly accurate. In 1872 there were only 56,897 people in the entire group of islands, the present Territory of Hawaii. They were almost exclusively Hawaiian. There were a handful of Caucasians and a handful of part Hawaiians.

My ancestor married a Hawaiian chiefess at that time, in 1793, and that accounts for my part-Hawaiian ancestry. As I said awhile ago, I

am not the only one in that category. There are hundreds, if not thousands, like me, who are descendants of those early settlers.

When immigration came to Hawaii, it came from the Orient, because there was no possibility of attracting people from Europe. We drew on China and on Japan and on the Philippines and in part from the Portuguese group and Spanish group, Latin people, who are all very fine citizens today. In this group here today there are representatives of every one of those races.

Hawaii, despite the fact that it was a kingdom, did not treat these immigrants as though they were colonials, or as though they were there to serve the purposes of labor and had no other rights or privileges. Hawaii treated them just as the United States treated its immigrants. They were free to enter into any and all the businesses and professions, and as their children were born they went to the public schools of the Territory, where they learned English, and they participated in the life of the community exactly as the children of the immigrants do in this country. They absorbed American ideas a long time ago.

The Chinese people have been residents of Hawaii over 100 years, and the Japanese people 65 years. I think they first came to Hawaii in 1884. All these people were welded together in the American pattern of life. They had no other allegiance. We were never under Spanish dominion. There was a time when we might have become a British colony. Even Russia tried to move on to Hawaii from Alaska, at the same time that they were trying to establish a settlement in the Oregon country and in California, but all of those efforts failed because of the influence of the American people who were guiding the destinies of Hawaii long before annexation.

Those Americans realized that the possession and sovereignty of Hawaii was essential to the United States; that the United States could not even conceive of having another foreign nation gain power in the Hawaiian Islands. So, when annexation was finally achieved in 1898, during the Spanish-American War, it was not a very great change. As a matter of fact, the President of the Republic of Hawaii was made the first Governor of the Territory of Hawaii. Every one of the executive officers were sworn in; took the oath of allegiance to the United States, and continued in the same job. There was not any adjustment needed to be made there. As I say, the language and everything else was already American.

Since that time we have been trying to work for statehood. We were annexed in 1898, 52 years ago. 50 years ago we were established as a Territory by the organic act, an incorporated Territory, and this is almost the anniversary of it. As a matter of fact, the act passed Congress on April 30, 1900, and the anniversary was last Sunday, but it actually did not go into effect in Hawaii until June 7, 1900. So, the anniversary is a little bit ahead of us.

In 3 years after that annexation we petitioned Congress to grant statehood to Hawaii. At the time of annexation we had 154,000 people, built up from the low-water mark of 56,000 in 1872 by immigration. Of those 154,000, 60 percent were aliens, and that included a very large population of Japanese. The United States did not have any concern about the Japanese population at that time, that alien population. Those responsible for annexation realized we were doing the same thing in Hawaii that they were doing here, absorbing the people

who settled in the country, some of them to better their economic situation, others who drifted there by accident, and settled there.

After that first petition, many others were introduced in Congress, from 1903 on. In 1920, our Delegate at that time, Prince Jonah Kuhio Kalanianaʻole, who had lost his opportunity of becoming King of Hawaii due to annexation and who had given up any idea of being a ruler, but who ran for and was elected to Congress 10 times, and who was well liked and well loved by the Members of Congress, like Joe Cannon and all the other noteworthy Members of the House of Representatives, introduced the first enabling bill, and since then practically every Delegate in Congress has introduced an enabling bill.

In 1935, as Delegate Farrington said a little earlier, because of the concern we felt as to the insecurity of our position, both economic and political, we pressed more strongly for statehood, and also because at that time we felt that Hawaii was mature enough to be entitled to become a State. I was the Delegate at that time. We had a House committee go to Hawaii and make an investigation, and it came back with a very good report. It was signed by three of them who were in favor of deferring action, and two of them for reporting the bill out immediately.

In 1937 a joint committee of Congress, both the Senate and House, went down to Hawaii and made a very exhaustive investigation and wrote a very splendid report. I am sorry that the chairman, Senator O'Mahoney, is not here. He was chairman of the subcommittee that drafted the report. I was a member, the other member being former Representative Eugene B. Crowe, of Indiana. That report was almost a prophecy of what we are facing today. In that report was this statement, which I should like to read. It is not too long. It is headed:

THE FUTURE OF HAWAII

It may be taken for granted that Hawaii will continue to increase in population for some time to come. Its resources have by no means been completely developed. Additional areas are available for the cultivation of foodstuffs for local consumption, or for raising some yet-to-be-determined exportable commodity.

Let me say the flowers on the mantel are samples of one of the new industries. There are others that are springing up.

Hawaii's tourist traffic; its commerce, both by ship and air; and its production of specialty merchandise; are all far from having reached their maximum. The trade of the Territory, now in excess of \$200,000,000 annually, will increase greatly beyond that figure. The development of the islands to their physical limits will continue for some decades. The people will increasingly become more homogeneous in character and outlook. Their aspiration to a fuller, more complete life, will bring about a greater diffusion of wealth.

That has been going on. Senator O'Mahoney expressed some concern about the economic domination. Frankly, that does not exist. That does not exist in any greater degree than in any community where there is a limit to the number of banks, newspapers, or other commercial and industrial organizations that can operate profitably.

The entire strength of the community, with its special background of racial tolerance and social-mindedness, will support the efforts of the workers to obtain a larger share of the products of their industry.

That has come about very rapidly in the last 15 years.

In short, the picture of Hawaii in the future is in embryo the picture of America.

It is obvious that such a community, industrious, prosperous, and progressive, will not be content for long to be held in a subordinate position in comparison with other parts of the Nation. It is hardly conceivable that the United States, dedicated to the very principle of self-government and equal treatment of all its citizens, should long desire to impose any restrictions upon the full measure of self-government to be accorded Hawaii.

It seems to me that statement is very pertinent to this hearing.

Shortly after 1937 the war broke out in Europe, in 1939. I was still the Delegate and I was prepared to have another congressional group go out to Hawaii to check the report of the previous one, but the war prevented. This report recommended that a plebiscite on statehood be held. In regard to the plebiscite held in 1949 I want to stress the fact that it was held under very difficult circumstances, but it resulted in a vote of 2 to 1 for statehood. It was after the war started in Europe, when people's minds were so much concerned with our large Japanese population and when there was some apprehension as to their loyalty, I felt right from the start that the apprehensions were not justified, that such fears indicated a loss of faith in American democracy. That democracy had percolated and had been absorbed by our people to such an extent that there wasn't any doubt in my mind that they would be loyal to the United States. I so expressed myself at that time. Regardless, however, of the difficult circumstances, in that plebiscite the vote was 2 to 1 in favor of statehood.

During the war the entire population of Hawaii was devoted to the prosecution of the war. There was no further opportunity to press for statehood. I wish I could show you the picture as I saw it when I flew back there from Washington in December 1941, within a few days after the attack on Pearl Harbor. The entire population was a military camp. Everybody was doing exactly what they were required to do. There were blood banks, volunteer workers, everyone was devoting his heart and soul to the prosecution of the war, to my mind, to a greater extent than on the mainland. Labor was frozen to the job in order to produce the essential commodities of our industry and also to help in the war effort.

In 1943 Delegate Farrington succeeded me in Congress, and immediately after the war pressed for consideration of the question of statehood again. We had the report of 1946 of the Larcade committee and the report of 1947 of the Welch committee, and the splendid report made by Senator Cordon in 1948, and every one of them was favorable, some of them urging immediate approval of statehood. The only report in opposition was the one made by Senator Butler on the single issue of communism.

We in Hawaii ask what more can we do? What more do we have to do to qualify for statehood? What is lacking in our Territorial record, in our record as citizens, in the record of our youth who went to war, that would justify denying action on statehood at this time?

We have been a Territory for 50 years and we have been asking for statehood for 47 years by petition and by enabling acts, and yet we find ourselves in this impasse.

In 1948, after our bill had passed the House in 1947, it died in this committee. I am not in a position to judge as to the reasons or the justification for it, but certainly in this year, after it had passed the House again with a vote of 262, there is no further justification for

any delay or any deferment or any lack of action. As a matter of fact, I believe the people of Hawaii would be better satisfied if this committee was to report out the bill and it was voted down in the Senate. We think the time for taking a definite position has come. It ought to be decided "Yes" or "No," we are either fit as a State or, we want you to say "We don't want to let you in." Then it will be the duty of Congress to reexamine the status of the Territory of Hawaii, to decide what disposition to make of us. If you decide we are not fit for statehood then how can we justifiably be continued as an incorporated Territory?

There is a question of timing. I don't know how much further time you need for us to prove ourselves. We have done so over the years. Even in the Spanish-American War the whole community was a patriotic American community, while we still had the Hawaiian flag flying over the islands.

In the Spanish-American War our men enlisted in the American forces as they passed through the port of Honolulu and went on their way to the Philippines. I, myself, was a boy around that time when the people of Honolulu turned out as a welcoming committee to help those troops, that came largely from the west, and on their return from the Philippines. In the days of "embalmed" beef instead of real food, we used to feed them, we used to welcome them when they came back from the Philippines and were on their way back to the mainland.

So I say Hawaii has been an American community in essence, in its school system, in its government, and in its appreciation of democratic processes since at least 1870, and we have been an American Territory since 1900. I feel that I express the sentiments of a great majority of the people of Hawaii when I say we feel we are entitled to an answer from Congress, and of course, we believe and hope it will be an affirmative answer.

Senator COMON. Mr. Chairman, may I make an inquiry?

Senator TAYLOR. Certainly, Senator Cordon.

Senator COMON. Mr. King, I was very much interested in my visitation in Hawaii, in the steps being taken to plat residential areas in the various parts of the Hawaiian Islands, and particularly the plan looking toward ownership by individuals of their own homes. I would like to know now what has been the progress of that work in the islands?

May I say before you answer that, one of the things that gave me some concern was the lack of widespread home ownership, and I was pleased to notice the forward-looking program that was then in a little more than the developmental stage. I would like to know whether or not it has been carried forward.

Mr. KING. Well, Senator Cordon, it has been carried forward at a rapidly accelerated rate. There is more and more land put on the market to be sold as homes and small farms. The plantations have engaged in a program of making land available to their own employees who wish to purchase them to a great extent. Individual real-estate operators—I happen to be one of them—put in many subdivisions in the urban areas within the last few years.

Let me say one reason land is so closely held in Hawaii is because we have come very rapidly from a sparse population to the beginnings

of a dense population, and the population now will demand a greater distribution of land.

Senator COMMON. Isn't it true, though, Mr. King, that the offshore competitive factors of your two major crops, pineapple and sugar, and particularly the fact that the major user is the United States, and the United States has certain relationships by reason of congressional enactments with some other sugar-producing areas offshore, isn't it true that those factors in themselves militate against any early and sharp and over-all breakdown in your land pattern, insofar as the two major crops are concerned?

Mr. KING. If I understand the question correctly, I would say "yes," for this reason; that agriculture, as we practice it, is a large-scale operation which requires large areas of land and very heavy expenditures of invested capital for carrying the crop on. Sugarcane takes from 18 months to 24 months to mature. Pineapple, the first crop, 18 months, and the second crop 12 months, and after that they have to let the land lie fallow.

There are other speakers who will go into the industrial angle pretty thoroughly. The distribution of land will increase rapidly over the next few years. When Senator O'Mahoney was out there with the joint committee of Congress, he expressed some concern about our trusts, trust estates, and big landed estates. I explained to him then that under the American pattern a man may leave a trust estate to his heirs, and there is a limit to the number of years it can continue. We have the same limitation, I think, in Hawaii that is common to legal jurisdictions here. There are lawyers here that might be able to bring it out better than I can.

Senator COMMON. The greatest trust estate is the charitable trust.

Mr. KING. The greatest one is the charitable trust. That maintains the schools for Hawaiian boys and girls. Two very large ones terminated the other day. The property has been distributed to the owners in fractional shares, and they are beginning to sell it. That process is continuing as time goes on.

May I say, Mr. Chairman, the question of the decrease of the Hawaiian population was brought up in previous testimony. I am Part-Hawaiian, as I said, and the welfare of Hawaiians as a part of the whole community is very close to my heart. When Captain Cook discovered Hawaii there were various estimates of the total population, from 250,000 to 400,000. In this report, Document No. 151 of the Seventy-fifth Congress, third session, an arbitrary estimate of 300,000 people, Hawaiian people all Polynesians, was made as of the date of discovery, 1778. The greatest decrease was within the next 25 to 40 years. There were no immunities on the part of the Hawaiians against the ordinary ailments that other people had had a lot of experience with, such as colds, measles, chicken pox, which were introduced into Hawaii with the trade with the western world. And the Hawaiians died off pretty fast. Hawaiians ceased to die off about 1872 and began to increase, and then immigration came in, and since then the Part-Hawaiian part of the population has increased tremendously. This comparative table shows that as the pure Hawaiians were decreasing the Part-Hawaiians were increasing. Today there are more Hawaiians with some degree of Hawaiian in their blood than there has been in Hawaii since 1850. There are 85,000 people in Hawaii with some

degree of Hawaiian blood. I myself am one-eighth Hawaiian. There are witnesses here, members of the legislature and others, who are half Hawaiian, and quarter Hawaiian, and various degrees Hawaiian, but we all consider ourselves Hawaiians in the same degree. There are more of us today than there have been in Hawaii for 100 years. The forecast for the future of Hawaii is that before the end of this century practically the majority of the people of Hawaii will have some portion of Hawaiian blood. In my own case, I have five children and six grandchildren, and the process is going on in every other part of the Hawaiian Islands. We are a very prolific race. The fact is the birth rate on the part of the Part-Hawaiians is higher than for any other racial group in Hawaii.

I have no fear for the future of the Hawaiian race. I expect they are going to help create a new race, and it will be an American race, no different than in some parts of the United States where we have the Spanish-Americans, or where the French settled in Louisiana are numerous, and where other racial strains predominate, and where you have in parts of America a very heavy degree of Indian blood.

I did not want to discuss the racial question too much. Secretary of the Interior Chapman I think discussed that very completely. I would like to emphasize, however, with all the emphasis and all the intensity that I can, that there is no question in Hawaii of Japanese, Chinese, or what-not. We are all Americans, we are Hawaiians, and our patriotism is American. The people of all our races go to our schools, they take part in our politics, they serve in the legislature, on the county boards of supervisors, without any question as to what their racial ancestry is. We carry out the basic principles of American democracy and ideas, as we have done all these years. "A man is a man for a' that," as Bobbie Burns said. A man is judged on his merits, as an individual and not as a member of any particular racial group.

I was supposed to discuss primarily the constitutional convention, but I could not help but go on with this other angle because I feel so keenly that the committee may not realize that Hawaii has an ancient and honorable American history as well as a Hawaiian history. Many of the great names in American history are great names in our history. Daniel Webster wrote the first state paper that protected us against infringement of our sovereignty by England and France. John Young and Isaac Davis, two American sailors, were advisers to King Kamehameha. Lincoln wrote a letter of thanks, and presented a gold watch, to a Hawaiian missionary who saved the captain and mate of an American vessel who were going to be eaten up by our cousins, the Marquesans, who were cannibals, but Hawaiians were not. The famous explorer, Commander Wilkes, explored the islands thoroughly in the 1840's. He and others made repeated recommendations that the United States by no means lose possession of Hawaii to any foreign country.

Right down the line, Hawaii and America have been so closely intertwined that there was never any other destiny, except for Hawaii to be a part of the United States of America.

It has been suggested that we be a county of California or Oregon. As a matter of fact, we are an older community than either California or Oregon. We were an American seaport carrying on trade in the Pacific area when California was still under the Mexican flag.

Senator TAYLOR. You are not suggesting that we let Hawaii take over California?

Mr. KING. No. You might ask Senator Cordon to annex Hawaii to Oregon. There is a little incident that I might tell you of a young man, William Lee, who was on his way from New York to Oregon, when Oregon was still called the Oregon country, and when he landed in Honolulu we shanghaied him, and made him the chief justice of Hawaii, and he wrote the first constitution in Hawaii based on the common law practiced in New York at that time. What was our gain was Oregon's loss, because he would have been a fine pioneer in Oregon. We had a close association with Oregon in its earlier development. The Astor Fur Co. used many Hawaiians as boatmen and sailors, and they were splendid sailors. There is an Owhyhee Mountain and there is the Wahoo River in Oregon, which are the Anglicized pronunciations of Hawaii and Oahu, that were named in honor of those Hawaiian pioneers.

In the early days in California the forty-niners sent their children to our schools, because we had the first school in English west of the Mississippi, long before there were any schools in the English language west of the Mississippi River.

I think we had one of the earliest newspapers in the English language west of the Mississippi River.

We shipped wheat and produce to California in the days of 1849. Later, of course, California grew so fast and so big that we now buy about two-thirds of its rice crop. We are a very big purchaser of California products.

One of my own ancestors was the first American trader up and down the California coast, trading American merchandise for hides and tallow.

Hawaii is not so far from the mainland when time is computed in these days. I could have left Honolulu last night, or the night before, and been here now. Many of these gentlemen left Honolulu Saturday morning and were here Sunday morning. One left Saturday night and was here Sunday night. So time and distance does not mean very much now.

In our effort to achieve statehood, Mr. Chairman, we have reexamined our American history, and it is our American history. We discovered there were about 15 Territories that had not had an enabling act passed by Congress, or 15 States, for they had not all been Territories, but there were several of them that never had the Territorial status, such as Vermont, Maine, West Virginia, Texas, and California. But there were others that had been organized Territories in exactly the same status that Hawaii occupies today, that had done the same thing we are now doing, while waiting for the passage of an enabling act. They went ahead on their own and held a constitutional convention which was in some cases authorized not even by the legislature but by gubernatorial decree, and among them there are States like Florida, Iowa, Oregon, and Tennessee. You recall Andrew Jackson was a member of the Tennessee group that decided they wanted to be a State and they held a constitutional convention, adopted the constitution and elected a governor and a State legislature, two Senators and Representatives, and came here to Washington and said, "Please seat us," and Washington seated them, and that is all there was to it. Other States have done the same thing.

We are not trying to be presumptuous. We are following the best American procedure and precedent in having the constitutional convention without having to wait for the passage of H. R. 49.

But we do want Congress to pass H. R. 49, for many reasons; it gives approval to what we have done so far, and we urge that that approval be granted. We are carrying out the provisions of H. R. 49 to a very large extent in this constitutional convention that we are holding now under the authority of our own legislature, in the election of the delegates and other provisions. However, if H. R. 49 were passed without amendment and made the law of Congress we would have to go ahead and hold elections all over again, and collect a new group and waste all the effort and time and the money that was put into our effort so far.

So we urge, for that reason, that there be an amendment to H. R. 49 that will confirm what we have done to date. This act of our own legislature says should Congress pass legislation authorizing a constitutional convention the provisions of our act will be superseded, naturally, by the congressional act, but if some companion amendment is not incorporated in H. R. 49 we will have to repeat what we have already done.

Now the convention elected 63 delegates from all over the Territory. The election districts are so zoned that no section of Hawaii is without representation in this constitutional convention, no county or large subdivision of a county.

Senator BUTLER. Is the representation on a proportional basis as to population, Mr. King?

Mr. KING. Yes, and as to the other islands they have a little heavier representation. Their representation was about delegate to, I would say, around 2,500 votes, if my recollection is correct. I have the figures here. On Oahu there is a little higher number of voters per delegate. Then there are provided in each island certain delegates-at-large, as we call them. In other words, taking Oahu as an example, in the fifth district, with about 30,000 voters, they elected six delegates-at-large from the whole district, and then 12 more from smaller districts or precinct groups, so that there was a good cross-section of the whole community, both as to race and as to vocation, and as to the general character of the population. About 17 of those delegates are here.

The work of the convention has gone on, but, nevertheless, it has been interrupted to permit these delegates to appear here, because many of them are members of the legislature and of the statehood commission and of the county government.

I have here a group of photographs and brief biographies, of every one of the 63 delegates. If the chairman would permit, I would like to incorporate those in my statement. Not the photographs, of course.

Senator TAYLOR. We will put them in as part of the record, and we will keep the entire document as an exhibit.

Mr. KING. Thank you, sir. They are educators, members of the legislature, members of the county government, doctors, dentists, lawyers—about 16 lawyers; they represent every type of citizen of Hawaii, every racial group. There are 27 of Caucasian ancestry, 19, if I recollect correctly, of Japanese ancestry, 11 Hawaiian and Part-Hawaiian, and 4 of Chinese ancestry. It just happens to break

that way. There were some of Filipino ancestry that were candidates but they did not get elected. Our Filipino citizen group is still a new one, but it is fairly large and in no time we will have men of the Filipino race being elected to public office and serving alongside of the others, without any question as to their race whatsoever. They will just be American citizens who have run for office and been elected.

Senator TAYLOR. I want to say personally that is a very wonderful thing that is happening. It is wonderful to be able to prove it can happen, because it seems the only hope of mankind to escape extinction is when the day may come that we all can sit down together and follow the example of Hawaii.

Mr. KING. Thank you, sir. That was going to be my closing statement.

(The documents referred to follow:)

[From Honolulu Star-Bulletin]

MEET YOUR CONVENTION DELEGATES

GARNER ANTHONY, FOURTH DISTRICT, OAHU

As attorney general from 1942 to 1944, he was a leader in the Territory's long fight to modify martial law.

A Honolulu resident for 23 years, Mr. Anthony is a graduate of Swarthmore College, Pa., and Harvard law school in 1926.

He is now a member of the law firm of Robertson, Castle & Anthony.

In private practice he has rendered successfully many clients claiming damages resulting from martial law.

He was a sergeant in the field artillery during the First World War.

C. NILS TAVARES, FOURTH DISTRICT, OAHU

The former attorney general and president of the Bar Association of Hawaii has had wide experience in public service.

He was educated in Maul schools and is a graduate of the University of Michigan. He was in the attorney general's office from 1927 to 1934 and drafted a majority portion of the Territory's tax law revisions in 1932.

He has been special counsel to the legislature and city-county of Honolulu at various times. He returned to the attorney general's office in 1941 and was attorney general from 1944 to 1947.

Mr. Tavares is a member of the law firm of Pratt, Tavares & Cassidy. He has also been chairman of a statehood subcommission.

BENJAMIN O. WIST, FOURTH DISTRICT, OAHU

An island educator for more than 30 years, he was dean of the University of Hawaii Teachers College for 17 years.

He is also author of a book on the development of Hawaii as a part of the American pattern.

He has been chairman of a commission which reorganized education in Samoa and is now a member of the Navy's Committee on Education for Guam and the Trust Territory.

Dean Wist is also a member of the University of Hawaii board of regents and has been a visiting professor recently at Yale University and the University of California.

W. HAROLD LOPER, FOURTH DISTRICT, OAHU

Now superintendent of the department of public instruction, he has been with the DPI and in other governmental executive positions since he arrived here in 1921.

He was director of liquor control for 2 years during the war. He was also co-chairman of the Territorial war labor board, and has been arbitrator, mediator and member of several emergency boards dealing with labor disputes.

Shortly after Pearl Harbor, he directed fingerprint centers throughout the city. Dr. Loper has been superintendent for the last 3 years.

WILLIAM H. HEEN, FOURTH DISTRICT, OAHU

Chairman and vice chairman of the legislative hold-over committee this term, he has been a member of the Territorial senate since 1927.

A practicing attorney, Senator Heen has been deputy attorney general, 1915-17, judge of the first circuit court, 1917-19 and city-county attorney of Honolulu, 1919-25.

A graduate of the University of California, Senator Heen has argued statehood in Washington, been chairman of a special statehood commission subcommittee to draft part of a model constitution, and a member of the 1947 legislative committee on statehood.

HERBERT K. H. LEE, FOURTH DISTRICT, OAHU

A member of the house of representatives for two terms he is now a senator, with a broad background of statehood experience.

He went to Washington in 1947 to urge statehood for Hawaii before the Public Lands Committee, which voted unanimously in favor of the 1947 Enabling Act.

The statehood commission appointed him chairman of a special committee to draft part of a model constitution.

He is a graduate of McKinley High School, attended the University of Hawaii, and was graduated from Yenching University in Peking, China.

A practicing attorney, he earned his law degree at the University of Michigan.

ARTHUR K. TRASK, FIFTH DISTRICT, OAHU

An attorney and Democratic party official, he is the son of David K. Trask, a veteran party leader.

He received his law degree from Georgetown University, Washington, D. C.

After 3 years of service with the territorial department of public works, he entered private law practice with his father, a district court practitioner.

He was a member of the equal rights commission for years, and secretary of the 1940 statehood plebiscite campaign.

CLARENCE Y. SHIMAMURA, FIFTH DISTRICT, OAHU

A political newcomer, the Honolulu-born attorney served as district judge in Waiialua from 1937 to 1943.

He attended Honolulu public schools and the University of Hawaii. He was graduated from Oberlin College in 1929 and received his law degree at Harvard in 1933.

Active in community affairs, Mr. Shimamura is now president of the Robert Louis Stevenson intermediate school PTA, and a member of the board of managers of the Nuuanu YMCA and of the Honolulu council, Boy Scouts of America.

FRED OHRT, FIFTH DISTRICT, OAHU

He is in his first elective office but has a record of 30 years of public service, including the job of chief engineer and manager of the Honolulu board of water supply since 1929.

Born on Maui, he attended St. Louis College in Honolulu, the University of Oregon, and was graduated from Cornell University.

Known as the "Luna Wai," or "Boss of the Water," Mr. Ohrt is credited with the creation of Honolulu's modern water system.

He has aided in drafting many laws and has been a member of the board of trustees of the territorial retirement system for 10 years.

SAMUEL WILDER KING, FIFTH DISTRICT, OAHU

Known as the "statehood man," the former delegate to Congress is now chairman of the Hawaii statehood commission.

Born and educated in Honolulu, he was one of the first men with Hawaiian blood to graduate from the United States Naval Academy at Annapolis, Md. He retired from the Navy in 1924 and was elected delegate in 1935. He served until 1942, when he retired to rejoin the Navy.

He headed the governor's emergency housing committee after the war, was chairman of the GOP territorial convention in 1948 and delegate to the 1948 national convention.

He is active in the Veterans of Foreign Wars, American Legion, Order of Kamehameha, Hawaiian Historical Society and the Commercial club.

HERBERT M. RICHARDS, FIFTH DISTRICT, OAHU

A businessman of varied interests, he is a former supervisor and two-time unsuccessful Republican candidate for mayor of Honolulu.

A native of Honolulu, Mr. Richards is a graduate of Wesleyan University, Middletown, Conn.

His business interests have included agriculture, public utilities, automobiles and restaurants.

He has been president of the Hawaiian Board of Missions, treasurer of the Boy Scout council, treasurer of Kalihi Union church and a director of the YMCA.

CHUCK MAU, FIFTH DISTRICT, OAHU

Responsible for getting the "immediate statehood" plank in the 1948 national Democratic platform, he has been a Honolulu attorney for 15 years.

He has been elected to the Honolulu city council council board of supervisors four times and is currently on the board. He is also a former deputy attorney general.

Supervisor Mau has been a director of Leahi Hospital, child and family service, Honolulu community theater, Jaycee Oldtimers, Mid-Pacific Institute, Hawaiian-Chinese Civic Association, YMCA and the Society for Crippled Children and Adults.

NANCY CORBETT, COMBINATION O, OAHU

The wife of Circuit Judge Gerald R. Corbett is a veteran in community affairs, although a first-time candidate.

A native of Providence, R. I., and a graduate of Smith College, Mrs. Corbett first came to Hawaii in 1921 for several years as a school teacher. She then toured Europe, returning here in 1931.

She has been in the educational department of the academy of arts for 15 years. For the last 3 years she has been executive secretary of the Honolulu Community Theatre.

Recently she has been a member of the Honolulu Chamber of Commerce educational committee, which has been preparing recommendations for the convention.

JOHN K. LAI, COMBINATION O, OAHU

Businessman-musician, Lai, another newcomer to politics, is an active sponsor and promoter of instrumental music in the islands.

He is founder and president of the Metronome Music Co., of 76 S. Hotel St., of Ko-Lae Manufacturing Co., producing monkey pod and koa wood ukuleles, and a former member of the Honolulu symphony orchestra.

Mr. Lai was born in Honolulu and was graduated from McKinley High School in 1931.

He is also a member of the Honolulu Chamber of Commerce and a sponsor of the Calling All Girls club.

FLORA K. HAYES, COMBINATION P, OAHU

In her five terms in the legislature she has been chairman of the education committee four times.

In 1943 she initiated the kindergarten system, now spreading throughout the Territory.

In 1947, she was one of four representatives sent to Washington to represent Hawaii at the House statehood hearings.

Mrs. Hayes is past president of three groups—the Hawaiian Civic club, the Hawaii Congress of Parents and Teachers, and the Kamehameha Alumnae association. She is the wife of Dr. Homer Hayes.

DR. HAROLD S. ROBERTS, COMBINATION Q, OAHU

An industrial relations expert, the doctor is chairman of the business and economics department of the University of Hawaii.

A graduate of New York City College and Columbia University, Dr. Roberts has represented the United State Government at several international economic conferences.

He is acting director of the Industrial relations center at the university and was a member of the Governor's emergency board during the longshore strike last year.

He has acted as mediator in several utility disputes, is chairman of the tripartite Territorial employment service advisory council and a member of the YMCA board of governors.

MERDEN PORTEUS, COMBINATION Q, OAHU

A long-time statehood supporter, he has been a Territorial house member for the last five terms.

A graduate of Punahou, University of Hawaii and Harvard Law School, he was cotroducer of the constitutional convention act in 1949, and the 1947 statehood commission act.

He is now chairman of a commission subcommittee drafting a portion of the model constitution, and chairman of the statehood subcommittee of the legislative hold-over committee.

He has appeared as a prostatehood witness before numerous congressional committees.

DR. SAMUEL K. APOLONA, JR., COMBINATION R, OAHU

Dentist and well-known athlete and coach, he is the first Hawaiian-Chinese to become president of the Japanese club, McCully Makule.

Raised in a Palama tenement he attended Kaulani, Kamehameha and St. Louis College and was graduated from the University of Southern California College of Dentistry.

He has coached basketball at St. Louis and baseball at Roosevelt and Kaimuki High Schools. He is a former coach and co-owner of the Apollos basketballers, coach of the Cromwell-Hawaiians and general manager of the Riger baseball team.

He is now director of the St. Louis and McCully community associations.

DR. KATSUMI KOMETANI, COMBINATION R, OAHU

A veteran of the famous One Hundredth Infantry battalion, the dentist was elected in the primary in his first political attempt.

He attended McKinley High School, Mid-Pacific Institute, the University of Hawaii and was graduated from the University of Southern California School of Dentistry.

Dr. Kometani is now chairman of the Honolulu city-county board of parks and recreation, a trustee of the Moiliili Community Association, chairman of the Hawaii Veterans Memorial Fund and a member of the board of directors of Trans-Pacific Airlines.

HENRY A. WHITE, COMBINATION S, OAHU

Elected in the primary in his first political try, Mr. White has been president of the Hawaiian Pineapple Co. since 1941.

Born and educated in Honolulu he started his business career as a milkman while a student. In 1921 he went to work for Castle & Cooke, Ltd., as a book-keeper and rose to executive vice president.

He is a member of the board of directors of Castle & Cooke, Ltd.; Honolulu Gas Co., Ltd.; Pacific Refiners, Ltd.; Andrade & Co., Ltd.; and the Honolulu Chamber of Commerce. He is also finance committee chairman of the convalescent nursing home

DR. NILS P. LARSEN, COMBINATION S, OAHU

An internationally minded pathologist the doctor has been a Hawaii resident for 27 years.

He was born in Stockholm, Sweden, and educated at Massachusetts Agricultural College, Cornell University Medical School and Columbia.

He ended his army career in the First World War as a major. Considered an authority on plantation medicine and public health he is one of the founders and leaders of the Hawaii chapter of the United World Federalists.

ALEXANDER H. F. CASTRO, COMBINATION T, OAHU

The young president of the Honolulu Junior Chamber of Commerce is a realtor and vice president of A. D. Castro & Co., Ltd.

New to politics, he is a graduate of Punahou and the University of California at Berkeley. During the war he served in the Navy and left the service as a lieutenant commander.

Last year he was chairman of the Forty-ninth State Fair. He is a member of the board of directors of the Mental Hygiene Society and of the Honolulu Community Theatre.

During 1947 and 1948 he was acting French consul here, and commercial agent for the French Republic.

ELIZABETH B. KELLERMAN, COMBINATION T, OAHU

Lawyer, mother, and PTA leader, she is one of five women elected to the convention.

Mrs. Kellerman is the wife of George Kellerman, a vice president of the Bishop Trust Co., Ltd.

She was born and raised in North Carolina, and was graduated from Sweet Briar College, Va., and the Columbia University Law School.

Before coming to Hawaii in 1940 she served on the legal staff of the Reconstruction Finance Corporation. She is now the mother of two sons and chairman of the legislative committee of the Hawaii Congress of Parents and Teachers.

JAMES K. TRASK, COMBINATION U, OAHU

The young vice president of Oahu Insurance Co. was chief deputy clerk of the circuit court from 1936-43.

He was educated at St. Louis College and the University of Hawaii.

He is a member of the Territorial house of representatives.

Mr. Trask is also an active member of the Police Reserves, Hawaiian Civic Club, Windward Oahu Community Association, Lions Club and the St. Louis College Alumni Association.

EDWARD B. HOLROYDE, COMBINATION U, OAHU

With the Kahuku plantation since 1934, Mr. Holroyde is now assistant manager.

The 39-year-old father of two is a graduate of Punahou, and attended the University of Hawaii.

In 1948, he directed the Community Chest drive in rural Oahu.

He was recently appointed a member of the Koolau district soil conservation committee.

DR. MASAO KANEMARU, COMBINATION V, OAHU

A dentist-athlete and political newcomer, Dr. Kanemaru was amateur wrestling champion of Hawaii in 1934.

Named Wahiawa's "Young Man of the Year" in 1948, the young doctor is a graduate of Lihue High School, attended the University of Hawaii, and received his dental degree from the University of Southern California in 1938.

He is a former president of the Wahiawa Community Association, and the Wahiawa Chamber of Commerce. He is deputy district governor of the Lions Club.

He also serves in executive positions with the YMCA and the Boy Scouts.

YASUTAKA FUKUSHIMA, COMBINATION V, OAHU

A 33-year-old Honolulu attorney, he served with both famous Nisei units—the One-hundredth Infantry Battalion and the Four Hundred and Forty-second Combat Team—during the war.

He is a graduate of Lihue High School, the University of Hawaii, and Harvard Law School.

During the latter part of the war he was on the prosecution staff of the war crimes detachment in Manila and Tokyo. He was assistant city-county prosecutor from 1947 to 1948.

He was clerk of the house judiciary committee during the last regular legislative session. Elected outright in the primary, Mr. Fukushima practices law in partnership with James M. Morita.

ED C. BRYAN, COMBINATION W, OAHU

Born and educated on Oahu he has been housing director of Ewa Plantation Co., since 1947.

A graduate of Lihuehuan High School in 1937, he attended the Colorado School of Mines in Golden, Colo., on a scholarship.

He has held various engineering positions here and on the mainland, and was in the Army Signal Corps for 4 years during the war.

He is now Leeward Oahu district commissioner of the Boy Scouts, and president of the Ewa Recreation Association, the Ewa Precinct Improvement Council and the Ewa federal credit union.

GEORGE DOWSON, COMBINATION W, OAHU

Nineteen years with the Territorial department of public instruction, he is principal of the Waianae elementary and intermediate school.

He was born in Ewa, and graduated from Punahou and the University of Hawaii.

Mr. Dowson is director of the Waianae Civic Association, and past president of the Leeward Oahu Lions Club. He is also a member of the rural Oahu YMCA board of managers, and of the Boy Scout Council.

CHARLES E. KAUHANE, COMBINATION X, OAHU

The Democratic floor leader of the house, he is a former deputy coroner and deputy sheriff.

The father of four, Mr. Kauhane is Democratic national committeeman from Hawaii and has been in the legislature continuously since 1943.

He was born and raised in Honolulu and is a graduate of St. Louis College.

A member of the Hawaii Statehood Commission, the 44-year-old politician also owns and manages a restaurant. He is a life member of the Hawaiian Civic Club.

FRANK Y. KAM, COMBINATION X, OAHU

A one-term member of the legislature, he was born, raised, and now does business in Kailhi.

The owner of Frankie's Market, Mr. Kam was a 1948 Man of the Week. He was the first president of the Kailhi Golf Club, president of the Oahu Retail Food Dealers Association, and a member of the Kailhi-Palama Council and the Kailhi YMCA.

He is also a member of more than a dozen city-wide organizations.

TRUDE M. AKAU, COMBINATION Y, OAHU

She is the mother of six and the wife of George H. Akau, chief of the bureau of pure food and drugs in the Territorial health department.

This is her first political office, although she is vice president of the Hawaii Congress of Parents and Teachers. She was born and educated in Boston, Mass., and came to Hawaii about 20 years ago.

She is a graduate of the University of Hawaii, president of the Puunui Community Association, secretary of the Oahu Community Council, and a member of the Oahu Health Council and Disaster Relief Committee.

HIRAM L. FONG, COMBINATION Y, OAHU

The speaker of the house of representatives and chairman of the legislative hold-over committee, Mr. Fong has been a member of the legislature every term but one since 1938.

The 42-year-old businessman-attorney was born in Kailhi and educated at McKinley High School, the University of Hawaii, and Harvard Law School.

During the war he was staff judge advocate of the Seventh Fighter Command as a major.

He was GOP floor leader of the House in both 1945 and 1947, and is the first pure Chinese ever to be elected speaker.

He is senior partner in the law firm Fong, Miho & Choy, president of Market City, Ltd., president of Ocean View Cemetery, and coowner of the Alakea Building.

JAMES F. GILLILAND, COMBINATION Z, OAHU

Once secretary to Prince Jonah Kalaianui'ole, Delegate to Congress, he was a member of the Honolulu Board of Supervisors for 6 years, 1934-40.

He was also a member of the Territorial house during the 1947 legislative session. Born in Honolulu, he attended St. Louis College, Georgetown University, and received his law degree from Harvard University.

He has also been deputy United States attorney, chief deputy sheriff and coroner, and city-county attorney for two terms.

STEERE G. NODA, COMBINATION Z, OAHU

Now serving his first term in the house of representatives, Mr. Noda has been an interpreter for the district court for 14 years.

A 56-year-old father of four, he was also a deputy collector with the Internal Revenue Bureau for 6 years.

He was educated at Royal School and Mid-Pacific Institute. His athletic activities were varied, including judge of AAU wrestling tournaments since 1936 and official umpire of the Hawaii senior baseball league, 1926-30.

He has also been a member of the Kailhi YMCA and a Boy Scout committeeman.

NELSON K. DOI, FIRST DISTRICT, EAST HAWAII

One of the youngest delegates, the 28-year-old lawyer has been deputy county attorney since his graduation from the University of Minnesota in 1948.

Mr. Doi was born at Puna, T. H., and attended Hawaii public schools and the University of Hawaii. He is a former UH student body president.

He was secretary-treasurer of the Minnesota Law School Council and is a member of Gamma Eta Gamma law fraternity.

He was married last year.

TOM T. OKINO, FIRST DISTRICT, EAST HAWAII

A Big Island lawyer since 1932, the former Hawaii county attorney was elected in the primary.

Mr. Okino was born and raised on Hawaii. He attended Oberlin College, Ohio, and received his law degree from Harvard in 1932.

Since then he has been district magistrate, 1934-39; deputy county attorney, 1939-45, and county attorney, 1945-48.

He has been in private practice since then.

RICHARD LYMAN JR., COMBINATION A, EAST HAWAII

An agriculture expert and former school teacher, he is now manager of the Lyman estate.

He was born in Hilo, and was graduated from Hilo High School and the University of Hawaii, where he majored in agriculture.

He taught on Kauai, Oahu, and Hawaii before the war. He then became a civilian employee with the army engineers. In 1944 he was employed by the foreign economic administration to supervise agriculture in the central Pacific.

He was head of Kulani prison until he resigned to become manager of the estate.

JOE T. YAMAUCHI, COMBINATION B, EAST HAWAII

Now serving his first term as representative, he is a Hilo businessmen and tax consultant.

The 31-year-old war veteran is with Payless Appliance Store. During the last session of the legislature he was chairman of the veterans and military committee.

He is a graduate of Waiakea-uka School, Hilo High School, and the University of California.

Mr. Yamauchi is a member of One Hundredth Infantry Battalion Veterans' Club.

JAMES K. YAMAMOTO, COMBINATION C, EAST HAWAII

Probably the only delegate to list himself unemployed, he was a Hilo Electric Light Co. employee for 19 years.

Mr. Yamamoto lost his position last year when the company liquidated its merchandise department.

Born in Hilo, he was graduated from Hilo High School in 1931. He has been active as a professional basketball and football referee. He has also organized several athletic clubs on the island.

He is a member of the Kapiolani school PTA, former executive secretary of the Young Buddhist Association, and now president of the United YBA of Hawaii.

THOMAS T. SAKAKIHARA, COMBINATION D, EAST HAWAII

A member of the house of representatives six times since 1933, he is now a district court practitioner.

He was born and raised in Hilo and is a graduate of Hilo High School.

The veteran lawmaker was also clerk of the 1945 judiciary committee. Back in office in 1947 and 1949, he was chairman of the agriculture committee.

He is now a member of the executive committee of the Republican Hawaii County Committee.

CHARLES A. SILVA, SECOND DISTRICT, WEST HAWAII

A Kohala dentist for 20 years, he has been a member of the Territorial senate since 1934 and is now senior Republican member of the group.

Born in Hawaii, he is a graduate of Kukuihaele school on Hawaii, St. Louis College, and the University of St. Louis in Missouri. He also did postgraduate work at the University of California.

He has been president of the Kohala Lions Club, manager of the Kohala baseball team, and a member of the statehood commission.

EARL A. NIELSEN, SECOND DISTRICT, WEST HAWAII

A native Missourian, he came to the islands in 1936 to manage Station KHBC in Hilo.

He has been a member of the house for the last two sessions and was chairman of the 1947 health committee.

From 1940 to 1945 he was with the Federal Communications Commission and is now operating his own radio, appliance, and photo shop in Kona.

The father of four, he is a member of the Kona Civic Club, the Kona Lions Club, and the Kona Parent-Teachers Association.

FRANK LUTZ, COMBINATION E, EAST HAWAII

An ILWU unit chairman for 3 years, he was elected in the primary.

Mr. Lutz is now business agent for the Onomea-Hakalau sugar workers' unit. As an Army technical sergeant he participated in the Battle of the Bulge during World War II and won the Bronze Star.

He is a member of the Portuguese Civic Club of Papikou and is the father of four children.

TERUO IHARA, COMBINATION F, EAST HAWAII

An agricultural teacher, he served nearly 3 years with the Four Hundred and Forty-second Regimental Combat Team in the last war.

Born on Hawaii, he is a graduate of Hilo High School and the University of Hawaii.

He has taught at both Molokai High School and Honokaa High School.

He is a member of the American Legion.

SAKUICHI SAKAI, COMBINATION A, WEST HAWAII

A retired businessman, he has been on the Hawaii County Board of Supervisors from 1937.

He also conducts a tax-consultant service for Kohala businessmen now.

Mr. Sakai was born in Kohala and graduated from Punahou in 1914. From 1929 to 1946 he was owner of a general merchandise store.

From 1935 to 1937 he was also an assistant Territorial tax collector in Kohala.

PETER G. KAWAHARA, COMBINATION H, WEST HAWAII

The Big Island High School teacher is a graduate of the Kona public schools and a veteran of the Four Hundred and Forty-second Combat Team.

Born and raised on a coffee and vegetable farm in north Kona, he also attended the University of Hawaii and was graduated from Park College, Parksville, Mo.

He is now a member of the Konawaenu High School faculty. He has represented Kona 2 years at the Hawaii Education Association conferences and is a member of the HEA legislative committee.

It is his first public office.

HAROLD W. RICE, THIRD DISTRICT, MAUI

A rancher and "retired" veteran politician, he is a graduate of Princeton. The former Republican was a member of the Territorial senate from 1918 to 1934 and in 1940. In 1945 he joined the Democratic Party.

He is also former chairman of the Maui County Board of Supervisors.

Since 1916 he has owned the Cornwell ranch on Maui. He is now a member of the Hawaii Aeronautics Commission and, most recently, chairman of the Democratic "Harmony" Committee.

CABLE A. WIRTZ, THIRD DISTRICT, MAUI

He has been judge of the second circuit court since 1943.

Judge Wirtz was born in Honolulu. He is a graduate of St. Louis College, Santa Clara University, and the Harvard Law School.

In 1939 he was deputy Honolulu city-county attorney and was made attorney in 1941. From 1935 to 1939 he was associated with the law firm of Smith, Wilde, Beebe & Cades.

The father of two, Judge Wirtz is a member of the Rotary Club, the American Bar Association, and the Harvard Law School Association.

His appointment for a second 4-year term as judge was made in 1947 by President Truman.

J. PIA COCKETT, THIRD DISTRICT, MAUI

Now retired, he was a school teacher on Maui for 23 years, from 1898 to 1921.

He was also treasurer of Maui County for 25 years after that.

Mr. Cockett was born on Maui and attended Maui public schools and Kamehameha School. He was graduated from the Territorial normal school in 1904.

HAROLD T. KIDO, COMBINATION I, MAUI

Born and educated on Maui, this is his first public office.

Mr. Kido is a graduate of St. Anthony's College. He has been chief clerk with Baldwin Packers, Ltd., for 17 years.

Prior to that time he was associated with a local dry-goods store.

The father of three children, he is now president of the Kam III Parent-Teachers Association. He is also a member of the West Maui Lions Club.

KAZUO KAGE, COMBINATION J, MAUI

He is an Iao school teacher and sports official elected in the primary.

Born and educated on Maui, he is a graduate of the old Territorial normal school and the University of Hawaii.

His present sports positions are president of the Walluku Baseball Club and vice president of the Maui Football Officials' Association. He is also president of the Maui Teachers Association.

Among other groups he has served in official capacities are the Boy Scouts, Maui Council of Churches, Maui Chamber of Commerce, and the Maui Lions Club.

W. O. SMITH, COMBINATION K, MAUI

A Hawaiian Commercial & Sugar Co. division overseer, he is another of the newcomers to public office.

Mr. Smith was born on Maui and educated at schools on Hawaii and Maui. He is a graduate of the University of California College of Agriculture at Davis.

The father of two, he is now president of the Puunene Community Association and vice president of the H. C. & S. Supervisors' Club.

RICHARD P. ST. SURE, COMBINATION L, MAUI

Born on the big island's Parker Ranch, he is now head of the payroll department of Hawaiian Commercial & Sugar Co.

He is a 1920 graduate of Maui High School. He also attended the University of Hawaii and was graduated from Pacific University at Forest Grove, Oreg., in 1934.

Mr. St. Sure is a former employee of Maui Agricultural Co. He first entered politics when he ran unsuccessfully for the house of representatives in the last election.

ARTHUR D. WOOLAWAY, COMBINATION M, MAUI

A field superintendent for Hawaiian Commercial & Sugar Co., Ltd., he is active in both community and Republican Party affairs.

Born and educated in Honolulu, he also attended Centralia Junior College, Centralia, Wash., and the University of California.

Now a member of the Maui County Republican Committee, he has managed GOP campaigns on Maui for the last two elections.

Mr. Woolaway is a member of the Rotary Club, the chamber of commerce, Punene Athletic Association, the Maui Boxing Commission, and the Boy Scout council.

MARGUERITE K. ASHFORD, COMBINATION N, MAUI

One of five women elected to the convention, she is a veteran lawyer of 30 years' experience.

She moved to Molokai in 1946 after retiring from practice in Honolulu. The same year she was appointed district magistrate for Molokai.

In 1944 and 1948 she was a delegate from Hawaii to the Republican National Convention.

After graduation from Punahou, the University of California, and the University of Michigan Law School, she was appointed first deputy attorney general.

She has served every session since 1935, except the last, as counsel to either the senate or the house.

CHARLES A. RICE, SIXTH DISTRICT, KAUAI

The 73-year-old veteran politician-Garden Island rancher was elected in the primary.

He was born and educated in Honolulu and is a graduate of Heald's Business College in San Francisco.

He was a member of the house from 1905 to 1911 and of the senate from 1913 to 1938. After being a delegate to the Republican National Convention in 1912, he joined the Democratic Party in 1936 and was a Democratic convention delegate in 1944.

Mr. Rice is also manager of Wm. Hyde Rich, Ltd., and president of the Atwood Distributing Co., Ltd.

JACK H. MIZUHA, SIXTH DISTRICT, KAUAI

Policeman-teacher-attorney, he resigned from the Kauai County Board of Supervisors when he was elected in the primary.

He led the National Guard detachment which captured a Japanese flier on Niihau shortly after December 7. Later, after distinguished service with the One Hundredth Infantry Battalion in Italy, he was permanently disabled.

Before the war he had been a Kauai schoolteacher for 5 years. He got his master's degree in education from the University of Hawaii in 1930.

After the war he graduated from the University of Michigan Law School, opened law offices in Lihue, was elected to the board of supervisors in 1948, and was appointed magistrate of Waimea last month.

H. S. KAWAKAMI, COMBINATION AA, KAUAI

Businessman elected in the primary in his first political race, he has been a member of the constitution committee of the statehood commission for 2 years.

Born in Japan, he came to Hawaii in 1912 and attended Eleele Grammar School and Mid-Pacific Institute.

He went into business for himself in 1926 and now owns a retail store in Waimea, with branches in Lihue and Kapaa.

Mr. Kawakami is a member of the Territorial council on veterans' affairs.

RANDOLPH CROSSLEY, COMBINATION CC, KAUAI

The president of Hawaiian Fruit Packers since 1937, he first came to Hawaii in 1929.

He was born in California and is a graduate of the University of California.

He formed the Crossley Advertising Co. when he arrived here and in 1946 originated the Crossley Associates, Ltd., for the growing and distributing of flowers.

A member of the Territorial house of representatives in 1943, he also served on the public utilities commission from 1945 to 1947.

TOSHIO SERIZAWA, COMBINATION DD, KAUAI

A Kauai supervisor since his political debut in 1947, he comes originally from Kona, Hawaii.

He is now traffic representative for Hawaiian Airlines. He has also been in the farm produce business and worked with Trans-Air Hawaii.

In 1948 he was president of the Territorial junior chamber of commerce. He is a member of the Lihue Parent-Teachers Association.

Mr. Serizawa is a graduate of McKinley High School and attended the University of Hawaii.

MATSUKE ARASHIRO, SECOND DISTRICT, WEST HAWAII

He is a veteran of World War II and has been a member of the Territorial house of representatives since 1947. He was born in Hawaii and graduated from Kauai Vocational School. Formerly an employee of McBryde Sugar Co., he is now an automobile salesman for Garden Island Motors. He is an active member of a number of organizations, including the American Legion, the Kauai Veterans' Club, the Kauai Chamber of Commerce, the Kalaheo Civic Club, the Mental Hygiene Society, and the ILWU.

JOHN B. PHILLIPS, COMBINATION P, OAHU

He has lived in Hawaii since 1935. When World War II started he was a Honolulu police force student at the University of Hawaii. During the war he served in the United States Army as a Japanese-language officer. After the war he returned to the university and is now in his senior year in the department of arts and sciences. He has taken an active interest in government and was a delegate to the UNESCO sessions in San Francisco in 1949. The same year he was a delegate to the student state constitutional convention held on the University of Hawaii campus and was chairman of its constitution revision committee.

Mr. KING. Certainly it is a fact that in Hawaii we have welded together in one community—one community in purpose, intent, outlook, and ideals—people of very divergent races, and we have proved that democracy does work with people of such racial ancestry. If on the mainland your experience has been mostly with immigrants from Europe, not entirely but mostly, and you thought that in Hawaii, for various reasons, it was not possible with people of other racial background, nevertheless we have developed a splendid American community in those islands out of the people who did come there and settled there.

I am very proud of Hawaii. I think it is one of the outstanding places in the world; it really is. Life is pleasant; it is friendly, kindly; and there is very little animus between individuals. Even our politics is carried out with flowers, dancing, and music. Political opponents have called me names, but it did not mean too much. We were friends immediately after that. It was mainly perhaps to get a few votes away from me or make a few votes for themselves, and I had no animosity toward them on that basis.

I think we deserve a little better consideration from Congress for the successful experiment we have made in proving that American democracy does work with people of Asiatic origin. There has been a good deal of question in some people's minds as to whether it can be done or not, but we have proved it can be done.

I think, from the international point of view—I do not want to repeat the arguments made by the others—Hawaiian statehood is very important to the United States. I think those who doubted the success of the Hawaiian experiment have, to some degree, lost faith in American democracy. They say, "Well, it is fine for certain people but it won't work for others." That is not true today. It works with everybody, given a fair trial and carried out a long enough time.

My colleagues on the statehood commission with me, those who are here from the legislative group and the business group, every one of them represents good individual citizens and good Americans.

Thank you very much, Mr. Chairman. I would be glad to answer any further questions.

Senator TAYLOR. Are there any questions? If not, thank you very much.

Mr. FARRINGTON. Mr. Chairman, at this point may we present Mr. Seth Richardson, former Assistant Attorney General of the United States, who conducted the investigation of law enforcement in the Territory of Hawaii in 1932.

STATEMENT OF HON. SETH W. RICHARDSON, CHAIRMAN, PRESIDENT'S LOYALTY REVIEW BOARD AND FORMER ASSISTANT ATTORNEY GENERAL OF THE UNITED STATES

Mr. RICHARDSON. Mr. Chairman, I have some trepidation in coming. I confess I was glad to hear your statement a moment ago, because I don't think I ever heard a statement more appealing than the one just made by Mr. King. It affected me very strongly. I doubt whether there has been a statehood application presented in the way in which that citizen of our country presented the case for his country.

Senator TAYLOR. He spoke from his heart, and it was very interesting.

Mr. RICHARDSON. I am not at all sure I can be of any aid, and yet maybe I can. It is by mere chance that I was appointed the head of a delegation to go to Hawaii a number of years ago, at a time when the government of Hawaii hung in the balance, when there was a definite movement on foot to completely withdraw from the Territory any self-government and turn it over to a military commission to govern from that time on.

I had a group of FBI men and went to the islands and spent a couple of months there. We were like a bunch of monks. We were the only visiting delegation that went to Hawaii that did not spend most of its time being entertained. We made a rule when we landed, Mr. Chairman, that no member of the committee or of my organization should accept any private entertainment or give any press interviews.

Well, we stayed there 2 months. I don't know how we could have made a more careful investigation of Hawaii. It was new to us. It was tropical country, as far as I was concerned. I expected to see many strange sights. We went there, we spent 2 months, we examined about

500 selected citizens in Hawaii on all of the general subjects of life in Hawaii, and law enforcement, crime, and everything else that has to do with life in Hawaii. We examined very closely the people, from the president of the university down to the proprietor of the leading red-light district. We had a confidential interview with the Territory's leading bootlegger. We neglected nothing. I confess that I came home one night and I was sitting in the room, and my wife was with me, and she said, "What is the matter with you?" I said, "I am looking at my shoes." She said, "Why?" I said, "The heels of my shoes should be round, because I changed my mind so many times today, I turned around so many times that the heels of my shoes should be round." She thought I was a little out of my mind, but I wasn't.

Now, I made some criticisms of Hawaii when I left there. It is singular to notice that every single criticism I made and which was in the power of the legislature of Hawaii to cure, they cured immediately.

There were some other recommendations that I made that I often felt they never quite understood. The only thing that kept the military commission out of Hawaii was to throw in this commission of mine and say, "Wait until this commission makes an investigation and then do it." By the time we got back, there were other troubles before the Congress, and from that time to this I have always felt that the recommendations that I made, which the islands hated, were the best thing that ever happened to the islands. So I have had this interest in them, when I went into the Pearl Harbor investigation.

Senator CORDON. When did you make your first investigation?

Mr. RICHARDSON. In 1932. When I went into the Pearl Harbor investigation, I wondered why I should be the Hawaiian expert, because you could not deal with Pearl Harbor without dealing with Hawaii.

Of course, the whole world expected that in time of stress and trouble our Americanism in Hawaii would break down. When you stop and think that you can throw a stone from the boulevard into Pearl Harbor, you realize how close the civilian population came to the military and naval construction of Hawaii. It was perfectly amazing to me to feel, in that seething mass of people that are not of our race out there in the Pacific, that there was not a single case of sabotage that came to the surface in Hawaii. There is not a State in the Union hardly that can make a similar claim.

Senator TAYLOR. They did not find one spy in Hawaii during the war?

Mr. RICHARDSON. They never found a single act of sabotage by the residents in the Territory. Of course we left a lot of men in operation in Hawaii, through the consular office, and so forth, that did cause us trouble.

Well, here were a lot of white people, a lot of Chinese, a lot of Japanese, a lot of Filipinos, all mixed up. I can remember yet the astonishment I had the one day I took off from work in Hawaii and played golf, to see the foursome ahead of me of a different race in Hawaii. That was a new one to me. I went and looked at the moving-picture places and was amazed to see the people of different colors and different nationalities. My North Dakota background rose up and I said, "This must be a regular breeding place for crime," and then I picked up a crime report that came to me from my friend Hoover and I found the crime figures for Hawaii were less than in Tennessee. I know that Princess Kawanakakoa said to me one day, when I was

endeavoring to get her to agree that the moral background of Hawaiians was not as good as it should be, "Mr. Richardson, you come from North Dakota?" I said, "Yes." She said, "You have summer for 3 months in the year?" I said, "Yes." She said, "Well, we have it 12 months of the year and if we are only twice as bad as you are with 12 months to sin in, how much better are we over you?" I say that in all seriousness.

Then I tried to get the Hawaiian people in, and they came to me in a body. They were very much taken with the fact that here was one commission that was not being entertained all the while they were there. I tried to get them to tell me about how the white people had misused them, and, Mr. Chairman, I never found a Hawaiian person in the islands who did not speak of his or her white friends with love and affection. "Why," they said, "they are the best friends we have."

Then I turned my attention to the white people. I never found, in all of my investigation in Hawaii, an off-color white person of prominence in the islands, not one. There were some faults that I did find. I found they were a bit lazy, I found they were careless, or they were lax, that they gave a man an important job because he needed it and not because he was smart, and some of my recommendations were that the President should be clothed with power to fill those important places, if necessary, from the mainland. That was enough to arouse their sensibilities, and they have elected their best men to the courts and their best men to the prosecuting office, and I ascribe that to the Richardson influence.

Now I noticed this—and it is a little thing, but it runs right along the line of Mr. King's statement—I would go out of my hotel and I would go to the drug store, an American drug store. I would go on and into the moving-picture house, an American moving picture. I get a suit made and it is made in American style, by people who speak American. It is American from one water's edge to the other water's edge. Even when we went into the Japanese villages and the Japanese homes—because we went into dozens of them—we found **them Americanized. That is not true in Puerto Rico. That is not true anywhere else under the sun where the land is peopled by other than Americans as it is in Hawaii.** The stores look like American stores, the automobiles run there just as they do in one of our towns here.

And yet they criticize the people over there. They criticize them because when you and I go there now and they want to entertain us and they give us luau, why they give us some raw fish, lots of people think, "By God, they are still savages." That is how the people live. They are really doing it like our friends in the West do a rodeo show.

I became impressed with the fact that here is an American community, of a different color mostly, and a different background. I went to the school one night to make an address. I wondered what I could say to those boys up there that would make a hit with them, and I shrank from the task. I was just new there. You would be interested to know I told them the tale of the Kodiak bears in Alaska, and we found a medium of communication between those boys and myself in 2 minutes. They were bear hunters, those kids, just as I was.

I have thought a great deal about this question of statehood for Hawaii. I hate to venture the suggestion, but there were two men on

this committee that have gone into this job. I cannot answer the suggestion that there is too much communism in Hawaii. About 6 months from now we will know something about it, because we have started work on our own in Hawaii to know what the condition is.

There is an over-all theory of great importance that I have been told is running through the minds of the Senate, and that is that we should, as a matter of high Government policy, have no insular States, regardless of what they are, who they are, regardless of anything else, that America should be wholly continental, as far as the United States is concerned. I cannot make any reference to it: I don't know. That would be a matter of high Government policy to be enacted only after the most careful thought, as to whether the future of our Nation, in view of the countries that there are that some day might be considered as States, as to whether that is a good theory. But if it isn't a good theory, how can we square America with keeping Hawaii a Territory? How can we do it? Fifty years we have had them in our schools, where our Congress, of which you are a part, could write the ticket of their daily life politically for 50 years.

The young men who were there when Hawaii came in with the United States are dead now, most of them—the time has been so long. The second generation is dying off, and the third generation is coming up. Are they patriotic? Are they loyal? The people in the islands, the second generation of Japanese, are just as loyal as the second generation of Norwegians or Swedes in my State of North Dakota. We went through some years when they proved they were loyal, but the question is raised, "Do we want Japanese in our Congress?" All those things have their weight. But certainly if there ever was any tribute to American education to a foreign race that paid dividends, it was what happened in Hawaii in this war. When we called on the Japanese second generation for help we got it, and we got good help, of which we are proud, and of which they are proud.

The same thing was true of the Chinese population there. One of the first things I noticed in the Pearl Harbor investigation was the way in which all of the white owners there, these Big Five that are supposed to be so exceedingly selfish in their designs, were there with their offer to the Government to do whatever the Government wanted to do with any piece of property that they had. I am telling you that the Government, through the Military Governor, was treating them in a way that I never approved. But there was nothing in Hawaii to justify it. All of the troubles that Admiral Kimmel had there and that General Short had there, all of that terrible episode for the month after the 7th of December, was not accentuated to the slightest degree by anybody who lived in those islands. They were subjected to some pretty heavy burdens during the time that the war was on, without resentment and without really making a holler that you and I would have made if we were faced with the same thing.

So I have this feeling about it: If we are not ever going to give Hawaii statehood, then adopt this theory that I referred to, that our Nation must always be continental and put an end to the insular aspirations, put an end to it, let it die off, and don't let these young men be growing up in Hawaii hoping to see the day when they are equal with the other States, in the Union, rather than coming here, like they are here now, to ask for this and then be slapped down. It doesn't make better Americans of them.

People say to me, "Are not they better off without statehood?" I don't care whether they are or not. Would not the country be better off if some of us could not vote? That is very possible, but we are not going to argue the matter, except somebody should decide in the city of Washington that we are going to vote. So it is with Hawaii.

I confess that the worst testimonial that we can give to the world as to whether our system will work is whether or not we are still going to deny this community out there, the high-grade community, with high thoughts, high ambitions, high charitable impulses that we have made America out of, are they always going to be held off like poor relations and not be given their right to be a State?

I cannot argue the Communist question, I cannot argue the military question, or any of those questions. We have got them, and we did not take them as a territory, we took them as a partner, and now they come to us decently and they say, "We have got fine people here, we are a law-abiding people, the airplane has brought us close to you, let us be a State and let us have our own Senators, our own government, and stand on our own feet." I think it would be a good thing if you did it.

That is all I have to say, Mr. Chairman.

Senator TAYLOR. Are there any questions, Senator Cordon?

Senator CORDON. One question. You made a report in 1932. Where can we find it?

Mr. RICHARDSON. There is some interest to that. We took statements from these 500 people in the islands and they all took down their hair and told us what they knew about their neighbors. When the committee here saw the report, which consisted of 14 typewritten documents, the Senate sealed it and put it in the Congressional Library with directions it was not to be investigated by anybody except upon order of the Vice President. Hiram Bingham, who was then head of the Insular Committee, said there would be assassinations in Hawaii if all the people in Hawaii knew what their neighbors said about them.

You will recall at the time I went there it was a little after that horrible episode of the Massie case when the island was literally seething with animosity between the two sides, but the report was made, it is a congressional document. I cannot give you the number of it, but there it is. That is the report that was made and in it are the recommendations.

Senator CORDON. I mean as to the conditions that you found.

Mr. RICHARDSON. In 1932?

Senator CORDON. In 1932.

Mr. RICHARDSON. After 1932 the Congress, or the Senate, were not asking me to make any reports for the Department of Justice.

Senator CORDON. You mean they were not satisfied with that report?

Mr. RICHARDSON. Very much so, I think, but they were not satisfied with the party I belonged to. When you are out of office there are very few reports they ask you for, Senator. You will find that out.

Senator CORDON. I am not new to the game.

Mr. RICHARDSON. But I don't know—after my experience now as a Republican for a good many years, I have now become the standard bearer for the administration, so the papers say, and I don't know whether you ought to give up when you get as old as I am, Senator.

Senator CORDON. It is an open question, isn't it?

Mr. RICHARDSON. Yes.

Senator CORDON. That is all.

Senator TAYLOR. We want to thank you for your statement. I certainly have enjoyed it. I am very happy to have you come up here, because I haven't had the pleasure of meeting you before.

Mr. RICHARDSON. Thank you very much.

Mr. FARRINGTON. Mr. Chairman, may I say for the record, Mr. Richardson is quite in error when he figures that we in Hawaii detest him. On the contrary, we hold him in great admiration, and we are deeply grateful for his statement today.

I would like to call as the next witness one of the senior members of the Hawaii Statehood Commission and a member of the constitutional convention, a man born and raised in Hawaii and who has been in Hawaiian politics about as long as anyone that I know of, former Territorial Senator Charles A. Rice, of Hawaii.

STATEMENT OF CHARLES A. RICE, MEMBER, HAWAII STATEHOOD COMMISSION, AND VICE CHAIRMAN OF THE CONSTITUTION CONVENTION AND SENIOR MEMBER

Mr. RICE. Mr. Chairman and gentlemen of the committee, my name is Charles A. Rice. I am an independent rancher and farmer on the island of Kauai.

As to my background, my grandfather came to the islands in 1841 as a missionary and vocational teacher of the school. My father was born in Hawaii and I was born in Hawaii.

I have been in the legislature—in the house of representatives four terms, and then I graduated to the senate and stayed there for five terms of 4 years each. So I know something of the history of Hawaii.

I was present when annexation took place. I remember even then that we thought we were going to be a State some day. We talked about it. I am an American by act of Congress, because when you annexed Hawaii you made me an American citizen.

I remember when the Hawaiian flag was hauled down. It is now our Territorial flag, and perhaps will soon be our State flag.

This matter of statehood has been uppermost in all the people's minds for a long time. I remember voting for a statehood resolution in 1905. Of course we did not do very much about it. We went along patiently for years and years.

It is hard to follow these gentlemen that have just talked, like Mr. King and Mr. Richardson. I would just be repeating.

I have been at all your investigations, Mr. Cordon, Mr. Butler, every one of them. I cannot repeat the facts. If I did it would just be repetition, but I would like to say that something ought to be done in this session of Congress.

The people sent me to the constitutional convention for which position I ran as candidate at large on the Island of Kauai; I want to say this is the first time that Oahu has had a majority of votes. They worked a little reapportionment on it. But it goes on harmoniously. The constitutional convention is now meeting in committees.

I have been to a lot of political conventions. I think it was Senator Butler who brought it up, but I was a delegate to that Democratic Convention. I could not be there, I could not be in two places, so I

left my proxy. I don't know just what they did there. Naturally I will find out in a few days, but I think it has come to a time when we in the West say we would like a show-down. We would like you gentlemen to give us statehood. We have earned it. We have had our schooling, we want to graduate, we want our diploma.

There is nothing more I can say. The people that sent me to the constitutional convention—and I am on the statehood commission—they ask this, and we want it.

All the arguments have been answered. I am ready for my questions.

Senator TAYLOR. Senator Cordon.

Senator CORDON. I have asked Mr. Rice many questions over and over again. They are in the record and I will not reiterate them.

Senator TAYLOR. Senator Butler.

Senator BUTLER. I was interested in your statement, Senator Rice, when you said you remember when Hawaii became a part of the United States.

Mr. RICE. Yes.

Senator BUTLER. The thought just occurred to me that you can tell us, in your own way, what the arguments were at that time in favor of becoming a part of the United States, or what brought the matter up. As I read it, it was a voluntary move on the part of the people of Hawaii, that the suggestion came from them.

Mr. RICE. Yes.

Senator BUTLER. I wondered if there was any particular reason for it at the time. It has been said here once or twice I think during the day that we in the United States took an interest in Hawaii because we did not want any other country to take possession of the Hawaiian Islands, and I think it was a fine thing for Hawaii to ask, to become a part of the United States. I think it was a fine thing for them to do it, but is there any particular reason why you want that?

Mr. RICE. Let me see if my memory goes back there. I am along in years. We had a revolution down there, as you no doubt heard, and then we had a provisional government and asked for annexation. The Republican Party, under McKinley, was going to grant us that, and then Cleveland came in and it was withdrawn. They withdrew it, so we had a Republic of Hawaii. In our republic, Mr. King's father and my father, and a lot of others, sat in the constitutional convention. I was going to boarding school and I used to go down in the afternoon and listen to them. That gave me the itch to go to another constitutional convention of my own. I am glad to come over here and have something to say.

Annexation interest came along in 1898, during the war with Spain. This is all history. Dewey, with a fleet at Manila, knocked out the Spanish fleet and one day we woke up and the transports were in Honolulu with United States troops. We were a republic—were we going to be neutral or not? No, we were all wanting to be Americans, and so we took care of the troops. They came ashore and then they went on to Manila and took the Philippines. Then they had an insurrection with Aguinaldo, and that is the time I think the Congress of the United States said, "Well, these are pretty good boys, they let our troops go ashore," and so they said, "We have got to annex them."

This constitution, the organic act of ours, I think, took months, I think 23 months, to develop. Certain people of Hawaii, Judge Frear, and some Senators and Representatives drew up our constitution, the organic act. I was once appointed by the governor as a delegate to help amend this constitution. When Mr. Hill asked that I be made chairman, I came here in 1920 and asked for amendments to our organic act. Soon after that Congress passed the Hawaii Homes Commission Act.

Senator BUTLER. At the time this was all happening, Senator Rice, were economic conditions pretty sound?

Mr. RICE. Pretty sound.

Senator BUTLER. Your economy was built principally around sugar, is it not?

Mr. RICE. Yes; we had our treaty of Pearl Harbor. We had the advantage of the reciprocity treaty.

Senator BUTLER. I was wondering if you were going to make a statement that becoming a part of the United States was really an economic advantage to the people of Hawaii at the time they joined us, that your sugar then would come in without any tariff.

Mr. RICE. Yes; it came in without any tariff, but we always had the Orient at our back. I traveled with Judge Hutch, who had been minister from Hawaii to the United States. He represented the Republic of Hawaii here in Washington as minister. He told me—and this is only hearsay—he told me they were always afraid over here that the Japanese might take Hawaii, and he said even when Sherman was Secretary of State he had made the statement that they must have Hawaii, that it was to the United States' advantage.

I think you have a law on your books that sons of missionaries born outside of the United States could become President, isn't that right? I have heard that said. That is the only class of people outside of the people born in the United States that can become President. Somebody told me that, but I have never verified it.

Senator BUTLER. I just thought that your personal recollections of the conditions that prevailed might be interesting, Mr. Rice.

Mr. RICE. Our economic conditions were pretty good.

Senator BUTLER. That is all.

Mr. RICE. May I go on and say just a word more?

Senator TAYLOR. Yes.

Mr. RICE. The gentleman here mentioned there has been a great change in the last few years, that homes have been opened up. When Senator Cordon came to Kauai I took him around in a station wagon, giving over the island, to try to show him as much as I could, when we were through with the formal hearings.

We have opened up on our island. Each of the plantations has opened up big tracts of land, where they sell home sites not only to employees but to anybody that wants them. Of course we have one thing that is to our advantage, we have the home exemption law, that gives them a small tax-exemption. Since the end of the war we have grown by leaps and bounds in building new homes and in promoting home ownership.

I don't think there is anything else that I could add.

Senator TAYLOR. Thank you, Senator Rice. We appreciate your statement, sir.

Mr. FARRINGTON. Mr. Chairman, we have Senator Burke on our list at this point, but he is going to file a statement and we are going to reserve his testimony to the end.

I am going to call on Representative Hiram L. Fong, the cochairman of the Hawaiian Legislative Hold-Over Committee of 1949, the Speaker of the Hawaiian House of Representatives, and a member of the Hawaii State Constitutional Convention.

Senator TAYLOR. Mr. Fong, we want to welcome you here, sir, as a fellow-American. We are happy to have you appear before this committee.

STATEMENT OF HIRAM L. FONG, SPEAKER OF THE HAWAII HOUSE OF REPRESENTATIVES AND COCHAIRMAN, HAWAII LEGISLATIVE HOLD-OVER COMMITTEE OF 1949

Mr. FONG. My name is Hiram L. Fong and I am an American citizen of Chinese ancestry. My father and mother were born in China and arrived in Hawaii when they were 16 and 10 years old, respectively. They married each other in Hawaii through a middleman. I am the seventh child of a family of eleven. My father never returned to China and my mother visited there 20 years ago but she has never mentioned her visit there. She is still living and she is 78 years old.

I have been a Reserve officer in the United States Army for 19 years and during World War II, I served in the Army Air Forces as assistant staff judge advocate of the Seventh Air Force and as staff judge advocate of the Seventh Fighter Command with the rank of major.

My profession is that of an attorney, licensed to practice in all the courts of the Territory of Hawaii and the Supreme Court of the United States. I am a graduate of the Harvard Law School and the University of Hawaii and am a product of the public educational system of the Territory of Hawaii. After passing the bar examination, I was appointed deputy city and country attorney of Honolulu and served in that capacity for 3 years.

I have been a member of the house of representatives for 10 years. In two sessions, I was elected as vice speaker and Republican floor leader and am now the speaker of the house of representatives, vice president of the Hawaii State Constitutional Convention, and chairman of the Territorial Legislative Hold-Over Committee, an interim group of representatives and senators selected to recommend legislation to the next session of the legislature.

As speaker of the house of representatives, I can safely say that each and every member of the house of representatives is unqualifiedly in favor of immediate statehood for the Territory of Hawaii. This statement I have just made is of more significance, especially when, with the granting of statehood, the representation of 18 out of the 30 members now enjoyed by the islands outside of the island of Oahu, will be materially lessened. It will also mean the loss of majority control of the house of representatives by the outside islands. Conversely, the island of Oahu, with about 70 percent of the population of the Territory and now having 40 percent representation will attain majority control of said house. We have been unable for the past 40 years to reapportion our house of representatives. All efforts

on the part of Oahu to reapportion the house have been defeated by the outside islands. However, the desire for statehood is so strong that the outside islanders have been willing to accept it even with reapportionment.

The composition of the house of representatives of the last session of the legislature is truly representative of the political, economic, racial, and social life of the islands. By nationality, there are 14 members of Caucasian or part Caucasian-Hawaiian ancestry, 10 of Japanese ancestry, 3 of Chinese-Hawaiian ancestry, 2 of Hawaiian ancestry, and only 1 of Chinese ancestry, myself. Politically, there are 20 Republicans and 10 Democrats. Professional men, labor leaders, small-business men, representatives of big business, employers, employees, and even housewives are all represented. Of the 30, 11 are college-trained.

This group of representatives, together with members of the senate, were instrumental in bringing to an end the 5-month-long 1949 waterfront strike which completely paralyzed the economy of the Territory. We have not yet recovered from the disaster. Federal intervention, extremely slow in coming and then having failed and realizing that our salvation must come from our own efforts, a special session of the legislature was requested by the Hold-Over Committee. With the complete cooperation of Governor Stainback, the legislature in record time, enacted Act 2 of the special session of 1949, providing for government seizure and government operation of the struck stevedoring companies. At no time during the discussion of this most drastic legislation was there any doubt as to where the representatives of the people stood despite the strongest efforts of the two warring factions, the ILWU on the one hand and the stevedoring companies on the other in opposing the passage of the bill. The vote to pass the bill, which finally ended the alleged Communist-led strike, was overwhelming. The enactment of the special session of the legislature in this regard proves conclusively that we in Hawaii are independent Americans, that no pressure group can dictate to our representatives. It is to be noted that this legislation passed by the Territorial legislature of Hawaii is as courageous a piece of legislation as could have been passed by any State legislature and a type of legislation that even the national Congress has hesitated to consider.

I would like to refer you to some of the provisions of Act 2 of the special session of the legislature:

SECTION 1. Findings and declarations of legislature.—The legislature takes cognizance of the fact that a strike in the stevedoring industry of the Territory of Hawaii has been in effect since May 1, 1949; that the parties to said dispute have carried on extensive collective-bargaining negotiations over a period of more than 6 months and have failed to reach any agreement; that voluntary mediation by the Territory and by Federal agencies has failed; that the Governor has called an emergency board which after full hearings found the facts with respect to the dispute and made a recommendation, which recommendation was accepted on one side but rejected on the other; that the continuous furnishing of stevedoring service, together with all related facilities and services (including terminal services) necessary to the loading and unloading and arrival and departure of vessels at ports in the Territory of Hawaii is essential to the public health, safety, and welfare; that strikes, lock-outs, and stoppage, slow-down, or retardation of services in such stevedoring industry, or in such related facilities and services, imperil the public health, safety and welfare; that a public emergency now exists due to the aforesaid stevedoring strike; that in order to provide for the immediate resumption of services in the present emergency, in the most expeditious and practical manner, it is necessary that the

Governor be authorized to take over and operate the stevedoring companies involved in the dispute, together with such related facilities and services as he may deem necessary to open and keep open to commerce the ports of the Territory of Hawaii.

SEC. 3. Government operations. (a) If upon the taking effect of this Act, the Governor finds that the emergency declared by the Legislature in Section 1 still continues, he shall issue a proclamation of such emergency. Such proclamation shall urge the parties to the dispute to forthwith resume work and operation in the public interest, and it shall state that if such work and operation is not resumed forthwith he will, pursuant to the provisions of this Act, take immediate possession of such stevedoring companies involved in the dispute, together with such related facilities and services, as he shall find necessary to carry out the purposes of this Act.

Under subsection (d) of section 3 we have the following oath, which the employees must take before they are employed:

I, -----, do solemnly swear and declare, on oath, that I am not now nor have I been at any time within the 5 years next preceding the taking of this oath a Communist or a member of the Communist Party; that I have not at any time within the 5 years next preceding the taking of this oath held membership in, paid assessments, dues, or made contributions to any organization or any political party which advocates the overthrow of the constitutional form of government of the United States of America or any change in the Government of the United States of America, except as provided by its Constitution; that I take this obligation freely, without any mental reservation or purpose of evasion; so help me God.

Pursuant to this act, the Government went into operation, and within a few weeks the dispute was resolved.

I would like to read a few sections also from act 3 of the legislature, relative to picketing, to give you an idea as to whether the Legislature of the Territory of Hawaii is Communist-dominated.

During any period of Government operations, as provided for by this Act, any of the following shall be unlawful:

(1) For any Government employee engaged in such Government operations to participate in any strike.

(2) To establish or maintain a picket line of one or more persons with an object of picketing any pier, dock, wharf, landing, or warehouse which is a place of Government operations under this Act, or to engage in picketing any pier, dock, wharf, landing, or warehouse which is a place of Government operations under this Act, the Legislature hereby finding that such picketing constitutes an obstruction to the accomplishment of the purposes of this Act.

(3) To establish or maintain a picket line of one or more persons to picket, or to engage in picketing of, any place where Government operations are or are about to be conducted under this Act, if such picketing interferes or threatens to interfere with such Government operations or with the accomplishments of the purposes of this Act.

(4) For any private employee to engage in a strike or other concerted refusal to transport or otherwise handle any cargo loaded or unloaded or to be loaded or unloaded by the Government pursuant to the provisions of this act, or to perform services on any vessel worked or to be worked by the Government, where an object of any such strike or concerted refusal is (A) to interfere with the conducting of Government operations; or (B) to force or require any person to cease transporting or otherwise handling cargo loaded or unloaded or to be loaded or unloaded by the Government pursuant to the provisions of this act; or (C) to cause loss, injury, or damage to any person by reason of his having transported or otherwise handled or being about to transport or otherwise handle any cargo loaded or unloaded or to be loaded or unloaded by the Government pursuant to the provisions of this act; *Provided however*, That this paragraph shall not, by reason of refusal to return to employment involved in the labor dispute which occasioned the existing public emergency or by reason of refusal to accept employment by the Government, applied to any employee engaged in such labor dispute.

(5) To establish or maintain a picket line of one or more persons or engage in picketing or any other concerted activity with an object of (A) interfering

with the conducting of Government operations; or (B) forcing or requiring any person to cease transporting cargo loaded or unloaded or to be loaded or unloaded by the Government pursuant to the provisions of this act; or (C) causing loss, injury, or damage to any person by reason of his having transported or handled or being about to transport or handle any cargo loaded or unloaded or to be loaded or unloaded by the Government pursuant to the provisions of this act.

The other provisions here relate to picketing. I submit to you, gentlemen, these two acts of the legislature refute any argument that the Territory of Hawaii is infested with the termites known as Communists.

At this time, I would like to thank you, Senator Butler, for the part that you have played in presenting to us the problem of communism within the Territory of Hawaii. You stated in your report that, and I quote—

Communism had a firm grip on the political life of Hawaii and that statehood should not be seriously considered until the people of the islands demonstrate by positive steps a determination to put down the menace of lawless communism.

This was indeed a challenge to us. To meet the challenge, this same group of legislators by resolution requested the House Un-American Activities Committee of the United States Congress to make an investigation of Communist activities in the Territory of Hawaii. In addition, we created our own committee on Un-American Activities. You have just been told by the Honorable Francis Walter that the handful of Communists in the Territory of Hawaii has been smoked out and communism does not constitute a bar to statehood.

The Hawaii State constitutional convention of which I am vice president, upon learning that two of its members were identified as Communists, one admitting that he had been a Communist at one time and the other refusing to state whether he was or is not a Communist at the recent hearing, immediately took steps to remove them, one resigning of his own volition and the other, by an overwhelming vote of 53 to 7, was expelled from the convention.

I would like, therefore, in all sincerity, to submit to this committee and to Senator Butler in particular, that the people of Hawaii have answered in no uncertain terms the challenge of Senator Butler. I submit that we have adequately met the challenge and will continue to do so by direct and positive action. As a State I believe we will be able to deal more effectively with communism. Communism can be most effectively combated only by the highest degree of cooperation between the National and the local government. Such cooperation can only be possible when the local government has adequate and effective representation in the National Government through statehood.

A further argument which has been advanced against statehood for Hawaii is that the large number of American citizens of Japanese ancestry within the islands has not been assimilated. As an American citizen of Chinese ancestry, I would like to answer that charge as I share with the American citizens of Japanese ancestry in all respects, their thoughts, their feelings, their hopes, and their aspirations. I am a product of the American system and the American way of life. Being a product of American institutions, culture, and way of life and having received the benefits of the bountiful blessings of a democratic country, I say without reservation to you American citizens of Caucasian ancestry, that the culture of America is my culture, the history

of America is my history, your feelings, your hopes, and your aspirations are my feelings, my hopes and my aspirations. Mount Vernon, Bunker Hill, the minuteman on Lexington Green, the rude bridge that arched the flood at Concord, and Pearl Harbor, fill me with the same emotions, the same reverence, and the same devotion as they do you. They are just as much a part of me as they are a part of you.

No truer words were ever said by President Roosevelt than these, and I quote, "Americanism is a matter of mind and heart. Americanism is not and never was a matter of race and ancestry." I can say with the greatest of sincerity that the thoughts and feelings I have just expressed are shared by my fellow Americans of Japanese ancestry.

Yesterday, Senator Butler, you stated that you are not opposed to statehood on racial grounds. Since then, my law partner, Mr. Miho, informs me that you have materially aided through scholarships and otherwise, in your State, many citizens of oriental and Negro extraction. I was most happy to hear of your interest in these citizens of oriental and Negro extraction. I will take this back to the people of the Territory of Hawaii. I know that the people of Hawaii, having knowledge of your keen interest in the students of non-Caucasian ancestry, will feel confident that you will give them every consideration in the deliberation of this question of statehood.

The granting of statehood to Hawaii will be, in a political sense, the extension of the Marshall plan to the countries of Asia. Gentlemen, America has poured and has obligated itself to spend billions of dollars in Europe to combat communism and to aid the democracies. The granting of statehood to Hawaii will cost the Federal Government nothing, yet it will accomplish in the world and, especially in the Pacific Basin, what is expected of the costly Marshall plan in Europe, and that is, to win friends for our democratic way of life. The granting of statehood to Hawaii will increase the prestige and honor of the American people in the field of international diplomacy. The principle of self-determination will then be more than a beautiful political philosophy. Domestically, it has been put into action. This will be a resounding assurance to all the world that this great American Nation is sincerely honest in its desire to create a world of self-determining democratic nations. The political philosophy of self-determination will then not be a mere beautiful political philosophy domestically, but it will certainly be a clarion call to the people of the Pacific.

Mr. Chairman, I am happy that we have come here with a large delegation. It is indicative to the Congress of our strong desire for statehood. May I, in behalf of my delegation, thank you and the members of this Senate committee for the courtesies and consideration you have all extended to us. Thank you and mahalo.

Senator TAYLOR. If there are no questions, we thank you very much, Mr. Fong.

Mr. FARRINGTON. Mr. Chairman, Mr. Crossley is anxious to leave town and we would appreciate it if you could hear Mr. Crossley briefly at this time.

Senator TAYLOR. All right, Mr. Crossley.

**STATEMENT OF RANDOLPH CROSSLEY, PRESIDENT, HAWAIIAN
FRUIT PACKERS, LTD., HONOLULU, T. H.**

Mr. Crossley. My name is Randolph Crossley. I reside in the island of Kauai. I am a delegate to the constitutional convention now in session in Hawaii, and have served as a member of the house of representatives of the Territorial legislature.

I was born in California in 1904. My father died when I was 15 years old, and I worked my way through high school and college. After traveling extensively in the Pacific, I picked Hawaii as the part of America where I wanted to live and make my business career.

From the time I started a small advertising business in Hawaii in 1929, I have found Hawaii to be a land of opportunity in the best American traditions of free enterprise. I am president of Hawaiian Fruit Packers, Ltd., growers and canners of pineapple doing a gross annual business of nearly \$2,000,000. I am also president of Crossley Associates, Ltd., a commercial flower business started 4 years ago. Last year our flower company did nearly a half million dollars gross in the exportation of orchids and other Hawaiian flowers and foliage.

Permit me to emphasize that I am an independent businessman. I am not allied with, nor do I have any investment in any of the older or larger business in Hawaii. I have found, as I expected to find when I went to Hawaii over 20 years ago, that the islands offer great opportunities for independent business initiative.

My appearance here is most respectfully to urge you to give Hawaii an official status which I am certain is essential to the continued development of the islands as a stable, progressive American community.

Hawaii has been promised statehood for nearly half a century. Many persons, like myself, have gone to Hawaii, and have dedicated our careers to Hawaii, in the confident belief that the rights and privileges of statehood would soon be granted.

Hawaii is now in the extremely difficult phase of postwar adjustment. War disrupted Hawaii's economy far more than it did that of any State. Hawaii's productive economy was severely curtailed by the war, while in most States it was expanded. We are now faced with the urgent need to develop Hawaii to provide work opportunities for our growing population.

I submit that the time for decision as to the status of Hawaii is now. It is my firm conviction that the most constructive step that the Congress of the United States can take to assure progress in Hawaii is to grant immediate statehood.

The current situation is anomalous. We pay more Federal taxes than several of the States. Our total per capital tax load is higher than in all but a few of the States. Yet the only representatives we have in Congress of the United States is a Delegate without a vote. That is taxation without representation.

I am convinced that the dynamic public leadership which Hawaii requires to meet its problems can best be achieved by granting immediate statehood, by permitting the people of Hawaii to choose their own government. Such action would not only strengthen Hawaii, but would go far to advance the cause of American democracy in the entire Pacific world. In keeping with American traditions of fair play and equal justice, the present situation should not be permitted to continue.

I wish to call your attention to what, I think you will agree, is on the face of it, an highly inequitable situation, which I face as an independent businessman in Hawaii. I am a grower and processor of pineapple. I am in competition with another noncontiguous part of America—Puerto Rico. Puerto Rico is exempt from Federal income taxes. It elects its own Governor. But most important, average wages paid in Puerto Rico are about 43 cents an hour, while in Hawaii the average wage in the pineapple industry is \$1.21 an hour.

Now, if there are any reasons why Hawaii cannot be granted statehood soon—and I, at least, do not know of any—then I most strongly recommend that Hawaii be treated at least as equitably as such another noncontiguous part of the United States as Puerto Rico.

Far better, in my opinion, would be to grant Hawaii full statehood now and for that we would expect to continue to pay a full share of the cost of government, which we now do, but without direct representation. Now I am aware that one may argue that if Hawaii is given statehood it will continue to pay full Federal taxes, it will still face the problem of competition with lower wages in such subtropical areas as Puerto Rico. We in Hawaii believe that under the dynamic influence of full local government, with equitable representation in Congress, we can cope with our problems, that we can continue to progress. Hawaii has been able to pay higher wages than comparable island communities in the past because of our initiative and thrift and the exceptional technological development of our agriculture.

Hawaii has for many years striven steadily and consistently to better the lot of all of her people. Comparatively high wages and healthful living conditions are not new in Hawaii. Hawaii has developed a high standard of public education.

One may ask, if Hawaii was able to make such progress under Territorial status before the war, why cannot it continue to progress under Territorial status after the war?

The answer is that with a growing population, with greatly increased costs stemming from unavoidable wartime inflation, with vast changes in both Hawaii and in America as a whole in technology, in finance, in marketing, and other business problems, Hawaii faces far more complex problems than in the past.

I have stressed what to me would be the most important contribution of statehood—the dynamic public leadership which would result from the full rights and privileges of local State government. I am convinced, both from my experience as an independent businessman and as a former member of the Hawaiian Legislature, that this would go far toward helping us to meet our problems and move forward. I do not say this with any thought of criticism of governors or other Federal appointees in Hawaii. The point is that the present appointive system is neither dynamic nor democratic.

But beyond that, in this increasingly complex mass-production society in which we live in America, Hawaii must integrate its economy increasingly with that of continental United States. It is only simple justice that Hawaii should have an official voice in making Federal policy.

I do not urge that Hawaii be granted voting rights in the Congress with any idea of Hawaii's just "getting its share" of Federal benefits. But it is a fact that changes in Federal policy—policy in which Hawaii has no voice—can make or break Hawaii.

Almost everything we do in Hawaii is regulated in some degree by Federal policy. Hawaii is now and has been for nearly a half century competent to have a voice in making Federal policy, not alone in protecting its own interests, but in making a contribution to our National Government.

Hawaii's record in achieving high standards of living, health, and culture are evidence that we have something to offer. Consider education alone. Hawaii maintains 186 public schools, many private schools, and the University of Hawaii. Tests made by the Veterans Administration indicate that locally educated youths are above the average for continental United States in educational attainment. There is intense interest in adult education. Last year, nearly 10,000 adults attended evening courses in a wide range of cultural subjects and crafts.

The people of Hawaii have an outstanding sense of political and civil responsibility. In our recent election of delegates to our constitutional convention, 79 percent of the qualified voters went to the polls. Corrupt machine politics from which a number of mainland areas have suffered in the past, has been unknown in Hawaii. Bloc voting along racial lines is negligible, as the results of the constitutional convention voting clearly show. I am certain that far more bloc voting along lines of racial or national origin is experienced in many parts of continental United States.

Other witnesses before this committee have or will elaborate many of these points, and additional ones. What I have said here has been in an effort to explain briefly the problem as it appears to an independent businessman who has had experience in our local business and political life.

Now, I have a very substantial business in pineapples. We do nearly \$2,000,000 a year in that. I am the smallest company. Also, in the last 4 years we have started a new industry, because we believe any new industry really means the future of the islands, the employment of all of the youngsters who are graduating today, and to help in our economic situation in the islands.

We have started a flower industry. It is only 4 years old, but we have nearly half a million dollars invested in that business, in the exporting of such flowers as you see up here, and the leis that you saw yesterday.

Senator BUTLER. Can you name some few of the other industries where there is promise?

Mr. CROSSLEY. In the fishing industry. There has in the past been one fairly large tuna company. There is one just starting now in the island of Kauai, that will employ many more people on that island. Then there is the industry in fruits, canned guava, and there is a new industry starting now in exporting papaya.

I came before a congressional committee just about a year ago to plead for help on combating the oriental fruitfly. We had splendid cooperation from Mr. Russell's committee, and I am very happy to say that as the result of a lot of that work the situation of the oriental

fruitfly is greatly improved, and papayas are being exported again, and flowers without fumigation; work along that nature.

Senator BUTLER. Is it necessary that the sugar and pineapple industries be developed in these large units that we have now?

That statement has been made here, and I might say frankly that I am of that opinion myself. That is the reason I asked you to name some small industries that might attract new people to the Islands. Is it your opinion that there will be any break-up in this big industry?

Mr. CROSSLEY. Both sugar and pineapple take a large capital investment, and, therefore, it takes substantial tracts of land to support those investments. In my own company, over 15 percent of our production is raised by independent growers, men who have their own small farms, who have really developed a fine security in farming.

Senator BUTLER. Do those small operators have title to their lands?

Mr. CROSSLEY. In every case, they have title to their land.

Senator BUTLER. Is that tendency increasing any, the number of small operators?

Mr. CROSSLEY. Generally speaking, no. In our own case, for instance, it has been a variable between 15 and 20 and 25 percent being perhaps the highest figure.

Senator TAYLOR. The number of independent growers has decreased, has it, in the last few years?

Mr. CROSSLEY. No, I do not believe so, in the last 10 years.

Senator TAYLOR. You said at one time there were 25 percent and now you say there are 15 percent.

Mr. CROSSLEY. That would be our own production; those are our own production figures, and, therefore, there is a smaller percentage of our total.

Senator BUTLER. Other operators handle a percentage of the products; that is, the independents?

Mr. CROSSLEY. On our island one other operator does.

Senator TAYLOR. How have you increased your operation, by buying independent farms or reclaiming land?

Mr. CROSSLEY. Mostly from leasing Government land. If land comes up we all have an opportunity to bid on it. We have bid in competition with a sugar company and have been successful in adding to our holdings in that manner.

Senator TAYLOR. We had fresh Hawaiian pineapple in the Senate restaurant today. It was very fine.

Mr. CROSSLEY. That was through the courtesy of Mr. White of the Hawaiian Pineapple Co. who will testify later. He is president of the largest pineapple company, and I am the president of the smallest, and we are very good friends.

Senator TAYLOR. We have no further questions, Mr. Crossley.

That will conclude the hearings for today, and we will meet again tomorrow morning at 10 o'clock.

(Whereupon, at 4:10 p. m., an adjournment was taken until 10 a. m., Wednesday, May 3, 1950.)

HAWAII STATEHOOD

WEDNESDAY, MAY 3, 1950

UNITED STATES SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D. C.

The committee met, pursuant to adjournment, at 10:25 a. m., in room 224, Senate Office Building, Senator Joseph C. O'Mahoney, of Wyoming (chairman), presiding.

Present: Senators O'Mahoney, of Wyoming (chairman), Anderson (New Mexico), Taylor (Idaho), Lehman (New York), Butler (Nebraska), and Cordon (Oregon).

The CHAIRMAN. The committee will come to order, please. Delegate Farrington, your first witness this morning will be the representative of the Grange?

Mr. FARRINGTON. Yes, Mr. Chairman. Dr. Sanders has to leave for Europe, and he is going to make a very brief statement.

The CHAIRMAN. Dr. Sanders, will you come forward, please.

STATEMENT OF J. T. SANDERS, LEGISLATIVE COUNSEL OF THE NATIONAL GRANGE, WASHINGTON, D. C.

Mr. SANDERS. Senator O'Mahoney and members of the committee, my name is J. T. Sanders, legislative counsel of the National Grange.

The Grange at its eighty-third annual session passed a resolution unqualifiedly approving statehood for Hawaii. Since that time we have had several resolutions from local granges asking us to support statehood for Hawaii.

Nearly 100 years ago Hawaii came into the Union, and asked for statehood immediately. It seems to us that that is entirely too long for a highly developed portion of the United States to live without full rights of citizenship, and we favor statehood for three or four major reasons.

First, we believe that Hawaii and its citizens have proved beyond a shadow of a doubt that they are full American citizens in every sense of the word. The test of their loyalty during the war measured up to any test that we might find demonstrated in this country with our own people.

We think that Hawaii is valuable and should have full rights of statehood because of its great strategical value to our country, and we believe that it should have statehood because it is fully developed agriculturally.

I brought out some of the points of its full development agriculturally in my statement here, but I am not going to read it. I will file this statement, indicating why we think it is developed to this extent.

We believe that Hawaii certainly can meet all financial obligations of a State, and therefore we are in favor of granting Hawaii statehood at this session of Congress. I believe that is about all, Senator, that I have to say.

The CHAIRMAN. How did the Grange happen to come to a conclusion on this matter?

Mr. SANDERS. Well, this matter has been discussed at great lengths in the Grange for several years. As you probably know the Grange did not favor, up until the past year, statehood for noncontiguous portions of the country.

We changed that because we made a very close and intensive study of it during the past session, and, if I recall, we had no dissenting vote on this question in the Grange.

The CHAIRMAN. Where was the vote cast?

Mr. SANDERS. At Sacramento, Calif.

The CHAIRMAN. At a national convention?

Mr. SANDERS. Yes, sir; the eighty-third national convention or session in November of last year.

The CHAIRMAN. Do I understand you to say that the records of the Grange will show that the problem of statehood for Hawaii has been repeatedly discussed at similar conventions in past years?

Mr. SANDERS. I do not know just how far back, Senator. I know it has for the last three sessions because that is the time that I have been connected with it, and I did not take the trouble to go back beyond that.

The CHAIRMAN. Were these discussions full talks?

Mr. SANDERS. Quite so; yes, sir. The Grange functions largely in committees before we come to the session floor, but even then we had considerable discussions this past year on the floor.

Now previously we did not have very much discussion on the floor of the Grange, but this past year we discussed it at considerable length.

The CHAIRMAN. How did the question happen to arise in the first place?

Mr. SANDERS. Well, I do not know, because the question has been up at least, as I say, for 3 years.

The CHAIRMAN. Does the Grange have membership in Hawaii?

Mr. SANDERS. No, we have no membership in Hawaii. Our California Granges have been somewhat divided on it, but California this year I am sure voted for it. I would have to check that, however. There has been some opposition heretofore in the Western Pacific States. The Grange is a rather peculiar organization, Senator, in that respect.

The CHAIRMAN. It is a very valuable organization, let me say.

Mr. SANDERS. Well, thank you, sir. The Grange quite often adopts its policies along this line. If any individual State or group of States have a very direct interest, I mean seemingly more direct interest than the rest of the States, the rest of the States will likely go along with them unless they have a very, very deep conviction that they are definitely wrong.

The peculiar thing about it is our Western States came around this year on this question, and I do not believe our Western States voted against it at all. I think if you had a poll of the individual masters by a ballot where it was not a matter of expression of the Grange in

respect to certain regional Grange areas, you would have found our organization would be in favor of this by a great majority all along.

The CHAIRMAN. Was there a record vote in the convention?

Mr. SANDERS. Oh, yes, sir.

The CHAIRMAN. Would you mind filing the return of that vote?

Mr. SANDERS. Oh, no; it would not be possible to do that, Senator. You know we are a fraternal organization. The record is made simply by every person indicating how they vote, and you know how they vote, unless we ask for a secret ballot on it, which we very seldom do.

The CHAIRMAN. The point, of course, which has been raised by this discussion is that while you appear here on behalf of the Grange endorsing statehood, you are unable to state definitely whether or not California at this session endorsed the proposal. Your statement with respect to other States is to some extent indefinite.

You make it quite clear that there has been a change of view, and in view of that it just occurred to me that the position of the Grange in supporting statehood would be very much strengthened if these uncertainties and qualifications were removed.

Therefore I suggest to you that you look over your record and see how definite you can make your statement to the committee that the National Grange has endorsed statehood, and to what extent there is a division of opinion, if any.

Mr. SANDERS. Well, I want to say for the sake of the record that our endorsement of statehood for Hawaii is overwhelming.

We have 72 delegates, and I am quite sure that not over one or two voted against this. Now you rarely get such a vote in the Senate, Senator. If you got a vote like that, you would say that they are very positively in favor of it.

The CHAIRMAN. You would be surprised at the number of bills we pass by unanimous consent.

Mr. SANDERS. We do, too, but that is largely to facilitate things.

The CHAIRMAN. You can see that your testimony will be very much clarified and strengthened if you will, after you leave the stand here, go over your records and write the committee a letter making as definite a statement as you can.

Mr. SANDERS. Well, I will be glad to do that. I am not sure that I could reveal whether the master of California voted favorably or not, or the master of Oregon, because I do not think our regulations would permit us to do that.

Senator ANDERSON. Mr. Sanders, do you think that is important?

Mr. SANDERS. No; I do not, Senator.

Senator ANDERSON. It is your testimony that the Grange is substantially for this?

Mr. SANDERS. I would say that 95 percent of our votes at least were favorable to this, and I think that that has continuously been true.

As I explained—I do not know whether you were in here at that time, Senator Anderson, or not—the Grange has a policy where a regional group has a stand on a thing, and quite often, if it is not very important for the other areas, the grange masters will go along with that region. I think that our stand on the Hawaii question has been largely because of the fact that up until recent years we did not care to go against two of our western masters on this question.

I am not so sure whether Mr. McLane could reflect the viewpoint of the California State master or not. Could you, Mr. McLane?

Mr. McLANE. No; I could not.

Mr. SANDERS. You were out there previous to our coming out there, and I do not know but what you visited there.

Mr. McLANE. We were told in correspondence identified with the Grange that the grange master of California had opposed statehood for Hawaii for many years because of the Japanese in California, but he felt that the Japanese in California no longer constituted a menace, as he put it, to the agriculture of California or national defense, and therefore withdrew his objections.

The CHAIRMAN. Let me say that the witness, in his own voluntary statement, called attention to the qualifications of his statement. He told the committee that for years the Grange was opposed to statehood for noncontiguous areas. This year the Grange has changed its position.

He told us that western representation in the Grange in the past was to some extent at least opposed to statehood; that in California there was opposition.

He was unable to state whether or not California at this last convention had changed its position. All of these were ambiguities and uncertainties in the position of the Grange, which the witness himself brought out. I am giving him the opportunity of going over his record and filing a definite statement with the committee which will show clearly, so that there will be no doubt or qualifications, as to just what the position of the Grange and its various elements may be.

Senator ANDERSON. As a member of the Grange, I want to get into this. Is there the slightest ambiguity in the position of the Grange on this question?

Mr. SANDERS. Not at all now, Senator.

Senator ANDERSON. Is there the slightest doubt on what the position of the Grange is for statehood?

Mr. SANDERS. No; nor uncertainty.

I would say this: that granting there is an uncertainty and ambiguity there, it is a very small ambiguity and uncertainty that the Senator has brought out here, because I am quite sure that this is the case. The Grange is overwhelmingly, and has been master to master, in favor of this thing.

If you had had a vote that was not as I explained it, where certain areas had a very pronounced view on the question and the other masters do not want to make a strong issue of it, they will be right along and not say much about it, especially if the decision is made in committees and is not brought to the floor. That is the way these decisions have been made mostly, because the Pacific coast people were always on those committees previously.

The CHAIRMAN. I still extend to you the opportunity of making your statement more definite and certain, as the lawyers would say.

Mr. SANDERS. Well, sir, I will write a more certain letter if I can, but I really do not think that I could. I tried to make my statement that I think it is overwhelmingly favorable, and I am sure that that is the case. I am sure that we do not have any vigorous opposition from the Pacific Coast any more on this thing.

The CHAIRMAN. All right, sir. Do you want to leave your prepared statement for the record?

MR. SANDERS. Yes, sir.

The CHAIRMAN. Thank you, Mr. Sanders. Your prepared statement will be incorporated in the record at this point.

(The prepared statement of Mr. J. T. Sanders above referred to follows:)

1. My name is J. T. Sanders and I am the legislative counsel of the National Grange. I appear for the Grange in favor of granting statehood to the Hawaiian Islands. About a week ago I presented a statement to this committee in support of statehood for Alaska. It seems to us that a strong case could be made out for statehood for Alaska; and we feel that equally as strong a case can be made out for Hawaii.

2. The Eighty-third annual session of the National Grange at Sacramento, Calif., last November passed a resolution favoring without any qualification the admission of Hawaii as a State. We sincerely hope you will report favorably on H. R. 49 at an early date and that it is brought to the Senate floor in time to pass during the present session.

3. Hawaii came into our Nation voluntarily 52 years ago. Prior to that and frequently since then this Territory of the United States with at present over a half million people, 85 percent of whom are citizens, have requested to be given States' rights and full citizenship.

4. If there ever was any doubt in the mind of anyone that the people of Hawaii were American citizens in the truest and fullest extent, it seems to us that such doubts should have been entirely dispelled after Pearl Harbor. Its people gave us fully and as freely of their substance and their lives as any equal number of Americans. Probably no equal amount of land and number of people of our Nation exceeded Hawaii in total service rendered to the Nation during the war. This maximum service springs both from its extreme strategical value and from the full loyalty of its citizens.

5. We favor the admission of Hawaii into the Union since, if the people of any previous territory have demonstrated their fitness and worthiness to become full-fledged citizens, it seems to us Hawaiians have done so. As far back as 1854—nearly 100 years ago—the people of Hawaii asked to be admitted to the United States as a State. Two years after annexation the Federal Government developed an organic act for the people of Hawaii. This organic act—or State constitution—for Hawaii has been considered as an ample promise of statehood. It seems to us they have acquitted themselves in a manner worthy of full citizenship ever since. We believe for this reason alone their request should be given great weight.

6. But their great strategical importance and the strength that statehood will lend to this strategical worth is also an important reason for admitting them to statehood. These are critical days and years in our Nation's history. We need all the strength that we can get from such important outposts of our Nation as Hawaii is. It seems to us that the great demonstration of the strategical importance of Hawaii which the recent war has given us should make us anxious and ready to grant Hawaii its statehood at the earliest practicable time.

7. The advance development of both agriculture and industry in Hawaii should also make it desirable to admit it to statehood. Few States can boast of as highly developed agriculture as Hawaii today, to say nothing of the stage of agricultural development when these other States were admitted to the Union. Naturally, this is the phase of Hawaii in which the Grange is most interested.

8. Lacking all natural resources except the soil itself, the people of Hawaii have had to build their economy wholly on an agricultural foundation. Some idea of the remarkable strides they have made within their limits can be gained by examining what they have done with what they have.

9. The Hawaiian Islands have a total land area of 4,000,840 acres. A very large part of this is mountainous, semiarid or covered with lava flows. Twenty-six percent of the land is devoted to forest reserves, 42 percent to beef and sheep ranges and another significant part to cities, roads, and military establishments. Only 7 percent is available for crop cultivation.

10. Yet on this small area, comprising less than 300,000 acres, Hawaii has developed what is perhaps the most prosperous economy of any Territory in the history of the United States.

11. This has been made possible by the application of intelligent and far-seeing methods—intensive use of the land, the cultivation of high revenue-yielding

crops and, above all, the use of scientific practices. Hawaii farming ranks today as one of the world's most highly mechanized agricultural areas.

12. Today, Hawaii ranks as one of the world's foremost sugar producers. One-seventh of the sugar consumed in the United States comes from Hawaiian farms. Last year, Hawaii produced close to 1,000,000 tons, valued at about \$100,000,000.

13. A revealing fact is that while production has, generally been steadily upward, the acreage has been downward. The average cane yield per acre has increased from about 41 tons in 1920 to over 75 tons today.

14. Hawaii's second largest industry is the production of pineapples. Like sugar, this industry had a small beginning. The first commercial pineapple pack was produced less than 50 years ago, in 1903. The output for that year was less than 2,000 cases. Today, the industry produces the major part of the world's supply. In 1948, the latest year for which figures are available, Hawaii produced nearly 18½ million cases, valued at about \$75,000,000. The industry can now produce in an hour the 1903 output.

15. In addition to canned, frozen, and fresh pineapple products, the industry has developed many byproducts such as citric acid, bran, alcohol, carbon dioxide gas, and natural sugar.

16. Along with sugar and pineapple, Hawaii also produces a wide and increasing variety of other farm products. The wholesale value of these other products amounted to about \$31,000,000 in 1948.

17. It comes as a surprise to many that Hawaii has a sizable cattle industry. The cattle and poultry industries together account for about \$21,000,000 of the 1948 value of farm products.

18. In closing we would like to reiterate our previous statement that we give our wholehearted support of statehood for the people and Territory of Hawaii. We believe its people have for many years continuously demonstrated their worthiness to become a State. Especially did they do this during the recent war. Likewise strategical reasons dictate that Hawaii should be given statehood. Especially its great agricultural development and its industrial development as well as its half million people set it out as being far ahead of most States in these respects when they were admitted to statehood. We know of no good reason why Hawaii should not forthwith be admitted to statehood; and strongly recommend that this be done during the current session of Congress.

(The following letter was subsequently received from the National Grange:)

NATIONAL GRANGE,
Washington 6, D. C., May 12, 1950.

HON. JOSEPH C. O'MAHONEY,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I understand that you would like to have the action of the National Grange with reference to statehood for Hawaii. At its last session held in November 1949 at Sacramento, Calif., it passed the following resolution: "Resolved, That the National Grange favor statehood for Alaska and Hawaii." This is recorded on page 190 of the journal of proceedings.

Yours sincerely,

A. S. Goss,
Master, the National Grange.

STATEMENT OF WILLIAM H. HEEN, MEMBER, TERRITORIAL SENATE AND MEMBER OF STATE CONSTITUTIONAL CONVENTION AND COCHAIRMAN, HAWAII LEGISLATIVE HOLDOVER COMMITTEE OF 1949

Mr. HEEN. Mr. Chairman and gentlemen of the committee:

First, may I say a few words concerning my background. I am of Hawaiian-Chinese parentage and an American citizen under the provisions of the Hawaiian Organic Act; educated in private schools of Hawaii and studied law on the mainland of the United States. In private life, I am a practicing lawyer; in public life, I am a member of the Territorial senate and have been such during the past 24 years. I am also, at present, a delegate to the constitutional convention which

is now holding sessions in Honolulu to draft a constitution for the State of Hawaii and in that convention I am the chairman of the committee on legislative powers and functions. Before embarking upon my career as a legislator, I served in the executive and judicial branches of government—city and county attorney, deputy attorney general, and in 1917 I was appointed a judge of the First Circuit Court of the Territory of Hawaii, a court of record, which appointment was confirmed by the United States Senate. In politics, I am a Democrat—not by birth but by choice.

The CHAIRMAN. I like the emphasis which you put on that.

Mr. HEEN. Perhaps you would like this, too. Upon reaching the age of political maturity, I was able to distinguish right from wrong, and I chose to be a Democrat.

Senator ANDERSON. It is not that simple a choice for most of us.

Mr. HEEN. I do not purpose, at this time, to make any statement concerning the grounds upon which Hawaii claims its right to become a State. Others who have already spoken and others who will speak later have and will cover those grounds adequately.

I wish to address myself to the question of the public lands of Hawaii. It is a paramount question, next in importance to statehood itself, and is of vital concern to the people of Hawaii.

The title to the public lands of Hawaii was acquired by the United States by two instruments, the first being the cession of the lands made by the Republic of Hawaii and the second being the Newlands resolutions accepting the cession. By these instruments the public lands of Hawaii were ceded to and accepted by the United States subject to a special trust for the benefit of the inhabitants of the Hawaiian Islands. This appears from the basic documents, as follows:

Article II of the Treaty of Annexation of 1897, ratified by the Senate of the Republic of Hawaii on September 9, 1897, and accepted by the Newlands resolution of July 7, 1898, contained the following proviso:

Provided, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

While the cession made by the Republic of Hawaii transferred to the United States the absolute fee of the public domain, the effect of this proviso, contained verbatim in the Newlands resolution accepting the cession, was "to subject the public lands in Hawaii to a special trust, limiting the revenue from or proceeds of the same to the uses of the inhabitants of the Hawaiian Islands." This special trust was so recognized in an opinion of the Attorney General of September 9, 1899, the opinion also holding that upon the cession the Hawaiian government ceased to have the power of disposition of the lands until the same was provided for by laws of Congress.

Thus Congress, while having exclusive legislative power over the public lands in Hawaii, accepted those lands on a special trust for the benefit of the inhabitants of the Hawaiian Islands. The result was to constitute the United States as the Government of the people of the Territory, the transferee of the lands ceded. The cession was not made to the National Government for the benefit of the whole people of the United States.

Senator ANDERSON. Could you tell us, in the proviso that you quote, "That all revenue from or proceeds of the same," what does "same" refer to?

Mr. HEEN. The lands, the public lands, from the part that goes before that proviso. It is in the resolution itself.

The situation in Hawaii is the same as in the case of Texas, both of which were sovereign nations at the time of their annexation. Since Texas was admitted to immediate statehood the cession of the public domain was made by the Republic of Texas to the State of Texas, while in the case of Hawaii, coming in as a Territory which at the time of the cession was not even organized, the cession necessarily was made to the United States in its capacity as the Government of the people of the Territory.

In the case of Texas the United States did not assume the public debt, while in the case of Hawaii it did assume the public debt in the amount of \$4,000,000. However, the United States received consideration for this assumption of the public debt of Hawaii through the provision contained in the terms of the cession, that the United States might take, for the use of the National Government, without compensation, any part of the public lands of Hawaii. This right has been exercised many times and has continued over a 50-year period. As a result, the United States holds, as of the beginning of 1950, approximately 174,500 acres transferred to its use from the public lands of Hawaii. Under H. R. 49 these lands, having a value in excess of \$108,500,000, present value, will be retained by the Federal Government. Slightly less than one-third of this value, or \$38,500,000, represents lands taken between 1900 and 1950, so that, if the lands reserved for Federal use had been frozen as of the date of the cession, as in the case of Texas, the Federal Government would not have received this valuable consideration. The \$4,000,000 debt assumed does not warrant still further additions to the Federal holdings. In the case of Puerto Rico this right to make free use of public lands for purposes of the National Government was relinquished after only 4½ years as contrasted with 50 years' enjoyment thereof in the case of Hawaii.

When the Territorial government was organized by the Hawaiian Organic Act, Congress itself recognized that the public lands in Hawaii had been transferred to it in its capacity as the government of the Territory, Congress placing this property "in the possession, use, and control" of the newly organized Territorial government. Congress further recognized that the people of Hawaii are entitled to the revenues from the public lands by providing, through an amendment of section 91 of the Hawaiian Organic Act, that if lands taken for United States use were devoted to revenue-producing leases, such revenues should be covered into the treasury of the Territory of Hawaii.

Were the United States now to take the position that upon admission to statehood Hawaii is entitled only to the land grants usually made to new States, this would be upon the assumption that the public lands in Hawaii are held as a part of the public domain of the whole people of the United States, which it is submitted is not the case. The lands were not ceded as such and never have been administered as such.

In short, the people of Hawaii are the real owners of the public lands, the Federal Government having only the bare naked legal title to those lands. All the incidents of complete ownership are there—the right of possession, the right of user, the right to lease, sell, and otherwise dispose of those lands and the right to use the proceeds or revenues derived therefrom for public purposes.

Referring to the public debt of \$4,000,000 assumed by the United States—that is a trifling amount when you compare it with the millions of dollars the people of Hawaii have paid into the National Treasury by way of taxes and other revenue. In the short period of 4 years alone—1944 through 1947—they paid over one-half billion dollars.

In urging that the inhabitants of the Hawaiian Islands are the true owners of the public lands, the only purpose I have in mind is that the records of these hearings show that we have not waived our right to assert this claim of ownership before the joint committee composed of the members of Committees on Public Lands of the Senate and the House of Representatives when it takes up the investigation of the question of public lands as provided for in H. R. 49. It is my firm conviction that, when this question is thoroughly explored before that joint committee, we will be able to demonstrate that our claim of ownership is fair, equitable, and just.

We do not ask for a determination of this question at this time. A prolonged investigation of this question now would only serve to delay final action on H. R. 49. With certain minor amendments, we are satisfied with the provisions of H. R. 49 which deal with the public lands.

May I take advantage of this opportunity to express, on behalf of the people of Hawaii, their sincere gratitude and aloha for what the President, the Secretary of the Interior and his able assistants, and the many others in high office have done in advancing immediate statehood for Hawaii.

THE CHAIRMAN. Thank you, Senator Heen. Are there any questions?

Senator CORDON. One question only. What is the total area of the public lands of Hawaii with respect to which you just made the statement, that is the portion remaining after certain portions have been dedicated to either public use of the Federal Government or public use of the Hawaiian Territorial government or subdivision thereof.

Mr. HEEN. I do not know the exact areas, but we did bring with us Colin G. Lennox, president of the Territorial board of agriculture and forestry, and he will appear before this committee as an expert upon that particular question.

Senator CORDON. You have appeared then, Senator, chiefly from the standpoint of one having knowledge of the legal aspects of the picture?

Mr. HEEN. That is right.

Senator CORDON. I shall be happy to take the matter up with him. Thank you.

Senator TAYLOR. Senator Heen, there has been some discussion here of the question of communism in the Hawaiian Islands. There has been the charge that the Democratic Party in Hawaii has been infiltrated, and even the implication has been made that it has been taken

over by Communists possibly. Being a Democrat, you could probably enlighten us on that. Would you care to do so?

Mr. HEEN. Personally I do not think they are going to make very much trouble so far as the voting population is concerned. The voters in Hawaii are intelligent, and while they may have been misled in one election, that is in the election of 1946 when those who have been charged with being Communists were able to elect quite a number of members to the house of representatives, but after that they have not been so successful.

I know in the election of 1946, I ran for reelection to the Territorial senate, there was also a Republican colleague of mine who was running for reelection to the senate, and before the primary election, he had the endorsement of the PAC, the political action committee, that was supposed to be affiliated with the Communist group there. His friends were very much elated because of this endorsement.

When the primaries came along, why, he got the lowest vote among the three Republican candidates. In other words, those who had supported him in the past, the Republicans, repudiated his candidacy because of this endorsement.

I did not get that endorsement. I was not nominated, and in the final election, or rather just prior to that, this Republican colleague of mine repudiated the endorsement that he got from the PAC, and as a result of that the PAC repudiated him as a candidate in the general election, and he did not get back the old support that he had. He lost out altogether and was eliminated, which shows you the high intelligence of the population there when it comes to voting, so I have no particular worry about this infiltration on the part of these Communists in Hawaii so far as the Democratic Party is concerned.

I have never received the support of the PAC or the sympathizers of the Communist Party, not one time, but nevertheless I have been elected and reelected time and time again, mind you, as a Democratic candidate.

The CHAIRMAN. Senator Anderson, do you have any questions? Senator ANDERSON. No.

The CHAIRMAN. Senator Heen, may I call your attention to page 3 of your statement in which you discuss in more detail the question of the use of the public lands, and you make the statement that "The Government of the United States has taken over for the use of the National Government land of the value of \$38,500,000 between 1900 and 1950." Do you intend to imply that any of that taking was beyond the terms of article II of the treaty of annexation?

Mr. HEEN. No; I do not imply that at all. They had the right through Executive orders of the President or of the Government to take such lands as were needed for the National Government.

Much of these lands were taken between 1898 and 1900, that is between the date of the annexation and the date when the Territory became an organized Territory under the terms of the Hawaiian Organic Act.

The CHAIRMAN. Article II of the treaty of annexation, which you quoted, provided that revenue from the proceeds of all of these public lands "except such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States or may be as-

signed for the use of the local government"—that language is clear and explicit so far as the right of the United States to take parts of the public domain for civil, military, or naval purposes of the United States is concerned, and for the use of the local government. Has any of this land ever been taken for any purpose of the United States beyond that?

Mr. HEEN. Beyond what?

The CHAIRMAN. Civil, military, or naval purposes.

Mr. HEEN. I do not think so. It was taken for instance for the national park, Kilauea, the great national park there. That was done I think by an act of Congress rather than by an Executive order of the President, and there were lands set aside for naval bases and reservations.

The CHAIRMAN. You raise no question of the legitimacy of that action?

Mr. HEEN. That is no question at all, Mr. Chairman, concerning the fact that the lands which were turned over for the use of the United States Government under the terms of this bill will remain the property of the United States. Likewise what has been set aside for the use of the Territorial government and the political subdivisions of the Territory will remain with the Territory and those civil subdivisions.

The CHAIRMAN. You say here on page 3:

slightly less than one-third of this value of \$38,500,000 represents lands taken between 1900 and 1950, so that if the lands reserved for Federal use had been frozen as of the date of the cession as in the case of Texas, the Federal Government would not have received this valuable consideration.

It is your contention that this assignment for civil, military, or naval purposes, made in compliance with article II of the treaty of annexation, was not justified?

Mr. HEEN. No. It was justified. Now, if we had come into the United States as a State at the time of the cession like Texas, immediate statehood at that time, then the question would have been different altogether.

The CHAIRMAN. Do you make any suggestion that there should be some compensation to Hawaii for that land?

Mr. HEEN. No, no. My point is this, Mr. Chairman. That as to the remaining lands which have not been set aside for the National Government, not set aside for the Territorial government, as to those remaining lands I believe that we are entitled to them because they are being held only in trust by the United States for the use and benefit of the people of Hawaii, so that when the status of the Territory changes to that of a State, what will become of those remaining lands? I say that they should be turned over to the State of Hawaii.

The CHAIRMAN. Do you include in that category the lands which have been assigned to the national park?

Mr. HEEN. No.

The CHAIRMAN. You mean merely those lands which have not as yet been used in accordance with the Treaty of Annexation?

Mr. HEEN. That is correct.

The CHAIRMAN. I see. Thank you very much, sir.
Senator Tsukiyama.

**STATEMENT OF WILFRED C. TSUKIYAMA, PRESIDENT OF THE
TERRITORIAL SENATE**

Mr. TSUKIYAMA. Mr. Chairman and members of the committee, I have no written statement for you today. On a question so important as that of statehood, I prefer to speak today from the depths of my heart rather than from a script.

On account of the importance of my position as president of the Territorial senate, and on account of my ancestral background, I should like to go a little more exhaustively into personal history than the witnesses who have preceded me.

My name is Wilfred C. Tsukiyama. Like Senator Heen, who preceded me, because I was born in Honolulu prior to the date when the organic act was granted to Hawaii. I was born not a citizen of the United States; but, by virtue of the organic act, like Senator Heen, I was made a citizen of the United States.

My parents came to Hawaii in the late eighties, as contract laborers on the plantation. After completing my elementary and high-school education in the public schools of the Territory, the First World War broke out. I still had one more month to go in my senior year in high school, but, with parental consent, which was necessary on account of my minority, I became a member of the United States Army and served for almost a year and a half.

Upon receiving my honorable discharge, I decided that I should continue higher education so I left Honolulu and matriculated at Coe College in Cedar Rapids, Iowa, where I took my liberal-arts course. I then went to the University of Chicago, and in 1924 completed my course in law.

Upon returning to Hawaii, and after passing the bar examination, I became associated in the practice of law with Gov. Ingram M. Stainback, and with Samuel B. Kemp, the present chief justice of the Supreme Court of the Territory of Hawaii.

In 1929 I was fortunate to have been appointed by the then city and county attorney of Honolulu as one of his deputies. In 1932, as a result of the change in the law which made the city and county attorney's office appointive rather than elective, in accordance with the recommendation then made by Mr. Seth Richardson, the then mayor, George Fred Wright elevated me from a deputyship to that of chief city and county attorney of Honolulu.

I continuously occupied that position until the end of 1940, when I left Government service to engage in the private practice of law. During the war, as the members of this committee will recall, up to 1942, persons of Japanese ancestry were not allowed to become soldiers. I believe it was March 1942 when the restriction was lifted.

Without waiting for induction, despite my age at the time, I was the first person of Japanese ancestry who filed my application for military service. Probably the authorities felt that I was verging on senility, and I was not taken.

However, I believe that I did as much as any person could have done in participating in the war effort on the home front. I was an officer of the Office of Civilian Defense. I was also an officer of the Office of Price Administration. I was a member of the Selective Service Board. I say in all humility, gentlemen, that I am the proud pos-

essor of a certificate of commendation signed by the President of the United States.

Last year I was honored by my alma mater, Coe College, with an honorary doctorate, and significantly one of the honorees at that commencement happened to be Senator Margaret Chase Smith.

After receiving my doctorate, I made a short visit to Washington and had the honor and pleasure of meeting several of the Senators, including Senator Butler, and much to my surprise when I returned to Honolulu, on the same day, I received a beautiful certificate from the Governor of Nebraska appointing me admiral of the great State of Nebraska, and I discovered that that distinction was conferred upon me by that great State through the recommendation of Senator Butler.

In 1946, in one of my weak moments, I decided to enter into politics at the request of a large number of my friends, most of whom, by the way, were of Caucasian background. I finally made my mind up to run for the Territorial senate. I was fortunate enough to have been elected, and that was the same election of 1946 to which Senator Heen referred.

I was not endorsed by the PAC; but, notwithstanding, I was successful in the election. I held the important position of chairman of the judiciary committee during the first session of my term in 1947. In 1949, when the next regular session came along, there was considerable discussion and deliberation as to who should be elected president of the senate.

May I assure you, Mr. Chairman and gentlemen of the committee, that I had neither ambition nor aspiration to become president of the Territorial senate. My colleagues elected me to that office, and in so doing they practically forced me to accept that high office, and in that connection may I say to you, Mr. Chairman, that the Territorial senate is composed of 15 members.

Eight of these members are Caucasians of whole blood; three of them are Caucasians of mixed Hawaiian and Caucasian blood; one of them is a Chinese of whole blood. Senator Heen is a person of mixed Chinese and Hawaiian blood. One other Senator outside of myself is a person who is a Japanese of full blood.

The first Senator who indicated to me that there was a sentiment to have me serve as president of the senate was of Caucasian ancestry, and the others followed. I mention that fact, Mr. Chairman and gentlemen of the committee, to demonstrate to you that when a person, regardless of race, color, or creed, is elevated to any position in Hawaii, it is not the result of any racial heritage or racial bloc.

My predecessors have already made comprehensive and exhaustive presentations on the political, economic, and social developments of the Territory of Hawaii, and I can scarcely say anything that will not savor in some degree of repetition. I shall endeavor to be brief and confine myself to a couple or three points upon which the opposition has heretofore relied in impeding and denying statehood for Hawaii.

One, the heterogeneous composition of the population of Hawaii, and more particularly the alleged doubtful loyalty of the persons of Japanese ancestry.

Second, the noncontiguity of Hawaii to continental United States.

I sincerely believe, Mr. Chairman, that the first argument has been amply refuted and the doubt solved, for as testified to by previous

witnesses, prior to and during the last war, on the home front there was not a single trace of sabotage or fifth-column activity even among the 170,000 people of Japanese antecedents.

Again, on the home front, practically every man, woman, and child of every race, nationality, and creed performed their part in the war effort, oversubscribing every quota of the war-bond issue and participating directly and indirectly in the manifold activities of the Office of Civilian Defense, of the Office of Price Administration, the Red Cross, and the blood bank.

Now, on the battle front the One Hundredth Infantry Battalion and the Four Hundred and Forty-second Regimental Combat Team distinguished themselves by countless deeds of valor and heroism, including the famous rescue of the "lost battalion."

If memory serves me correctly, the record—the enviable record—of those boys includes 5 presidential citations, 1 Meritorious Service Plaque, 65 Distinguished Service Crosses, 290 Silver Stars, 782 Bronze Stars, over 100 Purple Hearts, 50 Army commendations, and 82 division commendations.

In 1937 when the joint congressional committee was making an on-the-spot statehood investigation in Honolulu, of which Chairman O'Muhoney was a member, I had the honor of testifying, and in doing so among other things I alluded to the military service of persons of Japanese ancestry of Hawaii in World War I, and expressed my confidence that the same element of the population would be true and loyal in time of war as well as in time of peace.

Because of that statement, I was severely and relentlessly ridiculed by a weekly publication then known as the Hawaii Sentinel, which referred to my statement as specious if not facetious, on the ground that military service in World War I was no criteria because in that war Japan was an ally of the United States. Today, Mr. Chairman, I have the glorious satisfaction that my prediction was not erroneous.

I come now, Mr. Chairman, to the second argument: That of non-contiguity. It appears rather unfortunate and singular to me that that argument should still persist. What happened during the recent war and what has happened since that time has clearly demonstrated that we have conquered distance.

Distance proved no impediment to the quick recovery of Hawaii after the disaster of December 7. The ever-improving means of transportation and communication has brought Hawaii closer to Washington than Boston was in the early history of this country. Today you can take a midnight snack in New York and enjoy a sumptuous Hawaiian luau or feast for dinner the next evening.

I have often wondered, Mr. Chairman, what the opposition really means by noncontiguity. Do they refer to the situation where one piece of terra firma is separated from another by water? If so, let me say this, not as a bit of pleasantry but in all seriousness.

Two-thirds of continental United States is separated from the remaining one-third by the mighty Mississippi River. Most of the Territories lying west of the Mississippi were admitted into the Union as States at a time when the Nation was striving to make improvements upon Robert Fulton's steamboat, the *Clermont*, which had just made its first voyage from East River to Albany, a distance of only 143 miles, in 32 hours.

The locomotive, too, was then at its primitive stage. It was not until 1829 that Peter Cooper completed his work on his locomotive called the Tom Thumb. It is interesting to note, Mr. Chairman, in perusing the Congressional Record, that the forces in the Congress that opposed statehood for those Territory lying west of the Mississippi had advanced the same argument of distance, of remoteness.

I say to you in all sincerity, Mr. Chairman and gentlemen of this committee, who is there today who would dare say that those Territories west of the Mississippi should not have been admitted into the Union as States?

In connection with my receiving the distinction of admiral of the great navy of the State of Nebraska, I became tremendously interested in that State, Senator Butler, and so I began to read about Nebraska. It seemed quite significant and interesting to me that in 1860, when the Legislature of Nebraska submitted the question of statehood to the people of Nebraska, the majority of the Nebraskans voted against statehood. In 1864 the Legislature of Nebraska bypassed the people and petitioned the Congress for an enabling act. The Congress granted that enabling act.

Back in Nebraska there was called a constitutional convention. Because the delegates of that convention were opposed to statehood, the convention adjourned sine die.

In 1866 the Congress again passed an enabling act. Because of the attitude of the people of Nebraska the legislature drew up its own constitution, as I understand it, and submitted it to the people for their approval. This time the people of Nebraska did approve the constitution, but when it came back to the Congress the Congress passed an act to admit the Territory into the Union, but President Andrew Johnson vetoed the measure on the ground that if Nebraska became a State it would bolster the then Republican Senate by two more Republican Senators from Nebraska.

However, finally after a second attempt, the Congress overrode the President's veto, and President Johnson had no alternative but to declare that Nebraska had become a State.

Alluding now, Mr. Chairman, to your reference yesterday to the problem of dual citizenship, which was considered quite significant in 1937 during the investigation then made by the joint congressional committee, I should like to state that since that time so many have taken advantage of the expatriation law of Japan that today about 95 to 96 percent of the persons of Japanese ancestry have become expatriated.

This nebulous thing that is called dual citizenship is a product, as you know, of a conflict between the citizenship law of the United States and the law of Japan and many countries in Europe. Here we make the place of birth the basis of citizenship, while Japan makes parentage the basis of citizenship.

The procedure involving expatriation was so cumbersome that the leaders in Honolulu, after launching a campaign for expatriation, collected more than 20,000 signatures to a petition asking Congress and the State Department to enter into some negotiation with Japan so that there might be a wholesale expatriation under law, but we were told, Mr. Chairman, that because of the diplomatic complexities it would be difficult to enter into such a negotiation with Japan at that time.

I should like to touch upon just one more point. It has also been urged by the opposition that the granting of statehood to Hawaii would be setting a dangerous precedent in that it might lead other noncontiguous islands and even foreign countries applying for the same status. I respectfully submit, Mr. Chairman, that argument is untenable because obviously it is fallacious.

In granting statehood to Hawaii in fulfillment of a moral obligation, it does not set the kind of precedent that is apprehended as dangerous. When the Congress granted the organic act to Hawaii and made it an incorporated Territory of the United States, the Congress promised inferentially that Hawaii would ultimately be made a State, and a Territory is but an inchoate state, in the words of the court in *Ex parte Morgan*, found I believe in 20 Federal 298.

In the final analysis, Mr. Chairman, the people of Hawaii are merely asking for fair play. They are earnestly pleading with the Congress to keep faith. They have the same aspiration for self-government as all Americans do.

In paying one hundred millions of dollars into the Federal Treasury, we sincerely believe that we are entitled to full representation in the Federal Government. Ever since the annexation and incorporation of the Territory, the people of Hawaii have been keenly interested in the national and international affairs of this Nation.

I venture to say, Mr. Chairman, that the people of Hawaii, because of the peculiar set-up of that land, have made a more intensive study of the geography and history of this country, to know more about it, than many of the people on the mainland who are prone to take things for granted.

Historically, Mr. Chairman, we remember that one of the greatest thrills in the history of this land is that in 1620, a band of about 100 Pilgrims, after leaving the treacherous waters of the Atlantic for over 60 days, landed upon Plymouth Rock.

On that day was planted the seed which was destined to bring forth into this world a mighty new nation, and in the words of Abraham Lincoln, a nation conceived in liberty and dedicated to the proposition that all men are created equal.

We vividly remember the hardships that were endured by those Pilgrims to make their freedom secure. We recount with inspiration, Mr. Chairman, the day of the Thirteen Colonies and their struggle for independence.

We picture the Civil War, we picture the great westward movement of the dauntless American pioneers through the dangers that lurked along the Santa Fe Trail and the caravans of covered wagons slowly blazing their way up the Oregon Trail to the Northwest Territory through blizzards, sagebrush, and cactus.

We thrill as you do, Mr. Chairman, to such names as Jefferson, Franklin, Nathan Hale, Jackson, Lincoln, General Custer, and many hundreds of others. Democracy, Mr. Chairman, the American way of life, has come down to us as a priceless heritage, the fruit of three centuries of struggle.

In all of these things and in all the things that have made this Nation a great democracy, we of Hawaii want to share more realistically and more intimately as a State and not as a governmental orphan; and when Hawaii takes its proper place in the constellation of States.

I say with the utmost sincerity that the rest of the Nation shall not find Hawaii wanting in any of the attributes that combine to perpetuate the eternalize the solidarity of this great Nation, the United States of America.

Mr. Chairman, may I thank you from the bottom of my heart for this honor and privilege and your kind attention.

The CHAIRMAN. Senator Tsukiyama, I am sure that the committee feels as I feel, that your presentation has been a very moving and persuasive one.

We feel very happy, indeed, that under the flag of the United States there should have risen to prominence in public affairs of the Territory of Hawaii a man of your ancestry who was so thoroughly grounded in the basic principles of Americanism, which, after all, are the basic principles of freedom all the world over.

Mr. TSUKIYAMA. Thank you very much, Mr. Chairman.

Senator BUTLER. Mr. Chairman, I would like to add just a word to that. I do not know exactly why he happened to get his education in the Midwest, but we are glad that you did, and I do not know that you had any advantage over those who may not have had that privilege, but I do not think it hurt you any.

Mr. TSUKIYAMA. Thank you.

The CHAIRMAN. Dr. Sinclair.

STATEMENT OF DR. GREGG M. SINCLAIR, PRESIDENT OF THE UNIVERSITY OF HAWAII, HONOLULU, T. H.

Dr. SINCLAIR. I will try to be as brief as possible. I think in addition to Senator Tsukiyama's remarks regarding Nebraska, he could say that Senator Butler, when he wanted a new president of Doane College, took my predecessor, David L. Crawford.

My name is Gregg M. Sinclair, president of the University of Hawaii. I went to Hawaii in 1928 and I have been president since 1942.

I should like to mention three points only regarding Hawaiian education and the readiness of our people to qualify for statehood. I do not pose as an expert on the public-school system, but Dean Bruce White and Dr. Everly of Teachers College, University of Hawaii, made up these statistics which I should like to submit for the record to show Hawaii's place in the whole American scheme of things, for example, the per capita cost per pupil in Hawaii and in the mainland.

It might interest you to know that in Hawaii we spend \$199.25, the national median is \$178, and in this particular item Hawaii exceeds 33 States in its expenditure per pupil.

The average annual salary for teachers in Hawaii is \$3,320, and the national median is \$2,440. We exceed 45 States.

There are 19 such statistics that I should like to submit for the record. I might say we have 187 schools, public schools, in Hawaii, with an enrollment of 85,000. There are 3,583 teachers and the teacher-pupil ratio is 1 to 32. We are trying to reduce it to 1 to 30, perhaps we will sometime, but 1 to 32 is a rather good average, we think.

The legislature has always been generous and appreciative of the work of the public schools. The current year 1949-50 the total expenditures will be over \$16,000,000. I think all through the years the

legislators have tried to have a good system of education, not because we want to qualify for statehood, but because it is the American tradition. We want intelligent educated people.

Therefore we say that in these different statistics, you will find that Hawaii does not range last in any of them except in one particular thing, and that is in the number of one-room schoolhouses. We have gone in for consolidated schools more than one-room schoolhouses. Forty-eight States exceed Hawaii in the number of one-room schoolhouses. The percent of high schools enrolling less than 300 pupils in Hawaii is 5.8, the national median is 43 percent, and 45 States have a larger number, but in the high schools enrolling over 300, which I think is the real issue, because that is where we concentrate, Hawaii is 76 percent and the national median is 17 percent. The number of States that Hawaii exceeds is 47.

I think, in the preparation of teachers, Hawaii has done its best work. The university initiated for the whole country the 5-year system of teacher preparation not merely for high schools but for elementary schools. The percent of teachers holding bachelor or higher degrees in Hawaii is 71 percent. The national median is 59 percent. We exceed 40 States in that particular thing.

For those teachers holding master's degrees or equivalents, Hawaii has 39 percent, the national median is 14 and we exceed 47.

Hawaii requires 5 years of college training for elementary state teacher's certificates. No other State in the Union requires that for elementary schools. Seventeen States have 4-year requirements, three have 3 years, thirteen have 2 years, and nine have 1 year, but we exceed all the States of the Union in the requirements of teachers for elementary schools.

Now in the requirements of college training for high-school teachers, Hawaii, as I say, requires 5 years. There is no difference in requirements between high school and elementary school. There are only three States in the Union that require 5 years' preparation for teaching in high schools. These figures, by the way, were taken from the sources that I shall give you, all government sources.

The CHAIRMAN. When you speak of government are you speaking of the Territorial government or the Federal Government?

Dr. SINCLAIR. Both. There is a report prepared by the Council of State Governments called the Forty-eight State School Systems. We have used that. We have used the United States Office of Education Bulletin No. 270, published March 1950, and then we have used the annual report of Hawaii in this.

The CHAIRMAN. Very good.

Dr. SINCLAIR. Now the second point is the university. We have a university that was started in 1907 as an educational institution, then called a college. It is a land-grant institution. There are 51 such land-grant institutions. Ours is fully accredited.

Our students can transfer credits to any college or university. We have absolute equality with the other universities of the country. We have about 5,000 students. Registration went up during the war, but we think that with the increase in population, we will stay about where we are until 1956, and then we shall have to take in more students.

The CHAIRMAN. How large an area has become the property of the university under the land-grant procedure?

Dr. SINCLAIR. Well, do you mean as to colleges or geographical area?

The CHAIRMAN. You spoke of the University of Hawaii as a land-grant institution.

Dr. SINCLAIR. That is right; yes.

The CHAIRMAN. How much land do you have?

Dr. SINCLAIR. We do not have any. We have a great distinction. We are the only land-grant institution that does not have any land. [Laughter.]

The CHAIRMAN. I think that is worth a little amplification, Mr. President.

Dr. SINCLAIR. Usually land for income purposes—and that is what the land grant is—is granted to the university at the time of the admission of the Territory to statehood, but I am so much interested in having Hawaii become a state now, that I am not pressing that point on this occasion.

I would rather have statehood than I would to have land granted to the university, and that is a great concession because we need money badly, you see.

The CHAIRMAN. How were you made a land-grant institution?

Dr. SINCLAIR. That came about in 1910, I think, in the very beginning, because ours was an agricultural school in the beginning, agriculture and engineering, and we qualified because we are the single institution in the State that offered instruction in these two fields of study. Under the old bill of 1862 or 1866 we qualified so that we have had land-grant funds through the years.

The CHAIRMAN. And do you receive any revenue of any kind?

Dr. SINCLAIR. Oh, yes; we get several hundred thousand dollars a year. We qualify because these funds are based on population and not on representation in Congress.

The CHAIRMAN. What is the source of the fund?

Dr. SINCLAIR. There are several funds. You mean the Federal Government?

The CHAIRMAN. Yes.

Dr. SINCLAIR. Well, there is the Morrill Act, the Morrill-Nelson Act, the Hatch Act, the Smith-Hughes Act, several other funds. We qualify exactly as Idaho and Nebraska qualify under funds of that kind. We submit projects to the Department of Agriculture and it approves them.

The CHAIRMAN. But you have no revenue which comes exclusively from land?

Dr. SINCLAIR. No, sir.

The CHAIRMAN. And you are not at the present time raising any question as to whether or not any of this public land in Hawaii should be dedicated to the university?

Dr. SINCLAIR. In the interest of getting statehood in the next month or two, I withdraw all requests.

The CHAIRMAN. Under the Treaty of Annexation, however, and under the resolution of acceptance, certain lands are dedicated to the support of the school except those for civil, military, and naval purposes.

Dr. SINCLAIR. That is right.

The CHAIRMAN. Is there any revenue to the school system or to the university under the provision?

Dr. SINCLAIR. We have none now. After you act possibly there will be, but I know of none now.

The CHAIRMAN. I would like to have you, before you have finished, make clear in what manner there might be some. In other words, what action would be possible on the part of the Congress which would provide such revenue?

Dr. SINCLAIR. Yes, sir. We are interested in the statehood bill. Originally, the States were given 30,000 acres of land for each Senator and Representative who came to Congress. The land in Hawaii is limited, as we know.

I talked to Governor Gruening about it at one time, and I said, "Why don't you turn over 100,000 acres of Alaskan land to Hawaii," because the land granted to the universities has not always been granted from the State in which the university is. It has been granted in script from other States. We could sell such land in some way.

Governor Gruening was perfectly willing to give it away on the basis that Alaska had a lot of land up there. But we are not pressing that point because we are so extremely interested in getting statehood and in not interrupting in any way the progress that we have made.

The CHAIRMAN. You say he was perfectly willing to give it away, not having any authority to do so.

Dr. SINCLAIR. Of course. I think that is part of the point.

I should say that we have five colleges in the university, academic, applied science, teachers college, agriculture, and now business administration. We are not trying to duplicate the facilities of other universities.

I know that on statehood my old friend, Nicholas Murray Butler and I disagreed, but on the issue of duplication of facilities we had no disagreement at all. I said Hawaii could do some things better than Columbia could do. He said, "Name one thing." I said, "Tropical agriculture." He said, "I agree with you. You develop that, and we will send our students out there." I said, "Marine biology." He said, "I think you ought to develop there, too, you are in the center of the Pacific." I said, "Pacific and Asiatic civilizations," in which we are very, very much interested, and in which we have one of the six or seven best college libraries in the whole country. He said, "I agree with you."

Now, we cannot do everything in our university because we know our financial limitations, but we can do that which we do better than that which can be done anywhere else. Such programs as I have mentioned are what we are going in for, but I want to impress upon you the fact that the University of Hawaii has absolutely equal standing with the best universities in the country, and I think that they would, themselves, agree with that statement.

We do not have a medical school, we do not have a law school, we do not have a dental school, and I do not know that we want them. We like to have our students go to the mainland and have others come down to Hawaii.

Senator BUTLER. We now have 50 or 60 of your students in Omaha.

Dr. SINCLAIR. We are delighted with that and they are delighted, too. We made a study, as a matter of fact, about 3 years ago, as to the rating of our students who went into professional work in mainland colleges, and I am glad to tell you it is above the average, but I do not have the figures right here.

The CHAIRMAN. You spoke of very high standards of education in the schools of Hawaii, and it is most impressive. What about the literacy standard of the population?

Dr. SINCLAIR. You know in the 1930 census literacy tests were taken, but in the 1940 and 1950 censuses they were omitted, and they were omitted on one ground, and that is this. The census authorities thought they had a better test.

They took the average length of the school year and the number of pupils proportionately who were in the schools, and they preferred that to any literacy test. I cannot give you a statement on literacy, although I have asked the Census Bureau for it. The Government does not take a literacy tally. However, as regards school attendance, the average daily attendance in Hawaii is 92 percent. The average for the whole country—

The CHAIRMAN. Ninety-two percent of what?

Dr. SINCLAIR. Of the possible attendance 92 students out of every 100 go to school every day.

The CHAIRMAN. Ninety-two out of every hundred eligible students?

Dr. SINCLAIR. Yes.

The CHAIRMAN. And the eligibility is determined by what?

Dr. SINCLAIR. Everyone is compelled to go to school. It is a law.

The CHAIRMAN. So that 92 percent of all of the children of Hawaii are attending school?

Dr. SINCLAIR. That is right.

Senator TAYLOR. On any given day?

Dr. SINCLAIR. Well, that is the average, you see.

Senator TAYLOR. The absenteeism can be caused by illness or other reasons?

Dr. SINCLAIR. Yes; but this is averaged out.

Senator TAYLOR. It is not that 8 percent of them do not go to school at all?

Senator ANDERSON. Would you submit the source of that material, because that seems incredible that the average attendance in the schools should be 92 percent of all people eligible to attend. There is nothing like that elsewhere in the world.

Dr. SINCLAIR. In the States it is 87.8 percent. They say that is a better test of literacy than whether you can read or write. These facts are amazing. I was surprised myself when I learned it was really so high.

Now on the length of school days in Hawaii, the term is 178 days. National median is 178, but we exceed 23 States in that as to the length of the school term. That is the only thing I can give you on literacy. I am sorry.

The CHAIRMAN. President Sinclair, I have before me the Sixteenth Census of the United States, the census of 1940 on Hawaii. On page 9 thereof in table 5 there is a record of the school attendance.

The total population of all races between the ages of 5 to 24 is given as 190,340. The number attending school is given as 110,459. Percentagewise that is 58 percent. Fifty-eight percent of the total population in the 5-to-24-year group were attending school at that time. That is slightly different from that which you gave us, of course.

Dr. SINCLAIR. Well, this is 5 to 17. This is under the compulsory attendance. Yours is 5 to 24. After 17 some go to jobs, and I think that would make the difference.

Senator ANDERSON. But you get the source of your statement because it still will not figure out. They could not possibly have 92 percent. It could not be anything in the world like that.

Dr. SINCLAIR. Except in Hawaii you mean.

Senator ANDERSON. No. I say it is physically impossible for any school system to have 92 percent of all its children eligible for school in school every day. I think your figure is a 92-percent attendance figure and not a figure of the number of people eligible.

Dr. SINCLAIR. I think that is correct. The figures I give refer to the public schools and do not include the private schools.

Senator ANDERSON. It could not possibly be any other way. There is not anything close to it in the world.

The CHAIRMAN. This table is broken down as follows, and I think it is of interest at this point. Of the Hawaiian population, 2,757 are attending school, constituting 52.7 percent of the eligible number. Part Hawaiian, 17,249, or 64.4 percent; Caucasian, 15,696, or 35.7 percent.

Chinese, 9,148, or 70.6 percent; Filipino, 8,571, or 65.7 percent; Japanese, 52,261, or 64.9 percent. All other races attending school, 4,777, or 60.7 percent of the total.

It will be appreciated if you will be good enough to amplify those figures in the written statement which you will file with the committee later on.

(NOTE.—The material requested was subsequently furnished as follows:)

MAY 5, 1950.

Hon. JOSEPH C. O'MAHONEY,

Senate Office Building, Washington, D. C.

DEAR SENATOR O'MAHONEY: Referring to the statistics on public-school attendance, which I gave on Wednesday in my testimony before the Senate Committee on Interior and Insular Affairs, in which I pointed out that the average daily attendance in Hawaii was 92.8 percent, and the national medium 87.8 percent, may I say in further explanation thereof that these figures refer solely to public-school attendance and the percentage in average daily attendance. This does not refer to the percentage attendance of all the children of school age—from 5 years to 17 years.

Because of the questions that were asked regarding my figures, I sent a radiogram to Dean Bruce White, Teachers College, University of Hawaii, with a request for figures on the total population, and so forth, from 5 to 17 years of age. I just received a radiogram from him with this information and if possible I would like to have it inserted in the record with the explanation I have given here.

"Total population, ages 5 to 17, 120,616; enrollment, ages 5 to 17: Public, 87,800; private, 23,610; total enrollment, kindergarten to grade 12 public, 90,593; average daily attendance same basis, 85,970; attendance private estimated approximately similar. All data December 1949. Signed—WHITE, University of Hawaii."

Sincerely yours,

GREGG M. SINCLAIR,
President, University of Hawaii.

Dr. SINCLAIR. Yes, indeed, I will be happy to do that. These figures were made up for me by the dean of our College of Education, and he is a statistical expert.

The University of Hawaii has a system of visiting professors. We try to bring distinguished professors from all over the country for shorter or longer terms of teaching.

On April 24 I suddenly got the idea, "How do these people feel about statehood," because they lived in Hawaii. They were not tourists. They lived there for a summer session or during a semester or school year.

I immediately dashed off a little questionnaire. Unfortunately it has not been tabled yet because some of the returns came in only today, and yet of the 64 that we sent out to all the American citizens—we have visiting professors from Europe and Asia as well as America—52 replied, and every single one was in favor of the immediate granting of statehood to Hawaii, every single one. The summary is as follows:

VISITING PROFESSORS TO THE UNIVERSITY OF HAWAII SAY HAWAII SHOULD BE GRANTED STATEHOOD NOW

The University of Hawaii has developed a plan of bringing to Hawaii visiting professors from mainland universities—men and women teachers with established mainland reputations as among the best in their fields.

Since 1942, there have been 64 visiting professors with American citizenship who have come to Hawaii to live while teaching at the university for a summer session, or during the regular college year.

On April 21, 1950, these 64 educators were asked by the president of the university to state their opinion as to Hawaii's readiness for statehood. By May 3, 1950, 52 replied— all 52 supported statehood for Hawaii now. Represented were men and women from 39 universities and colleges in 19 States. Their comments are given below:

1. The granting of statehood to this outpost of democracy in the Pacific will (1) give immeasurable encouragement to freedom-loving peoples everywhere, and (2) strengthen the position of the United States among the nations of the world, thereby promoting world peace.—ROSS A. BAKER, City College of New York.

2. Hawaii has long since earned the right to statehood and it would be a blot upon our democratic system not to grant it.—DR. GRAHAM H. STUART, Stanford University.

3. I spent 5 months in Honolulu in 1918. Since Congress was considering statehood at that time, I studied the situation rather carefully. I saw no reason then—and see none now—for denying statehood to Hawaii.—H. L. EWBANK, University of Wisconsin.

4. I believe that Hawaii should be granted statehood now.—F. H. MACDOUGALL, University of Minnesota.

5. I spent 2½ months in Hawaii, during which time I visited five of the islands and mingled widely with all types of people. I was always aware of a high degree of social and political acumen, and a fine sense of responsibility. I believe that Hawaii should be granted statehood now.—MENTOR L. WILLIAMS, Illinois Institute of Technology.

6. I have made half dozen speeches on Hawaii and in each case have expressed the opinion that statehood should be granted.—GLADYS L. BORCHERS, University of Wisconsin.

7. I believe that Hawaii should be granted statehood now. We are proud of the American brand of democracy * * *.—ROBERT W. FREDERICK, New York State College for Teachers.

8. The excellent program of education in Hawaii has done much to prepare her citizens for the responsibilities of statehood. I believe that Hawaii should be granted statehood now.—CHARLES F. WELLS, State University of New York, State Teachers College.

9. Hawaii should be granted statehood now.—ROY G. BLAKEY, University of Minnesota Emeritus.

10. I found more realism and more practical democracy in Hawaii than in at least two other States in which I have resided. Those who are definitely opposed to statehood for Hawaii are apt to be so because of ignorance of conditions and the absence of first-hand knowledge of the islands.—C. GILBERT WRENN, University of Minnesota.

11. I believe that Hawaii should be granted statehood now. I believe in the fullest measure of local self-government for Americans everywhere. To keep any part of the country under tutelage of Washington is an affront to American ideals.—H. G. DEMING, University of Nebraska.

12. I believe that Hawaii should be granted statehood now.—MISS ARLEN JOHNSON, University of Southern California.

13. I believe that Hawaii should be granted statehood now. It was my observation during 6 months' stay in Hawaii that the people of Hawaii generally held a better appreciation of the true meaning of American democracy and a keener recognition of the responsibilities of representative government than did the people of those several States of the United States in which I have been resident.—PHILIP H. TAYLOR, Syracuse University.

14. While at the University of Hawaii I had the privilege of teaching many of the Nisei who had proved their loyalty to their country by fighting from Africa to the English Channel. We are ingrates if we do not show these fine young men that we appreciate their efforts by granting Hawaii statehood now.—HARLOW C. RICHARDSON, Rollins College, Winter Park, Fla.

15. I believe that Hawaii should be granted statehood now. From the standpoint of education, democratic ideals, and loyalty to our Government, Hawaii compares favorably with the States now in the Union.—W. A. SAUCIER, Baker University, Baldwin, Kans.

16. I do not believe that any other Territory which was admitted to the Union had a better case than Hawaii. I believe that Hawaii should be granted statehood now.—RAYMOND UHL, formerly Maryland State planning commission consultant.

17. During the summer of 1940, I not only taught in Hawaii's summer session, and attended the very interesting East-West Philosophers Conference, but I was engaged particularly for the final month or so in making studies of a social scientific character under auspices of the Social Science Research Council. I was thus constrained to study island social, cultural, and economic structure rather carefully at first hand, albeit for a brief period. Hawaii is socially, culturally, and economically our western frontier State. I believe that Hawaii should be granted statehood now.—MARVIN K. OPLER, Occidental College.

18. Hawaii is as modern, well-developed, and the people as cultured as those of any State in the Union; and I can see no good reason for denying it statehood at this time.—A. J. SALLE, University of California at Los Angeles.

19. I decidedly believe that Hawaii should be granted statehood now. From my contacts with University of Hawaii students during 2 years as visiting professor there, I found them loyal and well informed. I consider Hawaii ready for statehood and well prepared for carrying on its own government.—ORIS W. FREEMAN, Eastern Washington College of Education.

20. I am sure that the students I dealt with in my classes while in Hawaii, as well as my association with businessmen on the various islands, proved to me that the majority of people in Hawaii are good Americans and will be one of our stronger States.—HALVER M. SKINNER, Montana State College.

21. I believe that Hawaii should be granted statehood now.—Mrs. LOUISE H. HOWE, Salt Lake City, Utah.

22. In terms of the loyalty of its citizens, tax support of the Federal Government, and contribution to national life, Hawaii deserves statehood now.—CLARENCE T. SIMON, Northwestern University.

23. I believe that Hawaii should be granted statehood now. This is based on my observations in Hawaii during the summer of 1947. Delay of statehood would in my opinion be most unfortunate.—J. D. HICKS, University of California.

24. I believe that Hawaii should be granted statehood now.—Mrs. HAZEL N. MORGAN, formerly University of Minnesota.

25. I believe that Hawaii should be granted statehood now. The people on the islands are economically self-supporting, educated, and enthusiastic citizens of our country. They surely deserve to have their home islands become a State in the United States of America.—RUSSELL V. MORGAN, Western Reserve, Cleveland, Ohio.

26. I believe that Hawaii should be granted statehood now. My classes in education included a cross section of all national and racial groups in the Territory. I also got into the schools and observed the student bodies. I was deeply impressed with the high level of thinking and the intense loyalty to the United States.—V. T. THAYER, Ethical Culture Schools, New York.

27. I am sure that all of us at Ohio State University who have taught in Hawaii are of one mind on this question. We want Hawaii to become a State.

Its qualifications cannot be questioned by any person with integrity.—NORMAN WOELFEL, Ohio State University.

28. I believe that Hawaii should be granted statehood now.—E. C. ACHESON, George Washington University, Washington, D. C.

29. There is no doubt in my mind about the maturity of those who would govern the Territory or of the devotion of virtually the entire population. I believe that Hawaii should be granted statehood now.—STANLEY T. WILLIAMS, Yale University, New Haven, Conn.

30. Hawaii has a unique contribution to make to the United States, the leader of the democratic nations. Hawaii can make that contribution even more effectively, at home and abroad, as a State than as a Territory. I am convinced that Hawaii for years has been ready for statehood.—CLARENCE E. GLICK, formerly chairman, sociology department, Tulane University; now at University of Hawaii.

31. I consider it a disgrace that Hawaii has not been granted statehood, at least right after the war, in 1945. Statehood is long overdue.—Prof. B. M. STANFIELD, Columbia University, New York City.

32. My observations convince me that the Hawaiian Islands are ready and fully qualified for statehood. To deny statehood now would be a severe blow to excellent island morale; to grant statehood now will strengthen not only these islands but our Nation and its influence in both Occident and Orient.—RUPERT L. CORRIANT, Wayne University, Detroit, Mich.

33. I have found students in Hawaii equal to the best on the mainland as to patriotism, intelligence, and vigor. It is a loss to the Nation and an injustice to them to be denied first-class citizenship. The same applies to citizens of Hawaii in general.—ALFRED H. JONES, Syracuse University emeritus; now at University of Hawaii.

34. I spent 1920-22 in Hawaii. I returned as a visitor in 1924. I have lived with people in their homes on the five largest islands. In view of the United States' commitment to Hawaii and of what I know of Hawaii, further delay would be breaking faith.—JOSEPH F. SMITH, visiting professor, University of Hawaii.

35. In terms of maturity—educational, economic, political—I consider Hawaii ready for statehood.—A. M. MYHRMAN, visiting professor, University of Hawaii.

36. I believe that Hawaii should be granted statehood now. Fifty years is a long enough "cooling off" period. Hawaii has met the tests required of other Territories.—HAROLD S. ROBERTS, visiting professor, University of Hawaii.

37. I believe that Hawaii should be granted statehood now.—M. W. DE LAUBENFELS, visiting professor, University of Hawaii.

38. I believe that Hawaii should be granted statehood now. I find my students here as alert and as American as those I had at Stanford, San Diego, and Harvard.—Dr. A. GUERARD, visiting professor, University of Hawaii.

39. I believe that Hawaii should be granted statehood now.—H. E. STELSON, visiting professor, University of Hawaii.

40. I believe that Hawaii should be granted statehood now.—DONALD C. MATTHEWS, visiting professor, University of Hawaii.

41. I believe that Hawaii should be granted statehood now.—Dr. CLAUDE H. EWING, Washburn Trade School, Chicago.

42. I believe that Hawaii should be granted statehood now.—J. F. STEINER, professor emeritus, University of Washington, Seattle, Wash.

43. Hawaii should be granted statehood now.—GEORGE F. WHICHER, Amherst College, Massachusetts.

44. Hawaii is far more American, in spirit and loyalty to the principles of democracy, than is my home State of New Jersey. The Hawaiian people and newspapers manifest an unusual catholicity of interest in political and economic issues in every State of the Union. In fact, I resent strongly that the Territory of Hawaii has gone so long unrewarded.—HUBERT W. ALYEA, Princeton University, Princeton, N. J.

45. During the academic year 1947-48 I strove with the utmost sociological detachment to size up the situation as regards statehood. Not only did I try to sense student attitudes but I also mingled much with unlettered citizens such as the Puerto Rican groups. Everywhere I found evidence of ardent Americanism and emphasis upon good citizenship. Nowhere did I detect anything that would cast a substantial shadow over what seemed to me an overwhelming eagerness for statehood. At times I have felt that the clamor raised by the minority opposition, particularly about communism, sprang from motives that were rooted in un-American racism.—Prof. LEE M. BROOKS, University of North Carolina, Chapel Hill, N. C.

46. I believe that the citizens of Hawaii are fully as loyal to the United States as those of any State. In fact, I know of no valid reason why Hawaii should not be admitted to statehood now.—**LOUIS BRAND**, University of Cincinnati, Ohio.

47. I believe that Hawaii should be granted statehood now.—**MISS LORETTA T. SCHULER**, visiting professor, University of Hawaii.

48. I believe that Hawaii should be granted statehood now.—**Dr. STEVENSON SMITH**, University of Washington.

49. My year at the university (1947-48) convinced me that the over-all situation in Hawaii corresponds to more that is favorable and to less that is unfavorable for equal membership in our United States than characterizes most of our present States.—**PHILIP W. L. COX**, Massachusetts.

50. I believe that Hawaii should be granted statehood now.—**W. BRIGANCE**, Wabash College, Indiana.

51. I believe that Hawaii should be granted statehood now.—**STUART BROWN**, Syracuse University, New York.

52. I think in the light of its resources, tax payments to the United States, strategic importance, educational and social progress, Hawaii distinctly ought to be a State in the United States. I believe that Hawaii should be granted statehood now.—**LOWELL E. NOLAN**, University of Wisconsin.

Now I just want to make one other statement, if I may, and that is that we recognize the fact in the university that Hawaii has been made by the scientists. If there were no scientists there, we would have a very little place except for the military, and yet I think that it is important to know, too, that the quality of scientific thinking has penetrated the people just the same as the quality of the educational system was largely responsible for the fact that the people responded so beautifully in the greatest crisis that any people ever faced; that is, on and after December 7. People should know that without the scientists there would not be any Hawaii, such as we know it.

I think it is a startling thing for some mainlanders to be told that it takes a ton of water to produce a pound of sugar, 2,000 times as much water as the sugar that is made. The scientists have analyzed all of these different factors, but back of those factors are the businessmen who are responsible for employing the scientists to do this work.

We have never seen any disposition on the part of our businessmen on the board of regents—and the Governor has appointed the best board of regents we have ever had—to cut down the work of the university in the question of the development of the academic, the cultural side or the scientific side. The businessmen on the board and in the Territory have been farsighted.

The CHAIRMAN. What is the experience of the graduates of the university in finding employment?

Dr. SINCLAIR. They have had no difficulty at all up to this year. We anticipate that this year, with the unemployment situation as it is in Hawaii, they are going to have a lot of trouble, but up to this year, including last year, our graduates have all been employed.

The CHAIRMAN. Have you any report on that?

Mr. SINCLAIR. I do not think so. We have inquired, but we have never had any person apply for a job to us who is a graduate of the university.

The CHAIRMAN. Do you have a division of your faculty or the office of the dean that has any responsibility for helping students find employment?

Dr. SINCLAIR. Yes; we do have a director of student personnel.

The CHAIRMAN. Do you have a report on that activity?

Dr. SINCLAIR. Well, I do not have it with me. It has concerned mainly the students who are in the university at the moment, because

we have had no problem of the employment of graduates up to this year. Only in the last year since unemployment became pronounced have we had such requests, and we are establishing a placement bureau in September of this year.

The CHAIRMAN. Are you familiar with the situation to the extent that you can tell the committee what the character of the unemployment is?

Dr. SINCLAIR. Well, I think others probably are a little better informed on that than I am. I know there are about 30,000 unemployed, but the details I do not know.

The CHAIRMAN. It is important, in all of these considerations with respect to economic and political development of any of our areas, to learn what the opportunities for employment are likely to be and what the obstacles to employment are likely to be.

Dr. SINCLAIR. Yes; of course.

The CHAIRMAN. Very well, sir. Have you finished your statement?

Dr. SINCLAIR. Yes, sir.

The CHAIRMAN. Senator Butler.

Senator BUTLER. I can say, so far as the impression one gets when he visits Hawaii is concerned, as I have done, you get the impression that the high schools of the city are a very important part of the set-up of the whole community.

I never saw bigger ones or better ones or more enthusiasm so far as the high schools are concerned.

I was interested in the details, the statistics, that you gave, and we shall study them over with more interest.

You did, Mr. President, touch on the communistic situation, and I do not care to press it at all if you in your official capacity do not care to say anything about it, but there was a fuss out there over the Reinecke trial—Mr. Fujimoto, I believe, was the name—and it may be that you want to say something about it, and it may be that you do not. I am perfectly willing that you use your own judgment in the matter.

Dr. SINCLAIR. I am perfectly willing to talk about it so far as it concerns the university.

Senator BUTLER. That is all I expect you to do.

Dr. SINCLAIR. We have no Communists on the university faculty. Reinecke was there for 1 year, I think, from 1935 to 1936, on a 1-year appointment. Then he left, and he has not been connected with the university since.

Senator BUTLER. Well, was it from the university or from the public schools that he was discharged?

Dr. SINCLAIR. Public schools. He has not been with the public schools since.

Fujimoto is a person who was a junior chemist in the experiment station. He never came in contact with the students; there was never at any time any trouble with him, so far as the university is concerned. He did his work very well. I am told he is quite a brilliant boy.

During the war we had an American Youth for Democracy organization at the university. It was founded really by some soldiers, I believe, from New York. If the mainlanders would leave us alone I think we would get along pretty well on communism. These soldier boys came up to the university and formed a Hawaiian Youth for Democracy organization.

I investigated it, and I think there might have been as many as four who were communistic students. Others were simply led into it. After they found out what it was it immediately disbanded. I can assure you there is not a single Communist on the university faculty today.

Senator BUTLER. I think perhaps there is some trace of that group in many of the schools on the mainland, so you would not be the exception if you had some trace of it out there.

Dr. SINCLAIR. Well, as a good Democrat, I will say that we do not all vote the Republican ticket. We very violently dislike the whole effort on the part of the Communists to dominate a particular party that we love and adore, you see, and we want to make it an effective party. That I think is our position.

Senator BUTLER. The Delegate has told us that he will give us considerable information on that situation before the hearings are completed, and bring us up to date on the convention that was held there last Sunday. I was going to ask you, too, Mr. President, if you had not had some support for the maintenance of the university from private sources, the people of the islands.

Dr. SINCLAIR. Very little support from private sources. The HSPA—that is, the Hawaiian Sugar Planters Association—the Pineapple Research Institute, and the university cooperate in an agricultural engineering institute. The sugar people put that up at the expense of \$100,000.

That is one phase of local support that I should mention, but generally speaking the university, being a young university with its reputation still to make, the great businessmen downtown naturally think not of it, but of their old colleges—Yale, Harvard, and Princeton, and so on—and they send a lot of money over there. I think they do not understand the theory upon which John Harvard built his university. When he gave his thousand dollars and his few hundred books to a little struggling denominational college in the neighborhood, instead of sending it back to his alma mater, Cambridge, I think he gave a lead that our people should follow, but we have not been able to make them see the point yet.

I will say this: The legislature has been very, very fine and statesmanlike in attempting to build up the university. It has done us a wonderful chore in helping us to get men who are important and significant.

Senator BUTLER. When I visited the island it was unfortunate that you were absent from the Territory at that time, but I will say that the visit to the university was a very pleasant one and made a very fine impression upon me and those who were with me.

I think I made the statement out there at the time that the University of Hawaii has a wonderful opportunity not only for the people of the Hawaiian Islands but for all the other Pacific area and even for the Orient, and I was wondering if there is a tendency for attendance from the other Pacific islands.

Dr. SINCLAIR. Yes; and that is something that I would have mentioned if I had had more time, but I think what I have said is more significant and to the point.

The University of Hawaii does feel that it has an obligation to the people of the Pacific, but it also has this point; that we do not have dormitories in the university. The housing in Hawaii is very bad.

We get requests from students in every State in the Union, from practically every country in Europe, and from practically every country in Asia, asking us if they can come to Hawaii. We have to give them a negative answer because we simply do not have housing, but the attention is focused upon Hawaii in a world sense.

I think that if you grant statehood for Hawaii it will give a very great lift to this whole international movement. The university meeting that I attended Monday and Tuesday in Chicago devoted a considerable amount of time to the significance of Asia at this particular time, and after two people got through making their speeches, one man immediately got up and said, "Are you changing your curriculum by reason of information that you found out what we needed to know about India," and was answered, "We certainly are."

On Friday and Saturday there is a meeting of the council on education. They are devoting their whole time to one point, this is, the system of American education in relationship to the world.

Nothing would be so significant as statehood for Hawaii so far as all the schools of the mainland are concerned in directing their attention to another new approach to living. We have been churning over the old stuff you know for a hundred or 200 years. Now it is time to get in and understand Asia. We have to do it whether we want to do it or not, and the appreciation of that attitude is our particular approach in Hawaii.

Last summer we had a philosophers' conference that was attended by distinguished men from China, Japan, India, Ceylon, as well as from the mainland. For 6 weeks we devoted our efforts to finding out the points of similarity and the points of difference between eastern and western ways of looking at life, trying to find a common synthesis that would be the groundwork for the change in attitude in the philosophical departments of our universities and also their universities.

Senator LEHMAN. May I ask you one question, Mr. President. You said you had no figures on literacy, but you did give some figures on attendance or on matriculation which certainly were very impressive to me.

I was wondering what comparison you could make with regard to the standard of curriculum in the high schools and grade schools of Honolulu as compared to the average city on the mainland.

Dr. SINCLAIR. I think ours would be just as high, because many of our graduates, our teachers, have taken work in mainland institutions, you see. They have a broad point of view. Besides, we have an excellent system of exchange of teachers with mainland high schools and public schools.

In the universities especially we seldom employ a local person. That would be in-breeding. Generally speaking, he has got to come from the mainland in order to be appointed.

As to our visiting professors, I have often said, "If you reduce your standards in Hawaii and let a student pass because you are a visiting professor here, we will never again invite you back. You have got to hold to the highest mainland standards in order to qualify here."

I think the same is true with reference to the high schools. I believe that their curriculum and their ways of doing things would be comparable to the best in America. At least we are trying to do that.

The CHAIRMAN. Are there any other questions?

Senator ANDERSON. I just want to say that I think the University of Hawaii has done a fine job of recognizing its responsibility to agriculture in Hawaii. It recognizes the importance of agriculture in the income of the islands.

My visit to the university persuaded me it was doing a splendid job and certainly if Hawaii is given statehood, it has a university that is matched up and ready to go with the State. I certainly want to congratulate you on the fine job that I know personally you have done.

Senator BUTLER. I can confirm what Senator Anderson has said. I would like to ask you, though, if any plans are being considered by your board of regents looking toward the construction of dormitories which I think would add tremendously to your opportunities.

Dr. SINCLAIR. Yes. One women's dormitory is to be built this year and one of the reasons that I am down here is to find out whether Hawaii cannot qualify under the \$300,000,000 loan bill which you passed I think only a week or two ago.

Under that there is one provision which says that the administrator must be able to foreclose property if the rents do not come through. Now they do not expect to take over the property. They just would take it over until the obligations are met, and then they would turn it back, according to the bill, but I do not know how we can qualify under that bill unless we have the land in fee simple, unless the land is in the Regents' name.

I do not know how we can do that, and that is one of the things I am going to find out about in Washington. Dormitories are our big need in the University of Hawaii today.

The CHAIRMAN. You spoke of the large number of applications which are received for the enrollment of students from beyond the Territory of Hawaii, whose applications cannot be received because of conditions under which you operate. From what areas do those applications come?

Dr. SINCLAIR. Do you mean in the United States or abroad?

The CHAIRMAN. In the world.

Dr. SINCLAIR. Japan, a very great number, Korea, a very great number, China, now a very great number, the Philippines, Siam, India. They are in the main areas of Asia. They look to Hawaii.

The CHAIRMAN. What, if any, steps have you attempted to take to equip the university to become a center of education for Asiatic areas?

Dr. SINCLAIR. We have a Pacific and Asiatic studies department. In that department we give courses in Japanese, Chinese, and the cultures of Asia. We probably have as many courses and students studying Asia, than have all the New England colleges put together.

So far as bringing these people to Hawaii is concerned, we can do nothing until we get dormitories, but we have that in mind. That is a major step, and I think it can be a real contribution.

The CHAIRMAN. It is the lack of dormitories alone that prevents you from permitting such—

Dr. SINCLAIR. Alone, that is right, the lack of dormitories.

Senator BUTLER. The prospective students have means for coming?

Dr. SINCLAIR. Usually, yes. Some do not, but usually they do.

The CHAIRMAN. What would it cost to build an adequate dormitory for such a purpose?

Dr. SINCLAIR. We want to house half our student body some day. That will be 2,000 students at the least. We are putting up a girls' dormitory now and it is costing \$150,000.

Senator BUTLER. For how many?

Dr. SINCLAIR. For 132 girls.

The CHAIRMAN. Have you made any effort to secure an endowment to be devoted to the construction of dormitories?

Dr. SINCLAIR. Oh, yes; but without success. We recognize the problem.

If we had dormitories there for 2,000 students, really the University of Hawaii would be of world significance. Also in summer students could go to Hawaii for 6 weeks and get college credit. We think we could have 5,000 students from the mainland in summer.

The CHAIRMAN. If Hawaii were made a State, what in your opinion would be the prospect of action by the State legislature to provide appropriations sufficient to construct dormitories?

Dr. SINCLAIR. Well, I think the legislators are quite sympathetic if means are available, but of course in the last year or two our Territory has been in a little financial difficulty due again to mainlanders.

Senator BUTLER. I agree.

Dr. SINCLAIR. But the legislators have told me individually that that is one of the great concerns that they are interested in. I have every belief that we will get dormitories.

The CHAIRMAN. What will be the effect of statehood upon the financial position of the islands?

Dr. SINCLAIR. I think it will be much better, but, of course, that is an opinion.

The CHAIRMAN. Are there any other questions?

Thank you very much, President Sinclair.

May I insert in the record at this point the full text of the report submitted by President Sinclair involving certain statistics on education which he presented.

(The document above referred to follows:)

We have prepared a comparison of public schools in Hawaii with those in the 48 States on 19 points, 6 in the area of financial support, 5 in reference to enrollment and attendance, 3 dealing with centralization, and 5 on the preparation and qualification of teachers.

The data on the basis of which these comparisons were made were secured from the Forty-eight State School System, a report prepared by the Council of State Governments, 1949; from Statistics of School Systems, United States Office of Education Bulletin No. 270, March 1950; and from annual and biennial report of the department of public instruction, Territory of Hawaii, together with other official records of this department.

PUBLIC SCHOOLS OF HAWAII

Statistical comparison with the 48 States, school year 1949

BASIC STATISTICS—HAWAII

Number of schools.....	187
Pupils enrolled.....	85,781
Teachers and staff.....	3,583
Teacher-pupil ration.....	1-32
Total expenditures.....	\$16,159,802.00
Per capita cost per pupil in average daily attendance.....	\$199.25
Average annual salary, teachers.....	\$3,320.00

PUBLIC-SCHOOL FINANCING, STATISTICS AND COMPARISONS

1. Per capita cost per pupil in average daily attendance:		
Hawaii.....	-----	\$190. 25
National median.....	-----	\$178. 71
Number of States Hawaii exceeds.....	-----	33
2. Average annual salary for teachers:		
Hawaii.....	-----	\$3, 320
National median.....	-----	\$2, 440
Number of States Hawaii exceeds.....	-----	45
3. Percent of school revenues gained from Federal sources:		
Hawaii.....	percent-----	1. 3
National median.....	do-----	1. 3
Number of States Hawaii exceeds.....	-----	26
4. Percent of school revenues gained from State sources:		
Hawaii.....	percent-----	82. 8
National median.....	do-----	39. 8
Number of States Hawaii exceeds.....	-----	40
(Hawaii has a Territorial system, and does not have districts.)		
5. Percent of school revenues gained from county sources:		
Hawaii.....	percent-----	15. 0
National median.....	do-----	5. 7
Number of States Hawaii exceeds.....	-----	35
6. Percent of school revenues gained from local district sources:		
Hawaii.....	-----	0
National median.....	percent-----	53. 2
Number of States receiving more from districts than Hawaii.....	-----	48

PUBLIC SCHOOL ATTENDANCE, STATISTICS AND COMPARISONS

1. Percent of total population composed of children of school age (5-17):		
Hawaii.....	percent-----	21. 0
National median.....	do-----	20. 3
Number of States Hawaii exceeds.....	-----	27
2. Average daily attendance:		
Hawaii.....	percent-----	92. 8
(Average daily attendance is 92.8 percent of total enrollment.)		
National median.....	percent-----	87. 8
Number of States Hawaii exceeds.....	-----	40
3. Length of school term in days:		
Hawaii.....	-----	178
National median.....	-----	178. 4
Number of States Hawaii exceeds.....	-----	23
4. Percent of total elementary school enrollment (kindergarten-eighth grade) which is enrolled in kindergartens:		
Hawaii.....	percent-----	7. 2
National median.....	do-----	4. 0
Number of States Hawaii exceeds.....	-----	35
5. Percent of total school enrollment (kindergarten-twelfth grade) which is enrolled in secondary school ninth-twelfth grades):		
Hawaii.....	percent-----	27. 8
National median.....	do-----	24. 3
Number of States Hawaii exceeds.....	-----	40

Centralization factors, statistics and comparisons

1. Percent of elementary schools which are 1-teacher schools:		
Hawaii.....	percent-----	6. 4
National median.....	do-----	35. 8
Number of States having a larger percentage than Hawaii.....	-----	48
2. Percent of high schools enrolling less than 100 pupils:		
Hawaii.....	percent-----	5. 8
National median.....	do-----	43. 2
Number of States having a larger percentage than Hawaii.....	-----	45
3. Percent of high schools enrolling more than 300 pupils:		
Hawaii.....	percent-----	76. 5
National median.....	do-----	17. 5
Number of States Hawaii exceeds.....	-----	47

Preparation of teachers, statistics and comparisons

1. Percentage of teachers with less than bachelor's degree :		
Hawaii	percent..	28.8
National median	do.....	40.9
Number of States having a greater percentage than Hawaii..... 40		
2. Percent of teachers holding bachelor or higher degrees :		
Hawaii	percent..	71.2
National median	do.....	59.1
Number of States Hawaii exceeds..... 40		
3. Percent of teachers holding masters (or equivalent) or higher degrees :		
Hawaii	percent..	39.6
National median	do.....	14.4
Number of States Hawaii exceeds..... 47		
4. Requirements in years of college training for elementary-school State teaching certificate :		
Hawaii	years..	5
17 States.....	do.....	4
3 States.....	do.....	3
13 States.....	do.....	2
9 States.....	do.....	1
6 States.....	do.....	0
National median.....	do.....	2
Number of States Hawaii exceeds..... 48		
5. Requirements in years of college training for high-school State teaching certificate :		
Hawaii	years..	5
3 States.....	do.....	5
39 States.....	do.....	4
4 States.....	do.....	2
2 States.....	do.....	0
National median.....	do.....	4
Number of States Hawaii exceeds..... 45		

POINTS OF EMPHASIS INDICATED BY THESE STATISTICS

1. Hawaii has a larger proportion of school-age children to educate than do 27 States.

2. Yet Hawaii has a larger proportion of these pupils in daily attendance than 46 States and spends more per capita for their education than do 33 States.

3. Despite this relatively heavy load of school-age children, Hawaii pays its teachers better than 45 States and receives no more help from Federal funds than the average State.

4. Despite this relatively heavy load of school-age children, Hawaii starts more of them in kindergarten than 35 States and retains them longer in secondary school than 40 States.

5. Hawaii's centralized system results in equalization of educational opportunity in rural as well as urban areas.

6. Centralization has given Hawaii fewer one-teacher schools than any State and more large high schools than 47 States.

7. Hawaii's teachers have more years of training than over three-fourths of the States.

8. Hawaii's standards for teacher certification are the highest in the Nation.

MAIN SOURCES OF DATA

Annual and Biennial Reports of the Department of Public Instruction, 1930-49.
Official Department of Public Instruction Records.

The Forty-eight State School Systems, prepared by the Council of State Governments, 1949.

Statistics of School Systems, United States Office of Education Bulletin, No. 270, March 1950.

Mr. FARRINGTON. The next witness is the president of the Hawaiian Pineapple Co., Mr. Henry White.

STATEMENT OF HENRY A. WHITE, PRESIDENT OF HAWAIIAN PINEAPPLE CO., HONOLULU, T. H.

Mr. WHITE. Mr. Chairman, my name is Henry A. White.

The CHAIRMAN. We welcome you, Mr. White.

Mr. WHITE. I was born and raised in Hawaii, went to school there, and I am presently the president of the Hawaiian Pineapple Co.

I have a prepared statement here that I would like to read if you will bear with me.

The CHAIRMAN. Very well.

Mr. WHITE. It is my hope—and I share that hope with the vast majority of people in Hawaii—that the Senate of the United States of America will quickly follow the action of the House of Representatives and pass legislation enabling Hawaii to become a State.

While I appear here today as a representative of industry, as head of the oldest and largest pineapple company in Hawaii, I want to stress my deep citizen interest in statehood.

It was because of this personal citizen interest that I ran for—and was elected to—a seat in the Hawaiian constitutional convention.

It is a matter of deep gratification that I was chosen from a field including persons of many different racial extractions by an electorate marked by the same diversity of racial extraction.

Even more gratifying to me is the fact that I was urged to run for Delegate and personally supported by a substantial number of the employees of the Hawaiian Pineapple Co.; and I might add that their racial composition represents a good cross section of Honolulu.

Voters in Hawaii are people who, like those of any of the States, are a responsible, mature group of Americans, deeply aware and profoundly proud of the voting privilege which goes with being American. These people are citizens first, and members of different races only by ancestry and the hand of God.

I say with deep sincerity that my campaigning, which brought me in contact with all types of voters throughout the area in which I ran, convinced me beyond any shadow of doubt that the voters of Hawaii are interested in the same basic thing which all good voters seek, and that is sound leadership.

Industry generally in Hawaii deserves a special comment, for it is a magnificent example of the results of the kind of free enterprise which we all like to think characterizes our country. Both the sugar and pineapple industries were created and developed in the face of great obstacles by men who lived and worked in Hawaii, utilizing capital created by their own efforts in Hawaii.

Over the years, earnings from enterprises in the Hawaiian Islands have gone right back into the development of Hawaii to make more and better jobs for everybody, to develop our schools, hospitals, our culture, our people.

There are few natural resources in Hawaii. There are no metals or oils, no coal. We have created our highly industrialized agricultural enterprise from the sun, the rain, and the soil.

As many of you know, the development of our basic industries has required millions of dollars for research. This research has been carried on by the industries themselves without aid from the Federal Government. I might add that we are leaders in the world in scientific

agriculture. We have combed the world for new varieties of sugarcane and pineapple. We have done the same to find parasites that will destroy or control the bugs that eat our plants. We have designed and built special machinery for our field and plant operations, some of which has been and can be advantageously adapted to other industries on the mainland. We have drilled tunnels through mountains to bring mountain water into our fields for irrigation.

Very few people realize that the pineapple industry doesn't lend itself to the so-called small, independent type of farming. The facts are that the industry has become so highly mechanized that a small farmer could not afford to carry the equipment necessary to modern pineapple agricultural operations.

You also hear a lot of talk about producing other farm products in Hawaii, but this talk must be laid against the cold, limiting facts.

Temperature and rainfall determine what can be grown in any given area. We lie at about 20° north in latitude.

This means that you can grow only those things which can thrive in the same general latitude, from say about 20° north to 20° south. You couldn't grow peaches, or apples, or pears, or strawberries, since trees and plants of this kind need a rest period during winter or cold months, which our temperature in Hawaii does not provide.

Aside from that, however, once limiting yourself to things you can grow, like cotton, for example, there are the problems of differential in labor costs which are very high in Hawaii, distance from markets, transportation costs, and so forth.

There are, of course, opportunities for more crops for self-sustenance, but even here, it has been found uneconomical in the long run to devote too much acreage to home-grown things rather than to cash crops upon which our balance of trade depends.

All of these things are not matters of personal opinion; they are matters of fact, based upon experience, both before and during the war period. We devoted a lot of land for food during the war, but at that time it was not a matter of what was most economical to do, but rather of what was necessary with the constant threat of being cut off from other sources of supply.

Many people have been led to believe that Hawaii is a tightly held, little Territory in which a few people have most of the wealth and most of the enterprises. This is far from the truth.

There are examples of interlocking directorates in Hawaii, just as there are in many other similar communities in America. But the fact that a man serves on more than one board of directors is a reflection of the fact that any small area has serious limits on its executive talent, and men who are good are widely used because of their abilities, not because of any ulterior reasons. Our pattern in Hawaii in this respect, I should state, is typical of the pattern in other American communities.

I think it is important for you gentlemen to realize that Hawaii is not a fabulously wealthy place as is sometimes supposed. By mainland standards, corporations there are very small. The total assets of all corporations in Hawaii put together amount to less than the total assets of Socony-Vacuum Oil Co., for example. The total assets of all corporations in Hawaii amount to only about one-fourth of A. T. & T. for example.

Moreover, the roughly 1,000 corporations in Hawaii have more than 34,000 stockholders, so that the benefits from these enterprises are widely spread. In addition, more than 30,000 individuals or groups hold business licenses in the Territory, operating every conceivable kind of enterprise. I think it is fair to say that the general business structure in Hawaii is much more like than unlike any other community of similar size on the mainland.

My own company, for example, has roughly about 5,000 stockholders.

I think, however, that you will find that Hawaiian industry in general ethics and in general civic-mindedness rates with the best of American communities. We support all worth-while community activities, both with dollars and men, and have consistently done our best to make Hawaii a place where people are proud to live.

I think also that the efforts of industry in Hawaii are reflected in the condition that the middle class in Hawaii is as well off as, or better off than, the middle class in any community you want to pick in America. The typical member of the middle class in Hawaii lives in a house rather than an apartment; has a car; sends his children to a good school; is able to contribute to his church; participates in the community chest and in community affairs generally; is able to go out to the beach without too much trouble on a Sunday afternoon, and to live a life of sensible balance between work and play. There is really no poverty in Hawaii as it is known in some of the large cities on the mainland.

We recognize that we have great beauty and a highly salubrious climate in Hawaii to contribute to our general ease of living for our peoples; but it is also important to note that the general harmony of relations between members of different races who make up our middle class, our ability to get along together, to live and work and play together is also an essential element in the enviable picture.

The CHAIRMAN. May I interrupt you at that point, Mr. White. You spoke of the number of stockholders of your company, the Hawaiian Pineapple Co., as being roughly about 5,000. How many of them are citizens of Hawaii?

Mr. WHITE. The bulk of them are citizens of Hawaii. We do have a large number of mainland stockholders though. Some of them were the original backers of Mr. Dole at the time he started the company, and their holdings have passed on to their heirs or have been spread around as their estates were broken up.

The CHAIRMAN. Are there any corporate stockholders?

Mr. WHITE. Oh; yes, sir. Our company is controlled about 49.8 percent by two corporations, Castle & Cook and Waialua Agricultural Co.

The CHAIRMAN. What is the second one?

Mr. WHITE. Waialua Agricultural Co., now Helemano Co. The stock has been transferred to a holding company known as Helemano Co.

That change in ownership developed during 1932 when the pineapple company experienced very severe set-backs during the depression period. At that time pineapple was looked upon more as a luxury product.

When depression was felt on the mainland, why, the consumption of pineapple dropped markedly and it was therefore necessary to reorganize the Hawaiian Pineapple Co.

In 1931 they borrowed \$5,000,000 on notes, and then when they went into their 1931 operating season, they had to make their seasonal bank borrowings, and in 1932 they found themselves pathetically short of cash. The \$5,000,000 was gone and they were in the banks to the extent of about three and a half million.

At that time it was necessary to work out a reorganization of the company, which accounts for the predominant stock interest that these two companies had in it at that time, because they bailed the company out.

At the time of the reorganization, Waialua Agricultural—who owns a good part of the land that the pineapple company operates on—owned one-third of the stock, which they acquired in 1923 at the time that the Hawaiian Pineapple Co. purchased the Island of Lanai.

When 1932 came along, it was practically impossible to get funds either on the mainland or locally, things were bad, and Waialua, as the major stockholder, agreed to take up its one-third pro rata of a new issue and together with Castle & Cook underwrite the remaining two-thirds.

It so happens that when the subscriptions were in, only 2,880 shares of stock were subscribed for by the old stockholders, so that Waialua, Castle & Cook had to take up practically the entire issue, and that is how they got to have such a large control.

I might say at that particular time that, looking at it from the standpoint of Waialua, it would have been a lot better to have let the pineapple company go and pick up the pieces. They could have done it a lot cheaper and I can recall one of my first jobs when I went down there, the new capital that was put in was a million and a half, and the first 4 or 5 months there was a serious question in my mind as to whether the million and a half was going to last, whether it was enough or whether we would have to go out and make additional borrowings.

The CHAIRMAN. Of these 5,000 stockholders, how many are citizens of Hawaii who are not associated with either of these two corporate stockholders?

Mr. WHITE. The bulk of them. They may also own stock in some of these companies, because Castle & Cook—

The CHAIRMAN. Do you know what the average stockholding is?

Mr. WHITE. No. I could probably get it for you.

The CHAIRMAN. It would be a most interesting fact.

Mr. WHITE. There are about 1,469,000 shares outstanding in which Castle & Cook and Waialua own just about half. I think the next largest stockholder would own about 20,000 shares, and he is a relatively new stockholder, so that your average stockholding, eliminating those two, would be quite small, maybe in the neighborhood of 150 to 200 shares of stock.

The CHAIRMAN. Would you be good enough to look into the record and file a statement for the committee showing the average stockholding and the so-called medium stockholding, that is to say what is the amount of stock held by the stockholders owning the least amount of shares per capita.

Mr. WHITE. I can do that very easily. A lot of the stock is held by our employees, I mean in all levels of employment.

(The following letter was subsequently received re ownership of the Hawaiian Pineapple Co.):

MAY 3, 1950.

Hon. Joseph C. O'MAHONEY,

*Chairman, Committee on Insular and Insular Affairs,
United States Senate, Washington, D. C.*

DEAR SENATOR O'MAHONEY: You have requested that I furnish you with information relative to the ownership and average holdings of certain shareholders of Hawaiian Pineapple Co., Ltd. This data, obtained by telephone from the stock transfer agents of the company in Honolulu, reflects the situation as of February 15, 1950, the last record date for dividend payments and is as follows:

	<i>Shares</i>
Castle & Cook, Ltd.-----	230,500
Helemano Co., Ltd.-----	500,000
Total -----	730,500
All other stockholders-----	748,438
Grand total -----	1,484,938

There were 5,801 shareholders as of February 15, 1950, so that the average holding per shareholder was 273.30 shares. If the holdings of Castle & Cook, Ltd., and Helemano Co., Ltd. are eliminated, the remaining 5,859 shareholders owned an average of 127.74 shares each.

Respectfully submitted,

HENRY A. WHITE,
President, Hawaiian Pineapple Co., Ltd.

The CHAIRMAN. Do any of those famous Hawaiian trusts own any of this?

Mr. WHITE. Hawaiian trust represents a lot of stockholders in the Hawaiian Pineapple Co. They vote either in a fiduciary capacity or under proxies or powers of attorney that they may hold. The Hawaiian trust has no direct hold.

I think that the pineapple industry is typical of industries in Hawaii, and my company is fairly typical of the other pineapple companies. The industry is the second largest in the islands. It employs many thousands of people the year around, and many thousands more during the summer peak seasons. The Hawaiian pineapple industry supplies about 70 percent of the requirements of the American market for pineapple. My company, like the typical pineapple company in Hawaii, is marked by a high degree of American scientific know-how.

The pineapple industry in Hawaii is very important to the American consumer. Ideal climate for the growth of pineapple in Hawaii produces a high quality, richly flavored fruit, probably unexcelled throughout the world. Our only limitation on expanded production is land on which to grow more pineapple to meet the increasing demands.

Our employees are paid well, with rates on our plantations and in our cannery ranging from \$1.01 an hour to \$1.86 an hour for men, and \$0.91 an hour to \$1.325 an hour for women. In addition to these high rates of pay, Hawaiian Pineapple Co. provides relatively stable employment, a fact which is not generally found in agricultural and canning industries. The work opportunities are excellent the year round for our regular employees, and the take-home pay is correspondingly good. I might say that the average hourly earnings of our employees would probably run over \$1.20 an hour.

The company which I head provides many employee benefits and services. We did so before employees were organized. In addition to the benefits required by law, such as Federal insurance, workmen's compensation and unemployment insurance, we have provided other benefits which cost us about a million and a half dollars per year. We have a contributory pension plan. We have group insurance. We have paid vacations. We have medical benefits and services, including an annual free medical and eye examination. We have a liberal sick pay plan.

We have an extensive sports program, including softball, bowling, basketball, volley ball, and so on. We have Christmas and harvest parties and other recreational activities.

We carry on an extensive informational program with our employees on the theory that a well-informed employee is the best employee. We are, for example, right now in the process of transporting more than 3,000 regular employees—1,500 of them by airplane—to see other parts of the pineapple company operations. While this will cost the company more than \$50,000, we consider this to be a sound investment in good human relations.

I mention these things because in the heat of labor difficulties in the past, loose charges have been thrown around which might lend those without time to investigate closely, to regard Hawaii's normal employee-employer relations in a more unfavorably light than that which actually exists. These relations have been subjected to the same stresses and strains as industry elsewhere. Solutions to these problems have, however, been worked out with a harmony consonant with the national scene.

We in Hawaii feel that there is a certain amount of injustice in placing upon our shoulders the full blame for any Communist problems in Hawaii and for much of our labor troubles.

These problems flow out of the west coast situation. During the disastrous waterfront strike, our problems would not have been half so great were it not for the fact that the entire west coast closed down on shipments and handling of goods to and from Hawaii.

It is difficult for the islands to work out its own problems when those emanating from the mainland are imposed as an added burden during period of labor difficulty.

Businesses sit down and negotiate with the unions regularly in Hawaii, and regularly settle their own affairs with the unions. Even during times of great stress, we are able to handle our own problems unless outside complications enter. My own company, for example, suffered a strike in 1947. It ended in 5 days, and settlement of differences were embodied in a union contract.

I might say too that at the time the strike was called, it was called at the height of the season, and still they were not able to successfully enforce their demands at that time, which were unreasonable, and we decided that we were going to stand on principle even at the risk of losing our entire summer crop, which in our case probably would have cost our company \$10,000,000.

After 5 days the men came back to work, and when they came back to work, they took less than they would have had if they had accepted the company's original proposition.

We in Hawaii are now confronted with a serious economic problem due to a combination of postwar readjustment problems. The

waterfront strike, the reduction of armed forces in Hawaii, and the cut-back of civilian personnel working for the armed services.

The latter problems are largely due to moves by the Federal Government, and in this connection, I feel justified in saying that the Federal Government has failed to recognize its responsibilities to the Territory of Hawaii. Moreover, while I do not consider myself qualified to speak from the standpoint of military strategy, I believe that, in case of emergency, we might very well find ourselves in the same unprepared position with which we were confronted right after "Pearl Harbor."

In case you are interested, I have on hand a detailed picture of this situation as worked out by the Hawaiian Economic Foundation.

In the immediate sense it would not be correct to state the pineapple industry stands to gain in a shift from Territory to State.

However, the interests of those who engage in pineapple production are identical with those of the entire community. What is good for Hawaii and its people is good, in the long run, for pineapple producers.

Our interest springs from consciousness of this fact, from our sense of privilege and obligation to support these moves which will represent the greatest good for the greatest number of Hawaii's citizens.

As all of you have read and heard, the recent, and very ably conducted investigation into subversive activity in Hawaii has demonstrated that such activity is the work of a very small and highly unsuccessful—certainly untypical—group in Hawaii. As a layman, I think the committee has done an outstanding job.

We in Hawaii have much of the spirit which marked the early pioneer days. We are strong fighters against tyranny and injustice in any form, and anyone who doubts for one moment the futility and frustration which subversive activity has met in Hawaii should come out and get to know us.

The people of Hawaii are essentially a peace-loving people. They have absorbed in part the gentle character of the Hawaiians who first inhabited the islands, and the hospitality for which Hawaiians have always been noted, but we shall rise to fight whenever and wherever it may be required to protect democracy and its heritage of inherent rights. The troops recruited from Hawaii during World War II, decorated for heroism time and time again, are a splendid example of our willingness to fight with loyalty and devotion for the principles of freedom.

For half a century now we in Hawaii have worked toward statehood. We know we deserve it. It is long overdue. To my knowledge, no valid reason has ever been put forth why we should not have it, immediately. We therefore respectfully, but strongly, urge that you extend to us our basic right.

I thank you.

THE CHAIRMAN. Mr. White, what is this report of the Hawaiian Economic Foundation to which you referred?

MR. WHITE. Well, that has to do primarily with the reduction of civilian personnel by the armed forces in the Territory.

THE CHAIRMAN. Will you leave a copy for the use of the committee?

MR. WHITE. I will. I will leave two copies here for you.

THE CHAIRMAN. I will not make them a part of the record, but will file them for the use of the committee. Thank you very much.

Mr. WHITE. That will give you some idea. It shows there that the increase in our unemployment problem has been largely influenced by the reduction in civilian personnel in Hawaii.

It shows that as the Federal payroll was reduced by approximately 12,000, that our unemployment went up from about five to thirty thousand.

The CHAIRMAN. As the head of this company, you are in a very excellent position to testify with respect to economic conditions in the islands. Your experience is most intimate with that phase of the conditions there. What do you care to say about the unemployment problem as you now find it in the islands?

Mr. WHITE. Well, as I point out in the statement there, the unemployment problem is really a combination of three things.

The postwar adjustment was inclined to shrink that community down to its proper size because it was blown up like a balloon during the war, in order to service the Army and Navy out there, plus all the other governmental agencies that we have.

That, coupled with two bad strikes, one on the west coast and one in Hawaii, have aggravated that, and then right on top of that just at about the time when we were trying to catch our breath, why, the Government comes along and lops off the employment at Pearl Harbor and other civilian activities down there, so that we do have a serious unemployment problem. I might say that in my opinion we just have too many people for our economy to support.

The CHAIRMAN. That is precisely what I wanted you to amplify on. In other words, what are the prospects for the creation of opportunities for employment in Hawaii from now on?

Mr. WHITE. Well, the immediate prospects, Mr. Chairman, I would say are not what I would term "bright."

On the other hand, I think that we have the ingenuity and intelligence to solve that problem, but it is not one that can be solved readily because of the limitations that there are on the crops that we can grow.

Some of these things that you speak of, that one of the earlier witnesses mentioned, flowers, they will bring in a lot of money, but it does not provide much in the way of employment, because that is the type of industry which can be developed as a sort of backyard industry. I think that that also might apply to some of the other crops that have been mentioned like papayas.

The manpower requirements to grow papayas, to develop a sizable volume and distribution for the mainland, would not take much in the way of manpower. As I view the thing, it has got to be a combination of a lot of small things that are going to help to build that up.

The CHAIRMAN. You have pointed out very clearly and accurately that agricultural growth in the islands is limited by reason of temperature, geographical location, area involved, and the like. My question is what in your judgment is the likelihood that new industries of any kind can be developed in Hawaii?

You have exploited sugar growing about as far as it can be exploited probably. The same is probably true with respect to the pineapple industry, is it not?

Mr. WHITE. Yes.

The CHAIRMAN. So what is the outlook?

Mr. WHITE. Well, I would say there are probably three or four things that show promise, the macadamia-nut industry, macadamia nuts I think can be developed very substantially. They can never be, because of land limitations—

The CHAIRMAN. I received some of them at Christmas time and I can recommend them.

Mr. WHITE. They can never be developed to a point where they would be considered competitive with a lot of nuts that they would have to compete with on a volume basis. On the other hand, that can add materially in helping out this situation.

There again it takes 10 years for a macadamia growth to come into full bearing, so in the meantime you have to plow many millions of dollars into an orchard to develop that.

The other is papaya. Now papaya is a very healthful and a very nutritious product high in vitamins, and I believe that it has possibilities of being developed, but there again it is an acquired taste and would require considerable work in market research and also in promotional activity, but you could build up volume to say that it was going to represent a substantial amount.

The other one and the important one, and I think that it may well prove to be among the the top, is the tourist industry. I think Hawaii has all of the advantages which would attract tourists, and when you attract them, that new money coming in of course turns over six or seven times, and there is nothing better than that kind of money in a community.

The CHAIRMAN. Let me say for the record, Mr. White, that I have never seen greater and more beautiful scenic attractions anywhere in the world than in Hawaii, except in Jackson Hole, Wyo. [Laughter.]

Mr. WHITE. I have not been there, so I cannot really compare them.

The CHAIRMAN. Are there any questions, Senator?

Senator BUTLER. You were born and raised in the islands?

Mr. WHITE. Yes, I was.

Senator BUTLER. Have you always been an ardent enthusiast for statehood, Mr. White?

Mr. WHITE. I have.

Senator BUTLER. Do you see any danger to the situation affecting Hawaii in the announcement I think that came out either Friday or Saturday with reference to the reorganization of what I will term the Harry Bridges group of unions, all of his west-coast group, the Hawaiian group, and the Alaskan group?

Now up to date, there has been no official connection I know between any one of the two, but, since the CIO took action expelling certain unions, it seems that Harry Bridges is interested in taking them all under his wing and reorganizing now in a much bigger way than he has been organized heretofore. Are you familiar at all with that set-up?

Mr. WHITE. Well, I am familiar with the activities of Mr. Bridges and his union generally, but I do not look with any concern on Mr. Bridges' activities as far as Hawaii is concerned.

I think we have demonstrated that we understand the underlying value of good industrial relations, and I think that while we have had some labor unrest down there, on the whole I think all of us have benefited from it.

As far as the bulk of industry down there is concerned, our company in particular—I can speak about it better because I am more familiar with it—has had all of these so-called security provisions that the union is after. We had them before we were ever organized. We were never organized by labor until 1945, and the only reason, in my opinion, that we were ever organized—and I am not opposed to organization. Since we have had the benefits of working with a union, I favor having a union.

I would much prefer working with a better leadership than the ILWU provides, but nevertheless I would hate to see a situation develop where we did not have a union, because I think the union has done a lot of good in calling to our attention petty types of grievances which were contrary to our established policies, but which never came to our attention simply because we did not have the machinery set up where grievances could be presented in a formal manner.

Now I have no concern except from one standpoint, whether in the efforts of some of them they feel because of Mr. Bridges' conviction, that they may try to dislodge that type of leadership. If the A. F. of L., the teamsters, or some branch of Mr. Murray's union should come down there, I think we probably would take a beating for awhile in the way of jurisdictional disputes, and those things are very unfortunate. As far as actually handling our labor situation is concerned, I have no fear at all.

Senator BUTLER. You have been pretty much a victim of Bridges when he was just in charge of the west coast.

Mr. WHITE. Yes.

Senator BUTLER. When you people were not even on strike, but you could not get your stuff over and handled along the west coast.

Mr. WHITE. Well, on the other hand, while the strike was on in Honolulu, we carried on our operations fully.

The one difficulty we had was when we endeavored to ship 115,000 cases of tidbits up to California for processing into fruit cocktail, because you cannot have fruit cocktail without pineapple—if you do not have pineapple it becomes fruit mix and the consumer just does not want it, so it is an essential ingredient for fruit cocktail.

Well, we were not too successful. We spent a lot of money in getting pineapple to the west coast, but we finally got it there and got our cocktail.

Senator BUTLER. Well, I was anxious to get your reaction on what you might think would be the result with Bridges in control of not only the west coast but of the ILWU and the unions in Alaska.

Mr. WHITE. Well, I do not think it will have any different effect on us because as a matter of fact good industrial relations stem from your working constantly with your employees, and that is what we are doing.

Senator BUTLER. I think you have done a good job.

The CHAIRMAN. Thank you very much, Mr. White. The committee is very much obliged to you for your statement.

The next witness will appear at our later session. Who will it be?

Mr. FARRINGTON. Mr. Ernest W. Greene, representing the sugar industry.

The CHAIRMAN. This afternoon we will assemble at 2:30. Senator Taylor will preside. The committee stands in recess until 2:30 this afternoon.

(Whereupon, at 1:10 p. m., the hearing was recessed to reconvene at 2:30 p. m. this same day.)

AFTERNOON SESSION

Senator TAYLOR. The committee will come to order. Mr. Greene, will you come forward, sir?

STATEMENT OF ERNEST W. GREENE, VICE PRESIDENT, HAWAIIAN SUGAR PLANTERS' ASSOCIATION, WASHINGTON, D. C.

Mr. GREENE. Mr. Chairman, members of the committee, I am Ernest W. Greene, vice president of the Hawaiian Sugar Planters' Association.

The association which I represent has on a number of occasions adopted resolutions and has offered testimony advocating statehood for Hawaii before committees of both Houses of Congress, sitting both in Hawaii and in Washington.

It would seem unnecessary at this time to repeat the arguments and statements that have been made on the subject. On March 23 of this year—a little more than a month ago—the Hawaiian Sugar Planters' Association reaffirmed its position as originally outlined in a resolution dated January 2, 1946, and instructed me to present it to this committee. The resolution is as follows:

Whereas the people of Hawaii for half a century during the time of the monarchy and of the Republic of Hawaii, maintained and upheld constitutional government and experienced the responsibilities of full national citizenship; and

Whereas during all times since these islands were annexed to the United States the people of this Territory have maintained orderly and efficient government in the manner prescribed by the Organic Act of Hawaii, and are now prepared to assume the responsibilities of complete American citizenship; and

Whereas the people of Hawaii have shown their unflinching loyalty to the Stars and Stripes, some in combat on the battlefields of Europe and the Pacific, and others as civilians on the home front; and

Whereas the finances and economic conditions of the Territory are in a sound position and are fully up to the requirements of statehood; and

Whereas the industries of this Territory are entitled to full advantage of national legislation and administration which will protect their interests from unfair discrimination; and

Whereas the people of this Territory have demonstrated their capacity for self-government and are entitled to receive full American citizenship; Now, therefore, be it

Resolved by the trustees of the Hawaiian Sugar Planters' Association. That it is their conviction that the time has now come when the Territory of Hawaii should be admitted to statehood in the American Union.

That is the resolution. I would like to add that I lived and worked in Hawaii for many years before I moved to Washington 13 years ago. I have continued in close touch with the sugar industry which it is my privilege to represent, as well as with other business in the Territory.

I believe that Hawaii should now be admitted as a State, and it is my personal hope that this committee will take prompt and favorable action on the legislation which is now before you. It is my opinion that a great majority of the business community in Hawaii likewise are in favor of statehood.

Senator TAYLOR. Are there any questions, Senator Ecton?

Senator ECTON. How many members do you have in this organization which you represent?

Mr. GREENE. We have 28 sugar-producing members, being all of the sugar plantations of Hawaii. We have a number of individual members who belong as individuals, just as I do. But the basis of the association is that it is an agricultural cooperative, composed of all of the sugar producers in the Territory of Hawaii.

Senator ECTON. Does this operate just on what I call the mainland of Hawaii, or do you have representatives on some of the other islands?

Mr. GREENE. You mean within the Territory?

Senator ECTON. Yes, sir.

Mr. GREENE. The sugar is produced on four islands of the Territory: The islands of Oahu, Maui, Hawaii, and Kauai. The membership of the association is distributed among those islands.

I do not have the percentage figures here, but it would vary from 21 to 28 percent of the sugar crop produced on each of the four islands, with producer members on each of those islands.

The headquarters of the association are in the city of Honolulu.

Senator ECTON. Has there been any time in the history of your organization when you did not support statehood?

Mr. GREENE. The support of statehood by the organization, as such—that is, by the association—is a matter of record of more recent years. Like every other group in the Territory, we had some, like myself—and you heard Mr. White testify this morning—who have been in favor of statehood for a great many years. We have others who have come to that belief gradually.

We have some who sincerely hold other views. But I believe that the great majority of people—certainly those that I know something about in my own line of work in the sugar industry—are in favor of statehood, and certainly this resolution passed our executive committee unanimously.

Senator ECTON. There is every indication that you made progress in recent years on it, anyway.

Mr. GREENE. Yes, sir.

Senator ECTON. Do you have a unanimous report?

Mr. GREENE. To the best of my knowledge, that was passed unanimously by the executive committee. They sent this on with instructions that I present it as the view of the sugar producers for whom they are authorized to speak.

As I said in my statement, I was instructed to present that resolution to this committee. It is not an overnight resolution, as indicated by the fact that it is a reaffirmation of a resolution originally passed on January 2, 1946, in anticipation of certain hearings held in the Territory.

Senator TAYLOR. Thank you, Mr. Greene.

Mr. FARRINGTON. The next witness is Mr. Urban E. Wild, president of the Chamber of Commerce of Honolulu.

STATEMENT OF URBAN E. WILD, PRESIDENT, CHAMBER OF COMMERCE OF HONOLULU, T. H.

Mr. WILD. I am Urban E. Wild, born in Cedar Falls, Iowa, educated in college and preparatory schools and afterward in law school on the continental mainland of the United States, going to Hawaii

about 33 years ago. I have made Hawaii my home ever since. I am president of the Chamber of Commerce of Honolulu, and I have prepared a very brief statement which I would like to ask your indulgence for me to read.

Senator TAYLOR. Proceed.

Mr. WILD. For more than 50 years of tutelage as a Territory under the American flag the people of Hawaii have demonstrated, by their loyalty and their ability, the right to full privileges of American citizenship through statehood now.

The Chamber of Commerce of Honolulu, celebrating in 1950 its one hundredth anniversary, has for years been advocating statehood for Hawaii. In 1946 a member poll on the question "Are you in favor of statehood for Hawaii?" resulted in a vote of 3 to 1 in favor of statehood for Hawaii.

Representatives of this chamber have appeared before congressional committees visiting in Hawaii to investigate on the question of statehood. Representatives of the chamber have appeared in Washington, D. C., to testify in behalf of statehood for Hawaii.

Two years ago, at their annual meeting in Washington, D. C., the Chamber of Commerce of the United States adopted a resolution in support of statehood for Hawaii.

The Chamber of Commerce of Honolulu, by action of its board of directors, authorize me to urge support of statehood for Hawaii now.

We submit herewith a copy of the 1949 issue—just off the press a week ago Tuesday—of Hawaii Facts and Figures, published by the Chamber of Commerce of Honolulu, which supplies factual data on Hawaii which we trust will be helpful. (The booklet referred to above is on file with the committee.)

This is one of a number of pamphlets that have been prepared over the years by the Chamber of Commerce of Honolulu, and the source of the information given is shown in the annotations. Every effort is made to make it concretely factual, without expression of opinion unless it is stated to be opinion or position.

We trust that this little booklet will be of assistance in portraying Hawaii as it exists socially, economically, racially, and in every other way.

Might I ask the indulgence of the committee to make a personal statement, not as president of the chamber?

Senator TAYLOR. Certainly. We will be happy to hear from you.

Mr. WILD. I have studied this question of statehood over a long period of time. One of the first great difficulties, apparently taken as a difficulty by everyone with whom I discussed the problem, was the large percentage of our population that derived from races of Asiatic origin.

Thinking the matter over carefully, dispassionately, viewing the United States as a country built up of persons deriving from all races, but largely European, on the continental mainland of the United States, I think I had to come to the conclusion, as I believe you gentlemen have, that one of our great strengths as a Nation has been the fact that we have embraced within our citizenry citizens who derived from all the nations of Europe.

They understand, and there are some in our population who understand, intimately the problems of the population of this country and Europe.

So viewed, I suddenly bethought myself: With this enormous population in Asia, should not we strengthen the United States, and is not there strength in Hawaii that we have a large percentage of population who have demonstrated that they are patriotic American citizens. They fought, bled, and died for the United States and had been crippled and blinded for the United States, and they believe in the democratic way of life.

Isn't it an advantage now to have an insight through their eyes into the problems of teeming Asia? And won't it strengthen the United States to have that insight more intimately brought into our national picture?

I have thrashed that question out, and I have answered it truthfully and honestly to myself. I believe that Hawaii, if for no other reason than that background of races and its demonstrated capacity for self-government, can add much of thought and understanding to the problems of the world—they are not just European problems any more—if Hawaii comes in as a State. And we have Senators and Representatives who can vote and can serve widely on committees.

Of course, we have the voice in Congress—we have a Delegate—but there is so much business, gentlemen, before this august body that one man cannot just possibly attend to it, and that is true in the Senate and the House.

There is another thing. I know when I was a little boy in Iowa we always looked to Europe. What were the problems in Europe. Those were the things that seemed to affect us. After this last war, when we had what we deemed and called a "cold war" with Russia, we were all looking to Europe, except we people of Honolulu, and we were looking with grave concern at the Asiatic picture as it changed, as it became more and more a perilous picture, and we felt that it was high time that we looked both ways—through the eyes of those of Asiatic origin and with their advice and with their service, who can understand those people, and how to deal with the problems that are developing in this modern world.

I felt, therefore, and I am satisfied, therefore, that what I at first blush thought to be a weakness—and I am much surprised to see some other witnesses seeming to apologize for that situation; I would not think of apologizing for that any more than I would for the fact that we had people who derived from Swedish, German, Polish, and other races—Italian and all the rest of the European races in the United States. They have made the United States strong.

There is one other thing. It may be that we are far too concerned over safety. After all, we are a bastion of defense for western continental United States. I daresay that no nation in the world could ever conquer the Pacific coast, leaving Hawaii undefeated in its wake, because as a bomber base, as an air-carrier base, as a base to push forward in war we would be too vitally in the heart of their operations.

I feel that one of the great additional considerations which two Senators and two Representatives from Hawaii could give would be in exchanging their views with you gentlemen for a little stronger share of defense in the Pacific.

I feel strongly that the defense of the Pacific should go no lower than it has. I feel that it should be augmented, perhaps, at the expense of some other areas, where the threat does not seem to be so immediate.

Frankly, gentlemen, that view may be wrong. But I believe in the free exchange of thoughts on that matter; that there will be a result, and that the result will be that you gentlemen in passing upon those matters, both of appropriations and studying the allocation of the great military, naval, and air forces of the United States, would, I think, feel and derive a benefit from the advice of Senators and Representatives of Hawaii, in a factual manner, would study and present facts bearing upon their honest conclusions. I feel that very strongly, gentlemen.

As far as communism goes, gentlemen, I would really be worried if we had no great problems to face. The real time of national danger is the so-called golden age. The time when we arm ourselves and steel ourselves to carry on as citizens is the time when we have a challenge; when we know what that challenge is. I believe in the American way we are conquering communism in Hawaii.

It would certainly be to my great regret if 40, 400, or 1,400 Communists in the Territory of Hawaii, such a small minority, could successfully prevent Hawaii from attaining statehood, to which I believe its history shows that it is entitled.

Thank you gentlemen.

Senator TAYLOR. Do you have any questions, Senator Ecton?

Senator ECTON. I might say, Mr. Chairman, that the people in Hawaii have amply demonstrated their patriotism. I do not think there is anybody in this country who has ever questioned it.

Many do wonder just how any more representation here would help you and the United States to better fortify Hawaii. After all, when Pearl Harbor happened, you happened to have the greatest potential striking power in the form of an Air and Navy armada, right there in your harbor. Yet, despite all those precautions and that concentration of striking power, you were attacked.

I think you would really have something if you could just show some way that, had you had two United States Senators here, there would not have been a Pearl Harbor.

I do not think you believe that that would have made any difference, and I do not believe that the rest of us believe that.

Mr. WILD. I am not so sure about that, sir.

The news was in Washington that Pearl Harbor, or some place, was about to be attacked. I think that historic record speaks for itself. I believe further that we are now aware that nations may, by precipitate action, strike before any declaration of war is made.

I believe also, fully, that we have cut our armed forces in the Philippines down practically to zero, naturally, and that our armed forces in Hawaii have been cut down a little too far.

I believe, in other words, with one or two or probably three more mobile carriers, with a skeleton base for ship repair kept in shape in Hawaii, with a little more augmentation to our defenses there, that even if we were struck again we could not be defeated.

I think that, of course, is a matter for armed forces. But I do believe that with Senators and Representatives we would have four voices and four votes instead of just one voice.

We are a bastion. You must realize that when and if the next war starts we are going to be one of the first places shot up. Let us admit it.

Senator ECTON. I believe it. I do not want you to misunderstand my comments, Mr. Wild, because certainly you people in Hawaii do not need to make any apology ever the way you reacted to the Pearl Harbor incident. It was most commendable. You rallied to your own defense and the defense of practically the entire world. You need never feel that anybody blamed Hawaii or the people in Hawaii.

That mistake was made right here in Washington. There is no question about it. Perhaps if you had had more representation here in the Congress, there could have been certain facts brought out as to what was going on in the Orient, and as to how the possibility of an attack might be forthcoming on Hawaii. I do not know. I am asking you what you think about it.

Mr. WILD. Sir, I believe that we in Hawaii felt that war was in the offing.

Senator ECTON. I am sure you sensed it there even before it was sensed here.

Mr. WILD. Long before. We would see these boats loaded with scrap iron going to Japan. We believed that that scrap iron was going to come back to us in bombs and bullets, not in the way it did, but we felt that some day we would have to meet it coming back.

I made a speech in April of that year in which I practically inferred we would have war. I came to the coast. My wife was on the coast just meeting someone refugeeing from Europe. I expected that war might break out before I got back. Of course I did not anticipate that sort of thing.

Frankly, gentlemen, had we had two Senators and two Representatives, they would have assigned one of them to just go after the highest source of intelligence in Washington, because they would have been concerned over their safety, and our safety.

Of course, things may have happened exactly as they did. I am not saying they would not. But I am quite certain—and your question brings out this point—as our eyes are on Asia, much of the continental United States' eyes were on Europe.

Our eyes were on Asia, and we felt that peril, and we would have tion brings out this point—as our eyes were on Asia, much of the congress and to the officers of the United States Government. And I believe that were that awareness—and I have always believed—we would have gotten facts sooner than we ever did.

We have learned a great lesson militarily through the attack on Pearl Harbor. Curiously enough, I was on the shores of Pearl Harbor a few weeks—a little over 2 weeks after that attack. The *Utah* an old training ship, was turned over in the berth of an air carrier. On the map, the Japanese little map, which you have seen undoubtedly in those lectures, she was marked as an air carrier, and she was spotted. That air carrier was out of the harbor, as you know. We have learned, and the Navy has learned, how to protect itself in those clinches. I believe that the arguments and the pressure by two Senators and two Representatives here for augmentation of those forces in the Pacific Ocean area will be helpful not only for Hawaiian security but for national security.

I am as certain as I am that I am sitting here that had Hawaii been crushed, the Pacific coast would have been open for an attack and our Navy would have had a much harder, bloodier, costlier task

to protect forward forces going to Asia, and perhaps we would not have won the war yet.

Senator ECROX. I do not think there is any question but what your statement is correct.

Mr. WILD. In truth, I never want to see that situation occur again when, because of lack of foresight, lack of everything humanly possible, Hawaii could fall. And I feel that we will be one of the first places attacked. That is why I call it a bastion of defense.

Senator TAYLOR. Senator Anderson?

Senator ANDERSON. It is too bad that Belgium did not have two United States Senators, if we can prevent attacks that easily.

Mr. WILD. Had Belgium had the power of the United States military might behind her, and had the forces of the United States been deployed in Belgium as they were on D day, Belgium never would have fallen. I think we have to concede that.

Senator ANDERSON. How many areas can you defend that way? What about some of the other countries?

Mr. WILD. Belgium is not an object for which the United States is responsible in defense. Belgium, as I view it, is not an outpost of the United States, protecting the United States.

My only point is that here we have a Territory of the United States—mind you, an independent nation ceding its sovereignty to the United States by voluntary treaty—which is an integral part of the United States, and which it is the duty of the United States to defend. But in defending Hawaii, you are defending the United States and its west coast.

So I fail to see that the Belgium situation would make any difference, although I do believe that we could have defended Belgium had we had the might of the United States and two Senators and two Representatives behind it.

Senator ANDERSON. I am merely trying to suggest that an attacking group does not stop to ask whether there are two Senators or two Congressmen there, or anything else.

Mr. WILD. Of course not. But the preparation may cause the attacking group not to attack.

I do not want to go far into the military matters because I do not purport to be a military expert. I am stating the position of business. But I am also stating my own view on that matter.

Senator TAYLOR. Thank you, Mr. Wild. We enjoyed your testimony.

Mr. FARRINGTON. The next witness is Mr. Spark M. Matsunaga, of the veteran One Hundredth Infantry.

Senator TAYLOR. Is he one of the famous group who fought in Italy?

Mr. FARRINGTON. He is a disabled veteran from Hawaii and at present studying law at Harvard Law School.

Senator TAYLOR. We have read about your group and admired their courage and resourcefulness.

STATEMENT OF SPARK MASAYUKI MATSUNAGA, HONOLULU, T. H.

Mr. MATSUNAGA. Thank you, sir.

As it is no doubt made apparent by my physical appearance, I am an American of Japanese descent. Both of my parents migrated to

Hawaii from Japan more than half a century ago, and I have never since returned to Japan, not even for a visit. I was born and educated in Hawaii, and have lived there all my life, except for about 4½ years—3 years while in service with the Army and 1½ years since enrolling at the Harvard Law School in Cambridge, Mass., at which institution I am now a student.

I am a disabled veteran of World War II, having been twice wounded in combat in Italy while serving with the One Hundredth Infantry Battalion. I volunteered for service in July 1941, 6 months prior to Pearl Harbor, and was discharged as captain in December 1945, after 4½ years of active service. I am a past commander of the Disabled American Veterans of Hawaii, a chapter of the national organization.

When I was asked to appear before this committee, I readily consented, because I was compelled by a sense of duty which I strongly feel I owe, not so much to the people in Hawaii who anxiously await a favorable report by this committee, but more to those comrades of the One Hundredth Infantry Battalion and the Four Hundred and Forty-second Combat Team who today lie silently beneath mounds of earth.

It is the memory of those men which has compelled me to come before you today, to testify in their behalf that they might be given full recognition for the supreme sacrifice which they made for us and our country.

To some of us these at first may seem but the words of a sentimentalist to which members of a civilized, intellectual society such as ours should pay no heed. To such members among us, let it be pointed out that our society has been preserved through the years not by immobile intellectuals, but by those sentimentalist who chose to die for those ideals inherent in our democratic way of life.

The record of the One Hundredth Infantry Battalion and the Four Hundred and Forty-second Combat Team has no doubt been placed before you. Together they formed what has been described by Gen. Mark Clark as "the most decorated unit in the entire military history of the United States." They amassed 10 unit awards, including 7 Presidential unit citations—that is a modification of the modest figure given this morning by Senator Sukiyana; he stated there were 5; there were 7—and over 5,000 individual awards, including 3,600 Purple Heart Medals with 500 oak-leaf clusters, 810 Bronze Star Medals with 38 oak-leaf clusters, 15 Soldiers' Medals, 17 Legion of Merit Medals, 312 Silver Star Medals with 12 oak-leaf clusters, 1 Distinguished Service Medal, 47 Distinguished Service Crosses, and 1 Congressional Medal of Honor.

Senator TAYLOR. How many men were involved in this?

Mr. MATSUNAGA. About 3,600.

In connection with these awards, I could relate innumerable accounts of individual heroism—of men who have been decorated and of men who despite performing heroic deeds have gone into the great beyond without wordly recognition—stories that are grim and stories that are even funny. I would prefer at this time, however, to answer the question which has been most frequently asked of me concerning the one-hundredth and four hundred and forty-second: "What was it that made the one-hundredth and the four hundred and forty-second fight so hard?"

Rev. Joseph T. Walker, formerly a chaplain with the Thirty-fourth Infantry Division, now retired, answered this question before an audience of American officers by saying: "While we are only 100 percent Americans, the men of the One-hundredth Infantry Battalion are 200 percent Americans." I will not make such claims, but I can honestly and sincerely say this: while fighting for the same ideals as any other American was fighting for, at the same time every man in the one-hundredth and the four hundred and forty-second was in addition fighting to prove to the world that despite his racial ancestry he was as loyal an American as any, as loyal as any, and deserved the right to be called an American. That was the driving force behind our men which led them to achieve such an enviable record in American military history.

I have had the unforgettable experience of having watched fellow Americans die on the field of battle—men with whom I played as kids, men with whom I had attended school, men with whom I had lived and fought through mud and snow, men whom I had learned to love and to respect. The memory of having watched them die has haunted me and will continue to haunt me, not so much that they were buddies of mine, but because so many of them in their last few words on earth, even as they lay mortally wounded on the ground, told me in effect, "Well, sir, I do hope that as a result of my dying, you and those returning home, and our folks back there will have a better life."

It is often said, even by men with combat experience, that while at the front a soldier forgets about ideals and fight only for self-preservation. I can truthfully state, however, that those men whom I saw die at the front did die for ideals—died so that those whom they left behind would have a better life and might enjoy the full status of American citizenship despite their racial ancestry.

True, like other GIs, we talked of the ordinary things of life, for during the lull of battle we often got together and talked of our family members, of our next door neighbor, of the corner drug store, of the "good ole chocolate sundae" we wished we could have one more of, of the Sunday matinee, of the ball games, and of the "cute little 'gal' back home that was so crazy about me," but invariably our conversation centered about the way and the peace that was to follow.

Most of the men expressed great hopes for the future. They were hopeful because they felt deep within themselves that as a result of their sacrifices at the front, Americans back home would come to recognize them as plain Americans and not hyphenated Americans. They were especially hopeful because while at the front, where a man meant what he said and where superficiality was nonexistent, men of the Thirty-fourth Infantry Division and of other units which fought alongside us used to come up to us and say, "I am proud to be an American, because you are an American."

And times were many, when rations were meager, when they willingly, cheerfully, voluntarily, offered their chocolate bars, cigarettes and water, with the words "Here, take it, you will need it more than I will."

But above all, we found greatest hope in the fact that men of other units were willingly risking their lives for us. On one occasion, when our battalion ran into some difficulty and was about to be encircled by the enemy, a regimental commander of the Thirty-fourth

Division, in issuing attack orders to his command said, "Men, the One-hundredth is in trouble up there—we must get to them."

The men of the regiment fought as they had never fought before, and did get to us. Incidents of individual soldiers of other units giving up their lives to save the lives of our men were numerous. I can say from my own experience that a Sergeant Thompson gave up his life for me. As I lay wounded in a field strewn with mines and under heavy mortar fire, Sergeant Thompson, despite my warnings against it, tried to come to me. In doing so he stepped on a telemine and was blown to bits. I could not determine where he was from, or who he was. He was from a paratroop outfit that had been dropped before our advance, and was guiding the battalion in its attack. But I will always think of him as one who laid down his life for me.

It was in men like Thompson and in the close comradeship we developed with men of other units that we found our greatest source of encouragement and hope for the future. We felt in our association with them that they thought the same thoughts and felt the same sentiments. We learned through them that Americans did change their minds, their attitudes even from one extreme to the other, and that they did want to understand, and that they did believe in fair play.

Many of our men, however, expressed skepticism. They were skeptical because even while at the front, we would read in the Stars and Stripes, the official Army newspaper, stories such as that of a debate held in California on the question of returning the Japanese-Americans to the west coast, in which one of the speakers remarked, "I think this business of Japanese-Americans fighting overseas is purely propaganda." You can well imagine how we felt up there in our muddy foxholes, and how the men in the evacuation hospitals felt with an arm or a leg off, or an eye out.

The skeptic also pointed to cases like that of Private Matsuda, a veteran of the One-hundredth Battalion, who was returned to the United States from Italy because of his wounds, and who, while wearing Uncle Sam's uniform with seven different decorations and walking on crutches, was thrown out of a barber shop because he wore a Japanese face.

Other incidents, such as that which I experienced on board a troopship while returning to Italy from an Army hospital in Africa strengthened the case for the skeptic. While I was on deck as a submarine lookout, an American officer approached me and said, "You know, you cannot trust these Japs, even these so-called Japanese-Americans. Once a Jap, always a Jap."

To determine the basis for a remark such as that, I asked him, "Have you had any contact with a Japanese-American?" He said, "No, but you know I read in the magazines and newspapers about them, and my friends who know many of them tell me about them."

He then looked at me with a suspicious eye and inquired, "Say, you are Chinese, are you not?" When I replied, "No, I am of Japanese descent," he let out a gasp of "No," and nearly fell over backwards.

I took it upon myself then and there to reeducate this officer and I talked with him for hours for the next 13 days—it took us that long from Africa to Italy, zig-zagging. At the end of the trip he came to

me and, shaking my hand, said, "Sparky, I have changed my mind completely about the Japanese-American; I know now what I should have known; forgive me if I hurt you any."

Because there are many well-meaning Americans who, still today, like this officer through misinformation or lack of information would discriminate against fellow Americans on account of their racial heritage, the skeptics have remained skeptical and feel that Hawaii will never be granted statehood and consequently they will never be granted the full status of American citizenship.

Even the skeptics agree, however, that when the truth finally prevails, they will not be denied their just due. Their argument is that education is such a slow process that they will have joined their fallen comrades when full recognition finally comes.

We who are optimistic by nature, on the other hand, look with encouragement to the fact that an overwhelming majority of the American people have already expressed through the various public-opinion polls, the press, the radio, and through their local and national organizations that they do favor the immediate grant of statehood to Hawaii. It is significant to note in this connection that every nationally recognized organization of war veterans has gone on record as favoring the grant of statehood to Hawaii.

It is even more significant that the Disabled American Veterans have so expressed themselves because they, more than the average American, realize the preciousness of our American heritage. Surely, a truly representative body such as this will not disregard the expressed wishes of their electors.

I am confident I speak for all veterans of World War II who reside in Hawaii when I say that the granting of statehood to Hawaii will mean to the veteran a final recognition of the great sacrifices he made in answer to the call from his country.

I beseech you, therefore, to report H. R. 49 favorably on to the Senator floor so that we might there be granted a fair opportunity to ask for our just due, a star on Old Glory which we can call our own.

I know you will not let us down.

Senator TAYLOR. Sir, I want to express my appreciation for your splendid presentation. I believe I can say truthfully that in my 6 years in the United States Senate I have heard no testimony as deeply moving as that which you have presented.

Speaking for myself, I want to say that I am proud to call you a brother American, and proud to call you brother. I do not believe anybody can doubt the fact that I am sincere in that inasmuch as at this very moment I stand convicted of disorderly conduct because I tried to go in a wrong door to address a meeting of American citizens who did not happen to be all of the same color.

Do you gentlemen have any questions?

Senator CORDON. We appreciate your statements, Mr. Matsunaga.

Senator TAYLOR. Thank you very much.

Mr. FARRINGTON. I would like to call as the next witness one more veteran, Senator Ansai, of the Island of Maui, a member of the legislature, who likewise served with our troops.

STATEMENT BY TOSHIO ANSAI, MEMBER OF THE TERRITORIAL SENATE, WAILUKU, MAUI, T. H.

Mr. ANSAI. Mr. Chairman and members of the committee, my name is Toshio An sai. I am a member of the Territorial senate from the second senatorial district, which includes the counties of Maui and Kahawao. The county of Maui includes the Island of Molokai and Lanai, also.

I am of Japanese descent, born, reared, and educated in the islands. Both of my parents are living and have been living in Hawaii for about 50 years. Both of them are 78 years old.

I am one of nine children, a Catholic, married, and have two children. I attended public school and finished at the St. Anthony School for Boys. Because of the large family and the limited income of my father, it was necessary for me to leave school at the end of the ninth grade when I was 15 years old. However, in my desire to continue my formal education, I have taken correspondence courses in accounting with the La Salle Extension University, and animal husbandry with the University of California.

I began working on the plantation as a clerk in the warehouse and have been fortunate in being able to work my way up until I reached the position which I now hold as manager of the Wailuku Sugar Co.'s dairy and ranch.

Living as I do in a small community, it was not long after leaving school before I found myself in the midst of numerous community activities. My first major activity was with the Boy Scout movement, serving in various capacities and today I am a member of the executive board of our council.

In recognition of my work for scouting and other youth activities, I received the silver beaver award in 1940. I am a charter member of the Maui Lions Club, a member of our local chamber of commerce, was a member of the board of directors of the Alexander House Community Association, served for 7 years in the National Guard of Hawaii prior to World War II, served on the executive committee of the Maui unit of the American Red Cross, the Maui Tuberculosis Association, and numerous other organizations.

Perhaps as a result of these many activities and because of my interest in public affairs, I was encouraged to enter our local politics and made my first bid for public office at the age of 26.

I was successful in being elected as one of the six members of our board of supervisors. Out of a field of 22 candidates I finished in fourth place. I was elected for a term of 2 years and reelected after that for three successive terms. During my term of office I served as chairman of the finance committee and had the responsibility of preparing and guarding our annual budget. In 1942, at the end of my fourth term as a member of the board of supervisors of the County of Maui, I did not choose to again seek reelection, because I felt that I could be of more service to the community in other activities.

About a year before the war Hawaii, like the rest of the Nation, was preparing herself to meet any emergency. Among the prewar activities in which I had some part were the following: I joined the Maui provisional police; acted as chairman of the scrap aluminum collection campaign for the Island of Maui; was a member of the emer-

gency food production committee; and was one of the zone chairmen of the office of civilian defense.

Then came the attack on Pearl Harbor, and everyone on Maui was plunged into wartime activities necessary to win the war. With the provisional police and the cowboys working with me on the ranch, we patrolled the areas which were inaccessible to motor vehicles. All of this area was open, rough terrain, and we had to patrol it on horseback. This activity was continued under my supervision until the Regulars arrived.

Later when the War Department gave the Americans of Japanese ancestry the opportunity to serve our country in the Armed Forces, I volunteered with others for active combat duty. I was then 35 years of age, married, and had one child.

We had our basic training in Mississippi and Alabama, and I soon learned that it was not easy for a man 35 years old to keep up with the vim, vigor, and vitality of 21-year-old youngsters who made up our combat team.

Being one of the oldest in our group, the boys were soon calling me "Pop" and were always willing to give "Pop" an extra lift when the going was tough. We went overseas and became part of the Thirty-fourth Infantry Division and served in the Italian campaign.

I was injured a few miles south of Florence and was hospitalized in the hospital in Rome. I was sent back to the United States and convalesced in Florida after which I returned to duty with the military intelligence school in Minnesota to assist in the combat training program of the interpreters—servicemen of Japanese ancestry being trained for combat service in the South Pacific area.

I received a letter of commendation after my discharge from the United States Army, Military Intelligence Service, for the service I rendered while there.

I am a disabled veteran. I am receiving a 10-percent disability pension from the United States Government.

I was discharged a few months after VJ-day and returned home to resume my job as manager of the dairy and ranch. Again, of course, my community activities were resumed and added to those in which I was previously interested was that of aiding and caring for the welfare of returned veterans and of bringing some aid and comfort to the families of those boys who did not return.

It was not long before I again found myself drawn into politics, and feeling that I could again be of some service and in some measure represent and protect the interest of the veterans, I entered the arena as a candidate for a seat in the Territorial senate. I was elected for a term of 4 years, which term I am now serving. As a member of the senate which convened in February 1949, I served as chairman of the Maui select committee, and was a member of the committee on ways and means, agriculture, public lands, and military.

I am now a member of the hold-over committee from the senate, serving on the subcommittees on governmental efficiency; civil service, classification and retirement; hospitals, medical care, health and welfare; and harbors, airports, and public utilities.

That, in brief, gentlemen, is my life story. I come here to speak in support of immediate statehood for Hawaii. As far as the usual arguments and reasons are concerned, I believe that I cannot add anything

more than what has already been said. But I honestly feel that you want to see for yourself, and you want to know just what kind of people comprise the population of the Territory. That seems to be the question in the minds of some of the people.

The reason why I say that is because I had the opportunity to appear before a congressional investigating committee which came to Hawaii in 1935, and again in 1937. Some of the questions that were directed to me at that time, as well as some of the statements that were brought here for the past 2 days, and even those by some of the Congressmen who spoke in behalf of statehood and for our cause, have touched on this particular subject.

I cannot help but feel that this subject has been discussed among the Congressmen. This question of the people of the Territory: Are they Americans in spirit? Are they Americans in their way of life? Are they ready to assume the responsibilities of statehood? I would like to offer myself as exhibit A, if you want to call me that, that the people of Hawaii are Americans; that they are ready for statehood now.

The brief life story that I gave of myself is not unusual. In fact, you can apply that same pattern to hundreds of other Niseis—Nisei is a term that we use meaning second generation—or you can apply the same pattern to the descendants of other racial groups.

I am one of thousands of Niseis, Americans of Japanese ancestry, who volunteered for active combat service in this last war, and I believe that our actions have proven beyond any doubt our loyalty and our devotion to the American way of life, and to the cause of democracy.

The war record of the Four hundred and Forty-second, One Hundredth Battalion, and the interpreters are an open book. It has been repeated over and over again, not by us but by those with whom we have fought and suffered together, out there in no man's land, where race, color, or creed played no part.

Today in the national cemetery in Honolulu on the hilltop of Punchbowl you see hundreds of white crosses marking the graves of the boys who fell, who made the extreme sacrifice. These boys all made the supreme sacrifice for a cause. The white crosses on the grave of all our boys in the national cemeteries and on foreign soil, stand for the same cause.

That cause is so that people like you and I and the rest of the Nation can continue to live the American way of life.

I would like to, in closing, offer myself again as a living proof that we in Hawaii are Americans; American in spirit and in our way of life as well as in name. We in Hawaii deserve statehood; we deserve it now. We, the people in Hawaii, will accept and will live up to the responsibilities that the acquisition of statehood will entail.

Thank you.

Senator TAYLOR. Are there any questions?

Senator CORDON. No, Mr. Chairman. I am glad to receive you, Mr. Ansai, as Exhibit A. That is satisfactory to me.

Senator TAYLOR. That is quite an experience.

The hearing will stand in recess until tomorrow morning at 10 o'clock.

(Thereupon, at 3:45 p. m., the hearing was recessed until 10 a. m., May 4, 1950.)

HAWAII STATEHOOD

H. R. 49, S. 156, S. 1782

THURSDAY, MAY 4, 1950

UNITED STATES SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D. C.

The committee met, pursuant to adjournment, at 10:10 a. m., in room 224, Senate Office Building, Senator Clinton P. Anderson of New Mexico presiding.

Present: Senators Anderson of New Mexico (presiding), Taylor (Idaho), Butler (Nebraska), Cordon (Oregon), Ecton (Montana), and Malone (Nevada).

Senator ANDERSON. The committee will come to order.

Mr. FARRINGTON. Our first witness this morning is Mr. Tavares who is former Territorial attorney general, and is at present president of the Bar Association of Hawaii.

STATEMENT OF C. NILS TAVARES, PRESIDENT OF THE BAR ASSOCIATION OF HAWAII AND MEMBER OF THE STATE CONSTITUTIONAL CONVENTION

Mr. TAVARES. Mr. Chairman, concerning my background, I might mention that some of my ancestors probably greeted Captain Cook when he discovered the Hawaiian Islands, and others came from the Azores Islands, Massachusetts, Tahiti, and points farther west. I was born in, and attended the public schools of, the Territory of Hawaii, and received my bachelor of laws degree in 1925 from the University of Michigan, where, however, I am still trying to live down my reputation as a ukulele player and to be remembered rather as a hard-working law student. I am now a delegate to the Hawaii State Constitutional Convention, a member of a local Federal Loyalty Review Board, and president of the Bar Association of Hawaii.

About 15 of my 25 years of law practice have been spent as Territorial deputy attorney general, or attorney general under four different governors, two of whom were Republicans and two Democrats, or as special counsel for one or the other of the houses of our legislature. I have assisted in the drafting of a great many of our present Hawaiian laws, and in 1935 was one of the compilation commissioners who is appointed every 10 years to completely revise and compile all of our statutes. From this experience I feel justified in stating that the laws passed by our legislature compare very favorably with those of the most progressive States. For confirmation of this statement I refer you to pages 546 to 550C and pages 576 to 584

of the printed report of the Larcade subcommittee of the House Committee on Territories, Seventy-ninth Congress, which lists many of our legislative accomplishments, indicating indisputably Hawaii's ability to govern itself well.

It is interesting to note that Hawaii was the first jurisdiction in the United States to adopt in toto the recommendations of the American Bar Association with respect to the requirements for admission to the bar. The result has been a bar of high standing and ability.

Recently, when New Jersey amended its constitution so as to provide for integrated courts and an improved system for the appointment, tenure, and removal of judges, the American Bar Association Journal praised this action in an article entitled "New Jersey Goes to the Head of the Class." Hawaii had adopted most of these features in the constitution of the republic adopted in 1894. The Hawaiian Commission appointed pursuant to the Newlands resolution of annexation, which prepared the draft of the bill that became the Hawaiian Organic Act, had this to say in its report to Congress about our laws:

the Commission deems it proper to say that the people of Hawaii are capable of self-government, and have proved this by the establishment of the Republic of Hawaii and the adoption of a constitution and code of laws which will compare favorably with those of any other government, and under such constitution and laws have maintained a stable government for several years worthy of a free people.

In the debates upon the judiciary provisions of the organic act, Senator Cullom, one of the members of the Hawaiian Commission said this:

So we found the supreme court there doing business with just as much dignity, with just as much sense of honor and of duty, and apparently with just as much intelligence as the supreme court of the State of Illinois, or of Connecticut, or of any other State.

We have kept pace with this enlightened beginning in our legal and judicial system. Our legislature has authorized our supreme court to promulgate rules of civil procedure of the same type which have won such high acclaim concerning the Federal Rules of Civil Procedure, and we are keeping well in the forefront of the progressive jurisdictions in judicial organization and procedure. Our constitutional convention is now studying the Missouri and New Jersey plans concerning appointment, tenure, and removal of judges, and hopes to write a section on the judiciary which, if given effect by you through the passage of H. R. 49, will give us a judiciary which will at least equal in excellence the highly praised Missouri and New Jersey systems.

With reference to the question of Communist activities in Hawaii, I should like to remind you that not only the legislature, but the Bar Association of Hawaii, requested the House Un-American Activities Committee to investigate charges concerning such activities because of the extreme difficulty of securing authentic information thereon. Such investigation has now been held and has cleared the atmosphere by exposing most of the relatively small number of persons actively engaged in the Communist movement. The people are now fully alerted to the danger of such activities and can be depended upon in the next election to eliminate those known or reasonably believed to be tainted with communism, as they did in the elections for delegates to the constitutional convention.

The bar association also, in December 1949 adopted an anti-Communist resolution reading as follows:

Whereas communism as it actually operates is an international conspiracy teaching loyalty to Russia; and

Whereas the Communist movement exists in the United States, not as a political party conceived and maintained in the American tradition, but as a subversive group serving the ends of a foreign power; and

Whereas the individual Communist has no loyalty to the United States, but yields his allegiance to an alien group whose bidding he does without question; and

Whereas the American Bar Association has resolved that lawyers who aid, support, or assist the world Communist movement in the United States should not be permitted to become or remain members of that association: Now, therefore, be it

Resolved, That the Bar Association of Hawaii hereby determines and declares that any lawyer who publicly or secretly aids, supports, or assists the world Communist movement in the accomplishment of its objectives in the United States, by knowingly participating in its program, whether such lawyer be an avowed Communist or not, is unworthy of his office and should not be permitted to become or remain a member of the Bar Association of Hawaii; and, be it further

Resolved, That the secretary forward copies of this resolution to the American Bar Association and to such other persons and organizations as the president may determine.

As president of the Bar Association of Hawaii, I should also like to remind this committee of the amendments proposed by Judge Albert B. Maris, United States Judge of the Circuit Court for the Third Circuit, who was designated by the Judicial Conference of the United States to present such amendments. These amendments are needed to conform H. R. 49 to the latest revisions of the Judicial Code, to clarify Hawaii's Federal court status, and to preserve existing pension rights of Territorial judges and avoid injustice to incumbents of the bench. The bar association urges the adoption of these amendments which are believed to be noncontroversial.

There has already been developed for use of this committee by the Hawaii Statehood Commission, a statement of the benefits which might accrue to the Nation by admitting Hawaii to statehood. I attach a copy thereof to this statement. These questions have also been elaborated upon by various speakers, including Secretary of the Interior Chapman, Governor Stainback, Samuel Wilder King, Joseph R. Farrington, and others. However, I would like to present the following additional statement as to such benefits to the Nation.

First, we believe that the people of this country, and of course their chosen Senators and Representatives in this National Congress, are still imbued with those moral and spiritual principles which led the founders of this Nation, in the Declaration of Independence, to express their belief in "a decent regard for the opinions of mankind." We therefore believe that one of the benefits to come from statehood will be the moral and spiritual satisfaction that will come to the Nation from carrying out its part of a bargain that was clearly implied, and an obligation that was clearly assumed, by the annexation of Hawaii and its incorporation as an organized territory as an integral part of the United States.

Second. The United States is one great, unified Nation, of which the States are incorporated Territories form integral parts. Therefore if, as we think we have proven, statehood would benefit the new State of Hawaii and strengthen its economy, it would pro tanto strengthen and benefit the Nation of which it forms a part.

Third. The same question, as to the benefit to the Nation by the granting of statehood, could have been asked concerning the admission of every Territory heretofore admitted as a State into the Union, and it would have been difficult at the time to demonstrate in concrete terms any specific benefit that such admission would bring to the country or to the other States, yet no one today will say that the admission of any of these Territories as States was not beneficial to the United States. And I believe that the members of this committee will concede that not all the great leaders in the Senate have come from the original States or from the States with the larger populations. Perhaps, if Hawaii is admitted, it too, may some day produce great leaders like Senator Borah, of Idaho; Senator Norris, of Nebraska; Senator Pittman, of Nevada; and Senator Poindexter, of Washington, not to mention the leaders of today from some of those less densely populated Western States. In the veins of our cosmopolitan people flows the blood of men and women who emigrated from the far reaches of the world—from the Orient and the Occident—with the same pioneering spirit of adventure and courage, with the same resourcefulness and ingenuity, and with the same desire to build themselves a better environment, that inspired the early settlers of this country to spread westward and build our great Western States.

Fourth. Statehood will relieve Congress, which has its hands more than full with national and international problems of the greatest moment, of a great deal of time and effort which it must now expend in legislating on local and special matters affecting only the Territory of Hawaii which should have no place in a national legislative body.

I can sum up our position very briefly in the words of the Apostle St. Paul to the Corinthians:

When I was a child I spake as a child, I understood as a child, I thought as a child; but when I became a man, I put away childish things.

Mr. Chairman, if we were immature politically when we were annexed, and there is some question about that, there is no question as to our maturity now. Hawaii has grown up and wants to put away its childish status of a Territory. It wants statehood now.

In closing, I would like to remind this committee of what President Dole, of the Republic of Hawaii said, when the Hawaiian flag was hauled down in Thomas Square and the Stars and Stripes ascended to take its place. He said to American Minister Sewall:

A treaty of political union having been made, and the cession formally consented to and approved by the Republic of Hawaii having been accepted by the United States of America, I now, in the interest of the Hawaiian body politic, and with full confidence in the honor, justice, and friendship of the American people, yield up to you as the representative of the Government of the United States, the sovereignty and public property of the Hawaiian Islands.

Having fulfilled every reasonable condition of statehood, and with a steadfast confidence in the honor, justice, and friendship of the American people, of whom today we form an indissoluble part, we submit to you and the members of the Senate our petition to be recognized as an equal with the States and to be permitted to assume the duties and responsibilities and receive the blessings of statehood.

(Appendix to C. Nils Tavares' prepared statement is as follows:)

STATEHOOD FOR HAWAII AS IT AFFECTS THE NATIONAL INTEREST

1. *By enacting enabling legislation to make Hawaii a State, Congress will enhance our reputation as a Nation which keeps its word*

On April 30, 1900, the Congress of the United States, by incorporating the former Republic of Hawaii into the Union and endowing it with a Territorial form of government in the American tradition, promised Hawaii eventual statehood. That promise is now 50 years old and still unfulfilled. Statehood for Hawaii will uphold our reputation as a Nation which keeps its promises and meets its obligations.

2. *Statehood for Hawaii will demonstrate to the world that we still subscribe to the great principles which underlie our way of life*

Last year the Federal Bureau of Internal Revenue collected a total of \$84,330,718 in Hawaii. This exceeded the internal-revenue collections in no less than 10 States. These 10 States have 20 Senators and 17 Representatives in Congress, or 3.7 votes each. Hawaii has only one Delegate to Congress and he has no vote. Statehood for Hawaii will show that we still subscribe to the conviction that American citizens subject to taxation are entitled to a full part in the government which levies the taxes.

3. *Statehood for Hawaii will create good will for the United States in the Pacific Basin*

Except for a few insignificant islands of little population, the Territory of Hawaii is America in the Pacific. So long as we keep its people in a status of political inferiority, we lend weight to the contention that the United States denies full fellowship in our political life to Pacific peoples. Statehood for Hawaii, the point at which America comes into contact with the Orient, will do much to create good will and confidence in the United States among the peoples of the Pacific area.

4. *The granting of complete self-government to Hawaii will give the United States a State in the Pacific*

Australia and New Zealand, former colonies, are now equals in the British Commonwealth of Nations. The Philippine Islands, formerly an island possession, is now an independent republic with ties of loyalty to the United States. The islands of the Netherlands Indies, once an imperial colony, are now the Republic of Indonesia associated with Holland. Hawaii alone remains as the only significant land area in the Pacific Basin which is not yet fully associated with its "mother" country on a status of complete political equality.

5. *Statehood for Hawaii will strengthen our Union by binding it more closely together*

The Territory of Hawaii, though an integral part of the United States in a constitutional sense, nevertheless is a mere appendage to the American Union of States. Its people, though citizens of the United States and subject to the Constitution and laws of the United States, nevertheless do not enjoy political equality with the citizen-residents of the various States. As a State, Hawaii and her people will be bound more closely into the Union as equals in a union of equals.

6. *Statehood for Hawaii will help cleanse the United States of the stigma of "colonialism"*

Pursuant to the provisions of chapter XI of the Charter, the United States is required to report each year to the United Nations on the economic, social, and educational conditions in the non-self-governing territories under its jurisdiction. These are Hawaii, Guam, Samoa, Alaska, Puerto Rico, and the Virgin Islands. Thus, the United States stands with France, the Netherlands, and Great Britain, the principal old world "colonial" powers, as a nation with non-self-governing peoples under its jurisdiction. By admitting Hawaii, the most populous of our non-self-governing areas, to statehood, we will go a long way toward discrediting the charge of "colonialism."

7. *Statehood for Hawaii will help complete our progression to Territorial maturity*

In our infancy, the United States stood 13 strong on the Atlantic seaboard. Through the years we have moved steadily to the West—first to the Mississippi; next to the Rockies; then to the Pacific. Finally, in 1898, we arrived in Hawaii,

the Pacific doorstep to America. First we acquired territory; then we set up governments, creating political subdivisions of the American Union which we called Territories; finally, after a suitable period of pupillage, we brought those Territories into the Union and assimilated them as a part of our national body politic. Statehood for Hawaii (and Alaska) is a logical step toward national territorial maturity. It is historically inevitable.

8. Statehood will send to the United States Congress from Hawaii men of caliber with an intimate knowledge of the Pacific Ocean area at their fingertips

The United States is a Pacific as well as an Atlantic nation. Statehood for Hawaii will bring to the halls of Congress two Senators and two Congressmen from the crossroads of the Pacific. Their first-hand knowledge of the Pacific and their familiarity with the ways of Pacific peoples should prove a valuable asset to the Congress in the handling of its ever-increasing responsibilities in Pacific affairs.

9. Statehood for Hawaii will strengthen our Nation's defenses in the Pacific

Hawaii, either as a Territory or as a State, will continue to be a vital outpost of national defense, and her people will continue in their unflinching loyalty to the United States. The fact remains, however, that our over-all potential for effective national defense must of necessity be strengthened when we strengthen the invisible ties which bind us together as one Nation and one people.

Mr. FARRINGTON. Mr. Chairman, we would like to call Congressman Velde who is the ranking minority member of the Un-American Activities Committee which investigated Communists in Hawaii.

STATEMENT OF HON. HAROLD H. VELDE, REPRESENTATIVE IN CONGRESS FROM THE EIGHTEENTH DISTRICT OF ILLINOIS

Mr. VELDE. I am very fortunate to be able to come in and start testifying immediately, Mr. Chairman. I have a prepared statement and with your permission I will read it.

The people of Hawaii--and I believe the people of the United States--want to see this Congress act on statehood for Hawaii. The time is now, in the Eighty-first Congress.

There are various reasons why some of the Members of Congress hesitate to grant statehood to Hawaii. Many of these reasons are tied up in misinformation regarding Hawaii and its people. Because I have just recently returned from Hawaii, I would like to correct a few popular misconceptions of Hawaii and its social, economic, and political institutions.

In any discussion of Hawaii, it must be conceded at the outset that the seemingly extravagant descriptions of Hawaii's beauty are quite accurate. Hawaii is a semi-tropical paradise. The islands have been blessed by nature with a physical beauty and a climate beyond compare. It is a land of flowers and beaches, of volcanoes, snow-capped mountains, and tropical breezes. At the same time, it is a modern twentieth century American community.

The boys and girls of Hawaii study their reading and writing and arithmetic in modern American schools. They do not spend their youth playing in the sand under the coconut trees as an occasional innocent believes. They play football, basketball, and baseball as organized sports. Hawaiian boys and girls learn of literature and the arts and sciences from the same books that your children study in school. In the current year, Hawaii's 352 schools have a total enrollment of 114,143; the University of Hawaii, 4,736.

I might say that when I was there I had occasion to attend a Boy Scout jamboree. I used to be a Boy Scout counselor in San Francisco

when my boy was a member of the Boy Scouts. The Boy Scouts of Hawaii are very active, they are very American, and very similar to my own boy when he was that age.

The people of Hawaii worship the same God and attend the same churches as other Americans. They do not worship ancient Polynesian gods, nor do they assemble on the slopes of Hawaii's volcanoes to appease the fire goddess. The fire goddess of the volcano, the great Pele, exists in Hawaii much as the gods Thor and Wotan exist to the Scandinavian, or as Zeus or Jupiter exist in modern Greece—as legends of antiquity. The Hawaiian of today, just as you or I, is a Catholic, a Jew, or a Protestant.

Business in Hawaii today is a far cry from the South Seas trader variety. Hawaii's business houses are among the greatest in the world. In 1949, the gross income of corporations and individuals was in excess of a billion dollars. In that year, Hawaiians sent internal revenue collections of \$84,000,000, more than was collected in 10 States, to the Federal Treasury in Washington; since 1900, Hawaii has sent more than a billion dollars to the Federal Treasury.

The Government of Hawaii is largely like that of New York, or Pennsylvania, or other States. Hawaii has a bicameral legislature elected by the people in the same manner as legislatures are elected elsewhere in the United States of America. Her court system is exactly like the court system in the United States. The law these courts interpret and apply is Anglo-American law flowing back through the Magna Carta into the antiquity of the British common law.

The Governor of Hawaii, unlike the governors of the States, is not elected by the people. He is appointed by the President. His responsibility flows to the President, not to the electorate of the community which he governs. Neither do the people of Hawaii share in their Government in Washington. Hawaii is just a bystander in Washington. She has neither Congressmen nor Senators, only a non-voting Delegate to Congress.

Hawaii has long had constitutional government in the Anglo-American tradition. In fact, Hawaii has had a written constitution since 1840. That was before the State of California got its first constitution. It was before 15 of the present States had been organized as Territories under organic legislation.

In 1854, while Hawaii was still a constitutional monarchy, a treaty was proposed to bring Hawaii into the American Union as a State. Thirty-nine years later, in 1893, the Kingdom of Hawaii requested, as had the Republic of Texas, that the islands be annexed to the Union as a State. A year later, in 1894, after the overthrow of the monarchy, the Republic of Hawaii again asked for admission into the Union as a State. Finally, on July 7, 1898, by joint resolution of the Congress, Hawaii was annexed and made an integral part of the United States—a Territory. Then, in 1900, Congress enacted organic legislation for Hawaii and incorporated Hawaii into the Union.

On April 4, 1950, 110 years after Hawaii got her first written constitution as a gift from her king, a constitutional convention assembled in Honolulu to write what the people of the Territory of Hawaii hope will be their fifth constitution. It will be only a proposed State con-

stitution. It can be nothing more until the Congress of the United States takes action.

We were in Hawaii while the Hawaii State Constitutional Convention was in session. I was the minority's ranking member of the House Un-American Activities Committee during our investigation in Hawaii of subversive influences in the Territory. It is my judgment that the result of our investigation will help Hawaii's statehood chances. I feel that Hawaii can meet its problems more easily as a State.

In that connection, I would like to say that we learned that there were approximately 130 to 150 actual Communists in Honolulu, that is the FBI records there show, and from my personal knowledge I have learned, that in the last 2 years the real active members have varied between 130 and 150.

Now I noticed that Mr. Walter suggested that there were about 90 there at the present time. He may be right, I am not disputing his word, but according to the records, as I say, of the FBI, they carry an active list of Communists in the islands, in their field office there, and it appears that there are possibly at the present time 130.

Now, Mr. J. Edgar Hoover said that there were approximately 70,000 to 80,000 Communists in the United States. Taking the ratio as between the islands and the United States, it would appear then that there were about $2\frac{1}{2}$ Communists in Hawaii for every 10,000 people, based on the estimate of about 530,000 population in the islands.

In the United States there would be about 5 for every 10,000 people, based on the estimate of about 140,000,000 population in the United States, so it can easily be seen, as far as numbers are concerned, that the problem of communism in Hawaii is not as great as it is in the United States of America.

It is true, of course, that the Communists have concentrated in the ILWU, the International Longshoremen's and Warehousemen's Union in the islands. In fact, I think we have some testimony which showed that about 90 percent of the Communists in Hawaii were infiltrated into the ILWU, and of course, there is some danger that the ILWU could tie up the shipping and all the industries of the islands again, but that danger does not come from the Territory of Hawaii.

It emanates directly from the United States. It emanates from California, particularly from Harry Bridges. I am confident that when we are able to get rid of Harry Bridges and his gang as an influence in California, that we will also be able to get rid of their influence in the Territory of Hawaii.

There is now before your Committee on Interior and Insular Affairs a bill to enable Hawaii to become a State. That bill, H. R. 49, was favorably reported to the House by the Committee on Public Lands, and overwhelmingly supported by the House vote of 262 to 110. I am pleased to say that I voted in favor of statehood for Hawaii.

The people of my State hope for action on statehood for Hawaii in the Eighty-first Congress. The Illinois delegation in the House voted 21 to 3 for statehood for Hawaii. We want to see the statehood bill, H. R. 49, come to a vote in the Senate during this Congress. We want Hawaii admitted to statehood—now.

SENATOR BUTLER. Mr. Velde, your statement was quite interesting, but you did not dwell quite as much on the work that your investigat-

ing committee did, as I had hoped you would. Neither did Mr. Walter, and I have asked a few questions already with reference to the situation that Delegate Farrington says they are going to elaborate on a little more before these hearings are concluded.

I wonder if you have heard of the action taken by the ILWU, the west coast union which Bridges controls, and by the unions of Alaska, that has happened since your committee was out there.

Mr. VELDE. No, sir, I am sorry, I just returned from my home State.

Senator BUTLER. A number were fired by the national CIO because of their communistic leanings. I do not think they have fired the ILWU yet, but he is expecting it and he is setting himself up another powerful combination between Alaska, the west coast, and Hawaii.

Mr. VELDE. Bridges?

Senator BUTLER. Bridges; and your committee does not know anything about that as yet?

Mr. VELDE. No, I do not personally know anything about it. I do not know if the committee knows anything about it. I know that there was a convention of the CIO, the central committee of the CIO, as I understand it.

Senator BUTLER. This just happened less than a week ago.

Then too I wondered if you would have anything to say or care to make any remarks about the convention, the Territorial convention, held in Hawaii last Sunday where the real Democrats walked out of the convention.

Mr. VELDE. Sorry, I have not heard of that either.

Senator BUTLER. Well, I think, Mr. Chairman, in order to make this very definitely a part of the record, and to give the good people who are here from Hawaii an opportunity to answer a query that is in my mind that I think may be in the minds of some of the other members of the committee, although I have not talked to a single one of them, I would like to put in the record at this time a very short statement covering this matter, and then I think you will all know very definitely why I am hoping that you can elaborate upon this phase of the subject before it is finished.

Before the committee concludes its hearings, I believe it will want to consider thoroughly the events of the recent Democratic Territorial convention and the bearing that those events may have on the extent of Communist infiltration in the Territory.

To date, I know very little about what transpired except what I have been able to get from news clippings that have been sent to me from Hawaii. It appears, however, that in the Democratic Territorial convention held last Sunday some 15 of those who refused to testify before the House Un-American Activities Committee were delegates. When a motion was made to expel these persons from the convention a very large majority of the convention refused to take that action.

Mr. VELDE. Excuse me, Senator, may I interrupt you. You say this was a convention of the Democratic Party?

Senator BUTLER. Yes.

Mr. VELDE. I understood it was the constitutional convention that you were referring to.

Senator BUTLER. No. I think I am correct, am I not, Mr. Farrington?

Mr. FAHRINGTON. That is the biennial convention of the Democratic Party as I understand it.

Senator BURLECK. The territorial convention, that is my understanding. Anyway, there were quite a number of people in the convention who wanted to expell some 15 of those delegates. They were refused and thereupon a minority of the delegates (apparently, approximately one-third) walked out of the original convention, formed a new convention at another hall, and made a claim that they were the "true" Democratic Party of Hawaii.

I want to make it very plain that my sympathies are with this group that walked out. The point is, however, that they were definitely a minority. It appears that a considerable majority of the delegates to the Democratic Convention were at least very tolerant of communism within their midst. They not only permitted these 15 "unwilling" witnesses who appeared before your committee and refused to answer questions to remain as delegates in good standing, but they actually elected 4 of them to the 30-man Territorial Democratic Central Committee, according to the news reports that I have.

It is interesting to note that included in the group which remained were 5 members of the Territorial Legislature, 5 delegates to the constitutional convention, a Federal judge, and several other high officials. I want to emphasize that all of these so-called "unwilling" witnesses are persons who have been definitely named as Communists or former Communists in other testimony under oath before the House Un American Activities Committee. Apparently some of those in the Territorial Democratic Convention felt they should not penalize the "contempt" crowd until their guilt was proved. Such an attitude may be explained, but it hardly explains why it was necessary to elect 4 of them to the party's central committee. It does not explain why no action has been taken by this majority group to ascertain the exact viewpoint and loyalty of these "unwilling" witnesses.

Altogether, I have seen no evidence that this majority group has any intention of cleaning house. I am, therefore, forced to the conclusion that the Democratic Party in Hawaii, as it is officially recognized in Hawaii, is substantially controlled by the Communist-led ILWU crowd and its fellow-travelers. If this ILWU-controlled party—one of the two major political parties in the Territory—should be successful at the polls in the event of statehood in the next election or any succeeding election, it appears that for the first time the government (including governorship, legislature, courts, and police) of one of the States might pass under control of a Communist-led group. Under territorial status, of course that could not happen. Jack Hall, the ILWU leader, is represented to have said recently: "We yearn for statehood. We passionately long for the right to elect our own Governor. We ardently desire the right to elect our judges." I am afraid he meant every word of that statement.

I want to make this statement now, so that witnesses for statehood may have the opportunity to make any comment they care to on it. I want to be fair about this. This statement is based largely on news reports, and I personally would be very glad to have the witnesses from Hawaii present the facts fully or correct any errors that may have appeared in the news accounts.

If, however, one of the two major parties of the Territory has passed under the control of the Communist led faction, I believe that is a fact that this committee will want to consider very, very carefully before reporting this bill.

Senator ANDERSON. Do you have any comments on that, Mr. Velde?

Mr. VELDE. Yes, Senator; I would like to make a general comment. Specifically as I said before, I am not particularly acquainted with the news that you have reported and the information that you have given, but I want to say too that our committee acted on a non-partisan basis in investigating communism in Hawaii.

Senator ANDERSON. There is nothing partisan in Senator Butler bringing this up. I am just as much interested in it as he is.

Mr. VELDE. Yes; I know you are, and so is Mr. Walter, and I want to pay a compliment to Mr. Walter at this time.

In the hearings out there while he was acting as chairman, he did not hesitate at all about bringing the infiltration of the Communists into the Democratic Party out into the open. I think that is probably a problem for the Democratic Party in Hawaii. It is no different particularly than it is in the United States.

I think that the Communists have attempted to infiltrate into the ranks of the Democratic Party in the States as well, probably with not as much success as they have had there.

Senator BUTLER. To make this perfectly a nonpartisan affair, I want to say that they have attempted the same thing in my own party, in the Republican Party.

Mr. VELDE. Yes; I think that is true, I agree with you, but I do not see where this makes the problem of communism any more serious in Hawaii than it is anywhere else, and I feel that as a State Hawaii would be better able to fight communism than they would as a Territory, and I believe that the Democratic Party, I mean the real good Democrats in Hawaii, would be better able to fight communism as a State than as a Territory.

The reason is that when they are able to obtain statehood, they will become a lot more loyal, not that they are not loyal at the present time in Hawaii. I think that they probably are a lot more loyal than many of us here in the States. I believe that that is definitely a problem for the two political parties to rid their ranks of the influence of communism.

Senator ANDERSON. Does it not have some bearing on the statehood question?

Mr. VELDE. I do not see particularly why it would.

Senator ANDERSON. The Republicans anticipate there will never be a Democratic victory in Hawaii, and we Democrats hope there will never be anything else.

If the Democratic Party is controlled by Communists, for what are we voting? We are voting to bring two people into the United States Senate who may have direct allegiance to the Communist Party. Does that not mean anything?

Mr. VELDE. I would regret that as much as anyone else.

Senator ANDERSON. The House would get two Members also, would it not?

Mr. VELDE. But I cannot agree with the statement of the Senator that the control of the Democratic Party in Hawaii is as great as his

statement would have us believe. I am satisfied that when your Democratic National Committee gets busy in Hawaii, it will not have too much trouble in eradicating it.

Senator BUTLER. Congressman, my sympathies are 100 percent with the people who walked out of the Democratic convention the other day, because they felt that it was dominated by the Bridges group, and one thing that they did was to fire a lady who had been a very loyal patriotic citizen, as Democratic national committeewoman.

Now I do not know who they elected, but evidently they did not like Victoria Holt and her kind. They wanted somebody else. I do not know who they elected, but it was somebody who was sympathetic with their views and stayed in the meeting.

Mr. VELDE. I appreciate that information. As I say, this is the first I have heard of it. I have been very busy at home, and I have not had an opportunity to read the papers.

Senator ANDERSON. You were in Hawaii with the Un-American Activities Committee?

Mr. VELDE. Yes.

Senator ANDERSON. Did you have people before you who refused to testify as to whether they were or were not Communists?

Mr. VELDE. Oh, yes; definitely.

Senator ANDERSON. How many?

Mr. VELDE. I believe there were 39. We have not assembled our report at this time, but I believe that the newspapers—and I think they probably quoted it correctly—

Senator ANDERSON. When will the report be assembled, because a lot of people may have some interest in that report before they vote on statehood for Hawaii.

Mr. VELDE. Mr. Walter could tell you better than I could, but I believe he intends to have it out in 2 or 3 weeks.

Senator BUTLER. I called him the other day, Mr. Chairman, and he told me at the time that he hoped to have it out in about a week, and I told him just unofficially that I hoped he would rush it as fast as he could because I thought it would be a factor in the hearings we are conducting now.

Senator ANDERSON. Thank you very much.

Mr. FARRINGTON. Mr. Chairman, may I make a brief statement at this point?

Senator ANDERSON. I think it would be valuable. I do not want to be discourteous, but I do say that if we would have testimony on that point instead of the somewhat repetitious history we keep getting—we know that there are problems in connection with the organization of the Territories and we know that those Territories when they were organized were not perfect.

Now what about Hawaii? Don't bother about Idaho and New Mexico and California and the circumstances under which they were brought in. Is Hawaii ready for statehood? If we could have direct testimony on that, it would be helpful.

Mr. FARRINGTON. May I make a brief statement at this point? I want to say in reply to the point raised by Senator Butler that the members of this delegation who are Democrats particularly have given a great deal of thought to this request for information concerning what took place at the convention on Sunday, and the Secretary of the Interior as well has made a very thorough personal inquiry, and

we are all agreed that the Secretary should make a statement concerning those developments. He will be here sometime before noon for that purpose. I hope that he will have a copy of Senator Butler's statement prior to that time.

Now we are very much aware of this particular issue, and we are presenting a parade of our people to show you that we are people capable of contending with this problem, and every other problem that comes into Hawaii, and while you may feel that some of this does not relate to the issue of statehood, I want to say that from my standpoint it goes right to the heart of the question.

I think that after you have examined the record of the last election, the record of the election of delegates to the constitutional convention, which took place this year, and which you have been fully informed about by Mr. King and others, after you have heard some of the members of this party who are Democrats, you will be entirely satisfied on that point, but I wish to assure you that we are taking account of it.

Senator ANDERSON. Were four Communists elected to the constitutional convention?

Mr. FARRINGTON. No. One man who admitted he was a Communist was elected to the constitutional convention.

Senator ANDERSON. Were four people who refused to answer elected?

Mr. FARRINGTON. No; and the second man who was elected who refused to testify on the stand, was one of the ILWU leaders from the island of Kauai, and he was displaced.

The first man, a fellow named Richard Kageyama, was a member of the board of supervisors, and he stood for election to the constitutional convention when the investigating authorities knew he was a Communist, and if the people of that district had known he had ever been a member of the Communist Party, he would not have gotten to first base. There is no question about that. We can go through the records of the 61 other delegates.

Now this committee that Mr. Velde represents did an exceptionally fine job by exposing this problem, and I do not think there is the slightest doubt but that it will be dealt with, and dealt with adequately by our own people; and the fact that it exists is not any assurance that it is going to be any better under the Territorial form of government than it is under the State form of government.

Senator BUTLER. I would just like to add one word, Mr. Farrington, if I may. I want it distinctly understood that there is nothing partisan in reference to the point that I have brought up. Some of your witnesses have told with a great deal of pride that they are members of the Democratic Party. Others have said that they were members of the Republican Party.

In my own family it was mixed up a little bit. My father was a Democrat and I happen to be a Republican, and I am just as interested in having a sound, stable Democratic Party organization in Hawaii as I am in having a good sound Republican organization.

Mr. FARRINGTON. I would like to call as the next witness a very prominent Democrat who was elected to the constitutional convention. He is the former attorney general of the Territory, Mr. J. Garner Anthony.

STATEMENT OF J. GARNER ANTHONY, MEMBER OF THE HAWAII STATE CONSTITUTIONAL CONVENTION

Mr. ANTHONY. Mr. Chairman and gentlemen of the committee, I have a written statement which I would like to leave with the committee, but rather than bothering the committee with reading it, I think the committee probably would be more interested in what took place at the constitutional convention.

Senator ANDERSON. Without objection, the statement will be incorporated in full in the record at this point.

(The statement above referred to follows:)

STATEMENT OF J. GARNER ANTHONY

My name is Joseph Garner Anthony; born December 19, 1890, in Philadelphia, Pa., of English and Scotch-Irish ancestry. Public schools of Philadelphia; veteran, World War I; Swarthmore College, A. B. (1923); Harvard Law School, LL. B. (1926); resident of Hawaii since 1926.

Lawyer, member bar of Hawaii and Supreme Court of the United States, president, Bar Association of Hawaii 1937-39. State delegate to American Bar Association since 1944. President, Queen's Hospital. Attorney general of Hawaii 1942-43. Elected delegate at large to State constitutional convention.

I favor the pending legislation which will admit Hawaii to the Union as a State because:

(1) Hawaii has demonstrated its capacity for statehood by every standard that may be applied: population, ability for self-government, wealth, and the unquestioned loyalty of its people to the ideals of our American democracy.

(2) The admission of Hawaii into the Union as a State will bring to the councils of the National Government a fresh and informed point of view concerning the Pacific. The foreign affairs of this Nation will center largely about the Pacific, and the admission of Hawaii to the Union will be clear proof of the good faith of the United States with respect to people subject to its jurisdiction and will greatly enhance the prestige of the Nation in world affairs.

(3) Upon the problem of the treatment of racial and religious minority groups, Hawaii has much to contribute to the Nation. This is a difficult national problem and while Hawaii does not assert perfection in its solution, there exists in this community an attitude of mind and heart with regard to race and religion which has resulted in the races of men living together with a large degree of harmony and mutual respect, a situation which is perhaps not duplicated in any other State of the Union.

(4) Although a substantial degree of self-government is afforded under the organic act, we are not and never will be secure in our political, economic, and civil liberties until such time as we are admitted to the sisterhood of States. Our recent experiences of military government afford a good example. The people of no State of the Union would have been subjected to the excesses of military rule for over 3 years as were the people of Hawaii. The remedy in the Congress would have been swift and sure. Statehood will give us voting representation in the Congress, the right to vote for President, and the privilege of electing officials of State government of our own choosing; in other words "government by the consent of the governed."

(5) The Republic of Hawaii was incorporated into the United States with the implied understanding of ultimate statehood. To withhold the full rights of American citizenship from us now after a complete demonstration of our capacity of self-government and loyalty to the Nation would be a breach of the implied agreement; a breach of good faith on the part of the Nation. It would hurt the prestige of the United States in world affairs.

(6) The overwhelming majority of our people favor immediate statehood. A tiny minority equivocates by saying that they are in favor of it at a later date. A few craven souls no doubt will try to influence the Senate by furtive off-the-record objections. There is no validity to any argument for postponement. It is evidence of a disbelief in democracy. Those who suggest delay are secret opponents of statehood who lack the courage to articulate their opposition. The reason for the covert and devious ways of this minority is that any argument against statehood must be bottomed either upon disbelief in democracy, self-interests, or ignorance of American history.

The underground opponents of statehood advance the issue of communism. The radical element that exists in the labor movement in Hawaii is no different than the radical element that exists on the mainland. This movement is a national, not a local one. The people of Hawaii by their own State government will be better able to deal with such problems that arise than they would by being governed by remote control from Washington.

(7) Finally, the admission of Hawaii into the Union follows the historic pattern of our Government from its inception. Incorporated territories beginning with the Northwest Territory have all been admitted into the Union. There is no room in our scheme of government for holding Hawaii as an Incorporated Territory in the continued status of a colonial province. Our form of government and American notions of fair play do not embrace the polity of the Roman Empire and its government of prostrate provinces. Evolution from a territorial status to statehood is in harmony with our history and the fundamental rights of man which are embodied in the organic documents of this Nation—the Declaration of Independence and the Constitution. I favor statehood because I believe we are entitled to it as matter of right.

Mr. ANTHONY. I am a practicing attorney, resident of Hawaii for the past 23 years, former attorney general, and was elected to the State constitutional convention.

The question of the qualifications of one person arose at the outset, and that was one of the delegates by the name of Richard Kageyama. It appeared that Kageyama had been secretly a member of the Communist Party, and he had withdrawn his membership. It appeared that as early as November 1949, he had made a full disclosure of his past membership in the Communist Party to the Federal authorities, and that according to a statement by him, when he filed his papers to run for the constitutional convention, that was with the full knowledge and approval of the investigating authorities.

Of course, the people of Hawaii did not know it. Now, as a matter of fact, he signed what we call down there the loyalty oath, which says that you have not been a member of the Communist Party for the past 5 years.

Senator ANDERSON. Had he been a member of the party during that time?

Mr. ANTHONY. He had. Now, that oath was not prescribed by law, but we adopted a resolution in the convention that all delegates would sign it even though it was not prescribed by law.

Senator ANDERSON. When they discovered that he had signed it and he had been a member, what did they do about him? Did he stay in?

Mr. ANTHONY. No. We immediately, the president here, Mr. King, had a conference with some of the lawyers in the convention, and we advised Mr. Kageyama's counsel that in our judgment the convention would oust him even though he had retired from the Communist Party, and we suggested that he resign.

That information was communicated to Kegeyama through his counsel, and the following day Mr. Kageyama tendered his resignation, and his place was filled. Incidentally, it was filled by a young man from the University of Hawaii.

As to the other case which arose, I was the vice chairman of the committee that examined into his qualifications. There has been no evidence that Mr. Frank Silva was a Communist. He did refuse to testify before the Un-American Activities Committee of the House.

Senator ANDERSON. What ground did he give for refusing?

Mr. ANTHONY. On the ground that it would tend to incriminate him, and I want to explain to the committee right here that that is not the same proposition of law that was passed on in the Lawson case. In that case the recalcitrant witnesses simply refused to testify. They said that the right to remain silent was included within the first amendment.

In this case, based upon the conviction in the New York courts of the 11 Communists, the argument that membership alone built them into a national conspiracy—these witnesses took the position that they should refuse to testify upon the ground that it would tend to incriminate them, a different question upon which the courts have not passed.

There may be some doubt as to whether or not the courts will sustain the right of those witnesses not to testify in these circumstances. I am inclined to think the courts will not, but it is still a serious legal question.

The point I want to make is that there was no evidence that Mr. Silva was a member of the Communist Party. No evidence was produced before our committee. There was a charge made in the course of that hearing before the House Un-American Activities Committee.

Our committee of the constitutional convention took this position; that we were not going to pass on his guilt or innocence as a member of the Communist Party, but his simple refusal to testify constituted sufficient ground in our judgment to remove him from the constitutional convention, and that was the sole basis that we removed him on.

We gave him notice and opportunity to be heard. He was represented by counsel, and at the conclusion the vote was taken and I think with the exception of two or three dissenting votes—I think it was seven—he was ousted from the convention and his place was filled.

Now I have never been very active in politics, and I do not have any up-to-date information on what took place last Sunday.

Senator ANDERSON. Did you not say you were attorney general?

Mr. ANTHONY. Yes, sir.

Senator ANDERSON. How did you get to be that without being active in politics?

Mr. ANTHONY. That is an appointive office. It is not an elective office.

Senator ANDERSON. All right.

Mr. ANTHONY. The reason I was appointed attorney general was that I was appointed in an endeavor to restore the government of Hawaii to the people after the military had moved in and taken it over, and for that reason Governor Stainback appointed me as his attorney general, and we were finally successful in getting our government back away from the Army. It was not a political matter; but I want to get back to these so-called real Democrats and so-called Communist Democrats.

Now I do not know what the facts are, but it is just incredible to me to say that those people who stayed in that convention are Communists. There is no evidence of that.

Senator ANDERSON. I do not think that is what Senator Butler said.

Mr. ANTHONY. He said they are Communist-led.

Senator ANDERSON. I do not believe that is quite what he said. I think his statement pretty well speaks for itself. He points out that there were members in there who had refused to answer the question as to whether they were or were not Communists, and that those were the ones who were supported by the group, and that a third of the group left because they did not want to stay in the convention with the people who would not say whether they were or were not Communists. He pointed out that Mrs. Holt was deposed because of her attitude toward Communists in general.

Now, if the people high in the Democratic Party who are opposed to communism are going to be removed and people who are willing to tolerate communism are going to be put in in their place, then you can draw a fairly easy and quick line as to which way the Democratic Party is going, can you not?

I am hopeful, I am frank to say, that these two distinguished people who are before us here, with whom we have, many of us served, would state whether or not they are going to be able to keep their two parties respectively clean. I am glad to have your testimony also, and I am sure the others are.

Mr. ANTHONY. I think there is one good answer to that question. In the first place, we had an election in 1948, and in that election those who supported the PAC/in the prior election, the Political Action Committee of the CIO, were more or less turned out, and the election went against those same people that were elected in 1946 in the legislature.

We had another election, and the most significant one of all is the election to the State constitutional convention, and you can go down the list. Mr. King will give you the figures. I do not have them, but you can go right down the list. The leading ILWU candidates were defeated. Now, there is a vote of the people.

I do not know what the rules of the Democratic Party are, how these people happened to get in office. Maybe they will not be in office when there is another precinct meeting.

Senator ANDERSON. They will be in for 2 years.

Mr. ANTHONY. I do not know a thing about that, but the important thing is the vote of the people of Hawaii; and the vote of the people of Hawaii repudiated Bouslog, who is one of the lawyers for the ILWU and the leaders of the movement. That is one of the most significant things, and it is the expression of the people of Hawaii.

Now, I have no fear that we, if admitted as a State to the Union, will not be able to handle this problem. I think the people of Hawaii, judged by every standard, are ready for statehood, and this remark that was made the other day that we should follow the pattern of the English colonial policy; I was amazed to hear any such suggestion that we were the heir of the English colonial policy.

There is no room in the American scheme of things for any such status as perpetual colonial status. We are entitled to statehood, once we have the qualifications.

Now we have the qualifications based upon any study which you may submit, and the question is whether or not this Nation, the Congress of the United States, is going to keep faith with the people of Hawaii, and I say that the issue of communism is not an issue which affords any obstacle in any respect to our admission to the Union.

I was asked to say something about the judicial system. I would be glad to answer any questions if any member of the committee has any, but this hearing has already been prolonged, and I do not want to consume your time.

Senator ANDERSON. I am sure you recognize, Mr. Anthony, that many members of the committee, and probably most Members of the Congress, are convinced that Hawaii has the requirements for statehood with the exception of that one question that has been raised. That is why I was extremely anxious that you try to clear it up as to whether or not you are going to be able to keep from having a Communist-dominated State. There are none now in the Union.

Mr. ANTHONY. There is no question about that, Mr. Chairman. There is no question about that.

Senator MALONE. Mr. Anthony, you aroused my curiosity when you said that you are under a colonial system. Just what do you mean by that?

Mr. ANTHONY. We have government by remote control. We do not elect our Governor, we do not elect our judges. We do not select our Governor, we do not select our judges.

In other words, we have a government from Washington. Washington tells us who our judges are going to be. Washington tells us what salaries they are going to get.

Now right at that point it is, as the Senator probably knows, of the utmost importance to secure a satisfactory judiciary of high caliber so that you have two things: You have long tenure and adequate salaries.

The tenure of judges in Hawaii is the most tenuous of any of the judicial systems of the entire United States. Our judges could be removed tomorrow by the President, although they are appointed for a 4-year term.

We beat on the doors of Congress to raise the salaries of our judges and to extend the terms, and we have been unsuccessful. That is what I meant by government by remote control.

Senator MALONE. Well, you may have a couple of subjects mixed there. I think we have made arrangements whereby the Puerto Ricans elect their Governor, elect their judges or appoint their own judges.

Senator ANDERSON. Not the Federal judges, of course, but State judges.

Senator MALONE. Now take a colonial system such as England where they make money out of their colonial system, where they tax them for the benefit of the mother country. I do not believe that you would say that the United States makes any money on Hawaii.

Mr. ANTHONY. I did not mean that we were like a prostrate Roman province; I did not mean that for one moment; but we do not have what we are entitled to have as American citizens.

We cannot vote for the President of the United States; we have no representation in the Halls of Congress; and our economic, political, and civil liberties are never secure as long as we have a Territorial status.

Senator MALONE. Would you say that, whenever the economic situation justifies it, Puerto Rico should be a State?

Mr. ANTHONY. I would say "No," not until Puerto Rico is first incorporated as a Territory, which it is not.

Senator MALONE. Assuming they incorporate, which is a very short job, and they economically can qualify, should they become a State?

Mr. ANTHONY. If Congress has made the legislative judgment that Puerto Rico has reached the maturity to be entitled to the status of incorporation into the Union, and if thereafter they meet the other qualifications that have heretofore been applied as standards for admission to the Union, my answer would be "Yes."

Senator MALONE. What are those qualifications that have heretofore been applied?

Mr. ANTHONY. Qualifications are population, wealth, capacity to govern; and by those standards Hawaii—

Senator MALONE. Are those all the qualifications?

Mr. ANTHONY. Well, I did not intend that statement to be exhaustive. That is it in general. Loyalty to this Nation—they have to be American citizens naturally—ability to be a self-governing community. I would say those are in the main the qualifications.

Senator MALONE. Can you think of any other unit of the Government that happens to be under the supervision of the United States that now or in the future should become a State if they should incorporate and meet the population and economic requirements? In other words, is there an implied promise that a Territory should become a State, if we have the Territory, whenever it becomes incorporated?

Mr. ANTHONY. That is right; and that is why it is of the greatest importance when the Congress makes that initial judgment of incorporation.

Now there are only two incorporated Territories, only two Territories at the present moment, that have any prospect of enjoying the status of statehood, namely, Alaska and Hawaii.

Senator MALONE. Now you are aware, I suppose, that Guam will be incorporated and have its own set-up if we go through with the bill—

Mr. ANTHONY. It will not be an incorporated Territory, sir. You will have an organic act, and that will put it somewhat in the same situation as the Virgin Islands and Puerto Rico, as I understand the legislation.

Senator MALONE. Yes; and then the next step would be a regular incorporation if they have the population and wealth.

Mr. ANTHONY. No; I do not think so at all.

Senator MALONE. Why? Why should we hold them in any other status if there is implied promise whenever we throw the blanket over them?

Mr. ANTHONY. No; I did not say that. I said upon incorporation into the Union.

Senator MALONE. Could you give us a good reason why we should not allow Puerto Rico to become incorporated, it being closer to the mainland than Hawaii?

Mr. ANTHONY. For the same reason that you would not incorporate the Canal Zone into the Union.

Senator MALONE. Why is that? What is that reason?

Mr. ANTHONY. Well, those people down there are primarily foreigners, as I understand it. I am not sure about that.

Senator MALONE. Well, now, let us get into this foreigner business. How many people of the Caucasian race are in Hawaii?

Mr. ANTHONY. Roughly one-third of the population, but that does not say that the rest of them are not citizens.

Senator MALONE. Of course.

Mr. ANTHONY. These people in the back of the room may have brown skins, but they are Americans like you and I are.

Senator MALONE. That is right, but you brought it up. I did not bring it up.

Mr. ANTHONY. Maybe I am off the field.

Senator MALONE. Puerto Ricans are citizens, and a lot of them are good citizens. Many of them are coming into this country. Now, Hawaiians are good citizens; I am not saying anyone is not a good citizen; but you brought up the matter of foreigners. Now, how many foreigners do you have out there, and what are they?

Mr. ANTHONY. I did not get the last—

Senator MALONE. How many foreigners do you have there in Hawaii? Who are they? What are they? You referred to foreigners. I want to get this cleared up.

Mr. ANTHONY. I meant aliens; that is what I meant.

Senator MALONE. They are aliens until we incorporate them, but you said "foreigners," and I would like to pursue that a little further.

Mr. ANTHONY. What is that figure—69,000 aliens in Hawaii?

Mr. FARRINGTON. That is right.

Mr. ANTHONY. There is a chart up against the bookcase there.

Senator MALONE. Well, you read the chart. It is your chart. I do not understand it very well.

Mr. ANTHONY. Well, aliens of Caucasian ancestry, 2,725; aliens, Japanese, 30,486.

Senator MALONE. Those are Japanese that do not qualify for citizenship under any consideration; is that it?

Mr. ANTHONY. That is correct.

Senator MALONE. How many Japanese are there that do qualify?

Mr. ANTHONY. There are 149,216 Japanese citizens.

Senator MALONE. And how many aliens?

Mr. ANTHONY. Thirty thousand.

Senator MALONE. How many does that make altogether?

Mr. ANTHONY. One hundred seventy-nine thousand seven hundred and two.

Senator MALONE. What proportion of the population is that?

Mr. ANTHONY. That is roughly one-third of the total population.

Senator MALONE. One-third Caucasian and one-third Japanese?

Mr. ANTHONY. That is correct.

Senator MALONE. Now, how many Chinese?

Mr. ANTHONY. Thirteen thousand and fifty-one.

Senator MALONE. And how many native Hawaiians?

Mr. ANTHONY. There are 10,548 Hawaiians; and part Hawaiian is the largest group, 73,277.

Senator MALONE. I think you have explained your own question now about "foreigners."

Now, I have been to Hawaii on three different occasions. I was there during the war and had an interview with Admiral Nimitz and

your Governor at that time, and the man in charge of the war government.

Mr. ANTHONY. You mean the general in charge? The military government? That was Richardson—Robert C. Richardson, Jr.

Senator MALONE. Richardson was the one. Acting as a consultant for the Senate Military Affairs Committee. I was instructed to find out certain things about the government. You were having considerable inside trouble there; but I concluded that it was not very serious; it was more or less a struggle of two groups which promised to be ironed out, as you say it now has. But there never has yet been any Territory, admitted as a State to the Union, except contiguous Territories.

Now, at first glance it may not seem important to you, and it may not be important, but if we take in noncontiguous areas, which to my mind is a rather serious decision in the first instance, then after that there would be no reason why we should not take in any area that qualified as you described.

It would be taken in as a protectorate or whatever you might call it, and then later it could incorporate and still later become a State. Now your implication that you have fulfilled all the qualifications of any other State is not quite in line with—

Mr. ANTHONY. Well, other than contiguity, I will make that exception, sir.

Senator MALONE. That is right. Now then, would there be any other reason why the United States should not take in Puerto Rico if it followed the steps that you suggest Hawaii has followed? Or Guam? Or Okinawa? I was in Okinawa. Those are very smart people out there. I could not tell whether they were Japanese or Chinese or just what they were. I guess they were a little of both, but they looked like very intelligent people and upstanding fighters, and it looks like they would make good citizens.

Mr. ANTHONY. If I may answer you as to Puerto Rico, the Secretary of the Interior said here in this hearing at the outset that the people of Puerto Rico do not want statehood.

Senator MALONE. Well, of course you remember us. We went down to find out whether they should be citizens or not. They had an application in here the same as you have.

Now I do not know whether we made any decision on the Senate floor, but at least it was made very clear by the committee members who went down there that they did not believe Puerto Ricans were ready, so maybe that had something to do with their later decision.

Mr. ANTHONY. It probably did. They have a very different economic status than we do. I mean the standard of living I think you will agree is much different in Puerto Rico than it is in Hawaii.

Senator MALONE. Well, the standard of living of the real poor people, yes; but there is a lot of wealth in Puerto Rico, and it has great possibilities in different ways.

Now this is a little beside the question, but I was trying to get the picture in your mind that maybe you are a little too positive that you have all the qualifications and that you have been given an implied promise of something. You sort of put the Senate in a whole when you do that. Being 2,000 miles away from us is perhaps one of the reasons you do. You do not quite get the picture.

Senator ANDERSON. I think, Senator Malone, we have been over that a great deal. I was just going to say we have a brief on it, and most of us I think feel the question of whether there is a promise implied or otherwise is not very important in this thing.

(The following letter and statement were subsequently furnished by Delegate Farrington with the request that they be inserted in the record at the close of Mr. Anthony's testimony:)

APRIL 25, 1950.

HON. FRANCIS E. WALTER, MEMBER OF CONGRESS,
*Chairman, House Committee on Un-American Activities,
 House Office Building, Washington, D. C.*

DEAR FRANCIS: Enclosed herewith are two copies of the statement I made before the Hawaiian constitutional convention when the case of Mr. Frank G. Silva was being considered in committee of the whole.

I thought you might include this statement in your committee's file on Mr. Silva and make such other use of it as seems appropriate.

Governor Stainback has appointed, in place of Mr. Silva after his expulsion by the convention, a Mr. Matsuki Arashiro, a representative in our legislature, a Democrat, and also an ILWU official. His reputation as a labor leader is excellent, and I understand there has never been any question but that he is free from any communistic affiliations.

Since the convention expelled Mr. Silva, there have been several editorials in both our daily papers commending the action of the convention. Some of those who voted against the resolution adopted by the convention did so on technical grounds rather than on the main issue. I doubt if there would have been more than two votes against the resolution if our legal experts had not raised some fine points against its precise phraseology.

I am sure I express the sentiments of the great majority of the people of Hawaii when I extend to you the thanks of this community for the fine job you and your committee did in clarifying the Communist issue in these islands.

With warmest personal regards and Aloha, I am

Sincerely yours,

SAMUEL WILDER KING,
President, Hawaii State Constitutional Convention.

STATEMENT MADE BY PRESIDENT SAMUEL W. KING BEFORE THE CONSTITUTIONAL CONVENTION OF HAWAII OF 1950 IN COMMITTEE OF THE WHOLE, ON THURSDAY, APRIL 20, 1950, DURING THE HEARING ON RESOLUTION NO. 25, CALLING FOR THE EXPULSION OF DELEGATE FRANK G. SILVA, FOR CONTUMACIOUS CONDUCT BEFORE THE UN-AMERICAN ACTIVITIES COMMITTEE OF THE UNITED STATES HOUSE OF REPRESENTATIVES AND THE CONSTITUTIONAL CONVENTION OF HAWAII OF 1950

Having been recognized by the Chair, Delegate King addressed the committee as follows:

The counsel for Delegate Silva has referred to me and my rude reply for an extension of time. The sergeant-at-arms told me shortly before 11 o'clock that Delegate Silva's counsel had requested the convening of the convention a half hour late. I had no desire to be rude—no desire to rush the proceedings—but simply sent word that a certain amount of business would come before the convention prior to the time, under special orders, when Silva's case under the pending resolution, would come up.

I would like to say further that the committee that was appointed to review this case consisted not only of lawyers, but of other persons of character and integrity and standing in this community. The chairman was Benjamin Wist, delegate from the fourth district; vice-chairman, J. Garner Anthony, one of our prominent attorneys; another member was Miss Marguerite K. Ashford, an attorney who has served as attorney for the senate of the Territorial legislature. Another member was Mr. Alexander Castro; another member, Mr. Frank C. Luiz, an official of the ILWU, representing a local from the island of Hawaii; another member, Mr. Chuck Mau, a liberal and an attorney; another member, Mr. Frederick Ohrt, who has a large number of years back of him of splendid public service; another member, Mr. Tom T. Okino, an attorney and county attorney of the island of Hawaii for many years—a man of outstanding character and respectability in his own district; another member, Harold S. Roberts, a student of government, political philosophy—a university professor; another

member, Mr. Arthur K. Trask, another attorney, a Democrat and also a liberal; another member, A. D. Woolaway from Maui, a businessman respected in his community.

That committee of 11 didn't attempt to persecute or prosecute Mr. Silva. I sat in at two meetings of that committee--all of one afternoon when Mr. Symonds (attorney for Mr. Silva) was present; and also all of one evening when neither Mr. Symonds nor Delegate Silva was present. At that first meeting, Delegate Silva was assured that the committee was very friendly; that the committee desired to get at the root of the matter and find every occasion for treating Mr. Silva with consideration. At that time, Mr. Symonds made the statement that his advice to Mr. Silva to refuse to testify before the House Un-American Activities Committee was because he would be prosecuted for perjury and probably be found guilty in the state of hysteria in the world or in America today. I challenged that statement and Mr. Symonds immediately modified it and brought it down to a more moderate tone. By the first statement, I understood him to say that he didn't feel that Delegate Silva, if he had testified before the Un American Activities Committee, would get justice in the courts of Hawaii or those of the United States.

Now, further, Mr. Silva had an opportunity on the point of personal privilege to submit to this house, when the original proposition was brought, a personal statement. He submitted his press release, made immediately after he was subpoenaed as a witness before the Un-American Activities Committee, and very evidently prepared beforehand; and a copy of that release was signed by him and is on file in this proceeding.

And that release says, in one paragraph (quoting from Delegate Silva's press release):

"As an elected official of the ILWU it seems clear to me that the Un American Committee is in Hawaii at the request of elements who want to destroy our union. I am certainly not going to aid them in that purpose.

"The second purpose of the committee's investigations is to kill statehood, despite all their protestations to the contrary. As a native born resident of this Territory, I am concerned about this attempt to block our political aspirations."

Now, in the afternoon meeting that I did not attend, Mr. Silva handed in a written statement, and if the convention will bear with me I will find it--the statement of Frank Silva, dated April 17 [reading from statement]:

"This subcommittee has asked me to consider three matters."

The subcommittee or special committee had asked him to consider whether, as a matter of protection of the reputation of this convention and of this Territory, and the efforts we are going through now to draft a constitution which will be accepted by the people of Hawaii and by the Congress of the United States, he might not resign, if he felt that he could not testify before the Un-American Activities Committee on certain grounds--constitutional grounds. He had involved this convention into his private difficulties and problems; and we asked him if he couldn't--wouldn't-- consider resigning. And, if I remember correctly, that suggestion came, as a suggestion only and not as a recommendation, from Mr. Chuck Mau. And he was further asked would he not purge himself by going before the committee and saying, "I want to testify that I am not a Communist, have never been a Communist, and don't intend to be a Communist."

And in this letter of April 17, he declined to take any of those suggestions and he made in here statements that I consider have rendered him disqualified and unfit to sit in this body [quoting from letter]:

"The hearings were timed by Governor Stainback and Big Five interests to coincide with the convention hearings in order to defeat statehood."

That is subparagraph (a) of paragraph 2.

"b. The hearings are for the purpose of destroying the ILWU. No further proof of this statement is necessary than the revival of the Dear Joe letters in the Advertiser. Everything I have accomplished in my life I owe to the union. Through the ILWU I have acquired dignity as a human being, something I would never have acquired from any company on Kauai, all of whom blacklisted me because of union activity before and after my 3 years of combat duty as an infantryman."

Now we asked him in this committee meeting which I attended as an ex-officio member without a vote, if he didn't feel that his obligation to Hawaii, to this convention, and the United States wasn't higher than his obligation as an official of the ILWU? Apparently, he doesn't think so.

He has spoken about the people who elected him to office. He was elected with a narrow majority over his competitor in one zone district of Kauai. I told Frank in my office I had a great deal of consideration for him as a human being. I believed that he was wrongly advised and wrongly directed by his counsel and by those who were giving him advice. I told him then, I said, "Don't forget, Frank, that besides the people who voted for you, you are representing the people who didn't vote for you. You are representing the people who voted for your opponent. You are one of six representatives from the island of Kauai—you are representing all of the people on Kauai—and you are representing the people of Hawaii—the 550,000 or 540,000 people of Hawaii—and, indirectly, you are representing the people of the United States because we are aspiring to draft a constitution that will admit us into the Union as a sovereign State." And Frank didn't seem to consider that point.

Now as regards the statement this morning—maybe it was hurried—maybe some of the language in there was not intended. Nevertheless, it was a statement prepared for him by his counsel and submitted to this convention; and the language in that is, I say, most contumacious.

But that has not been included in this resolution; this resolution refers to the data before this convention prior to his statement, and the data before the special committee; and that special committee rendered a unanimous report.

There were some who desired a stronger report. There were some who might have desired a less strong report. Nevertheless, there was a meeting of minds and those 11 gentlemen—10 gentlemen and 1 lady—signed that report and submitted it to this convention as their considered judgment.

Now I fail to see where Delegate Silva has not received a square deal from this convention. We have leaned over backward, as I said a moment ago when I made a motion to table a previous motion—maybe my motion was not called for—maybe what we have heard here will help the convention to come to a good decision.

But, nevertheless, that resolution is very simple: "*Resolved*, That Frank G. Silva, by reason of his contumacious conduct before and toward the Un-American Activities Committee of the House of Representatives, etc."

Don't you believe this press release is contumacious conduct? And I don't listen to the radio very often—I have been too busy with the affairs of this convention—but, nevertheless, I have heard the same, and stronger statements have gone over the air during the past 2 days. Don't you believe that this other statement that he made on April 17 is contumacious conduct toward this convention and toward the Un-American Activities Committee of the United States Congress? And this resolution goes on further and says, "toward the Un-American Activities Committee of the House of Representatives and this constitutional convention of Hawaii of 1950."

I consider that the two statements made to this committee is contumacious conduct toward this convention. We almost begged him to come clean. There was another witness that was accused, wrongly or rightly, who went up there and took the oath and said, "I am not a Communist and have never been a Communist." Now if he has committed perjury, he can be tried for it, or not; but certainly it cannot be taken back to Congress with the request that he be cited for contempt of Congress. This young man has not done that.

Now, Mr. Chairman, I don't want to take up too much time—I am speaking on a point of personal privilege, but I am also speaking on the adoption of this resolution. I certainly have not been rude to Mr. Symonds or to Mr. Silva. The convention has a fixed hour—it was fixed yesterday—I have no right to postpone that hour and we met at 11 o'clock. If he had not been ready I am sure that somebody on this floor would have moved for a recess. As a matter of fact, I told the sergeant-at-arms that possibly such might happen, but I didn't feel it was up to me to say "yes; we will hold the convention up a half hour while you complete your statement"; and don't forget that in the recommendations of this committee he was allowed something like 48 hours to prepare his brief to show cause why he didn't consider he had to purge himself of contempt.

I would like to move the previous question, Mr. Chairman, but I won't do so if there are others who would like to speak.

I hope that the convention will realize that my aggressiveness is through no animosity toward that young man. I think he is a most unfortunate young man who, in his devotion to labor, has allowed himself to become tainted by his associations. I want to say this: That in this United States of America today we have Communists infiltrating the labor movement to serve the purposes of the Communist Party. And we have loyal and well-meaning labor men being engulfed

by the Communist movement in their desire to further the cause of labor. I would like to see the labor leaders disassociate themselves from those who are tainted with communism, and stand fair and square as labor men only, with no affiliations or associations that are inimical to the safety of the United States. Thank you.

Senator ANDERSON. Secretary Chapman is going to be here at 11:30.

Mr. FARRINGTON. Mr. Chairman, the next witness is the chairman of the Republican Party, but before he makes his statement, I would like to ask Mr. Kendall to present his statement, if he is still here. Mr. Kendall represents one of the largest organizations of employees in the Territory. The government employees of Hawaii are organized and very effectively, and he directs that organization. He is going to make a very brief statement and present a document.

STATEMENT OF C. H. KENDALL, SECRETARY, HAWAIIAN GOVERNMENT EMPLOYEES' ASSOCIATION

Mr. KENDALL. Mr. Chairman and members of the committee, in order to introduce myself, I want to state that I was born in the State of Indiana, educated in the public schools there, attended the University of Butler at Indianapolis, graduated from the University of Dayton, at Dayton, Ohio, and did post graduate work at the University of California for 2 years.

I have been a resident of the Territory for a period of 21 years, having first gone to Hawaii as a full-time instructor and athletic director at St. Louis College.

I have been affiliated with the government now for a period of 14 years, and in my present capacity am executive director of the Hawaii Employees' Association and have been since 1946.

We are not affiliated nationally with any organization, and the organization has been organized for a period of 16 years. The Government Employees' Association sent me here to make a plea in their behalf for statehood for Hawaii, and I have endeavored, and I present to you, a short statement together with certain exhibits, which will have the effect of showing you the progress which has been made in our government in Hawaii during the past 20 years.

There is nothing further that I can add that other witnesses have not already told you, so with your leave I will present this short statement to you, together with these exhibits, which will give you an opportunity to compare the progress that we have made in government over a period of 20 years, and it is our feeling that we have the most progressive government as far as government employees are concerned that there is in the United States.

We do not say that we have the best in every phase of government, but at least as far as conditions of employment of the employees is concerned, we feel that we are superior to any State in the Union, so that these 8,000 government employees that I represent make this plea to you to give us statehood now.

Senator ANDERSON. Thank you.

Mr. FARRINGTON. Mr. Soares, who is the chairman of the Republican Party of Hawaii, will be next.

Senator ANDERSON. Mr. Kendall, how much of this needs to go into the record? I think we will only incorporate the statement in the record and the rest of it will be retained as an exhibit by the committee.

(The prepared statement of Mr. Kendall above referred to follows:)

As the executive director of the Hawaiian Government Employees' Association, representing the interests and the welfare of the civil servants of the Territorial government and its political subdivisions, I appeal to your honorable body for a favorable consideration of our request to acquire an equality of vested rights and a full representation by our citizens in the Government of the United States as a member of the sisterhood of sovereign States. Attached hereto and made a part of this record is a resolution, marked "Exhibit A," duly adopted by the general council of our association. This resolution, adopted August 20, 1940, states our position on the question of statehood for Hawaii.

The association which I represent was organized in the year 1934 and has as a membership approximately 8,000 of the employees of the Territorial and county governments of Hawaii. We are an independent organization with no national or international affiliations.

Attached hereto and marked "Exhibit B" is a copy of the constitution and bylaws of our association. The objects of that constitution clearly states the responsibility of our membership to work for a more efficient government service. We have endeavored to follow the pattern of our national leaders by having incorporated within the body of this constitution a no-strike provision. It is noteworthy to mention, in passing, that at no time since the inception of this organization have we broken faith with the people of Hawaii by repudiating this no-strike pledge. By the same token, we feel we should acknowledge the fact that the people of Hawaii, our lawmakers, and our administrators have not broken faith with us.

Our record in Hawaii during the past 15 years clearly shows that the men and women who were responsible for the enactment of our laws have been visionary and have demonstrated keen judgment. That record will show that they have honestly endeavored to apply the basic principle for good government, that of attracting to and holding in the Government service, men and women of ability.

In applying this theory for good government, a pattern for high salaries has been applied in order to attract to our Government offices men and women with high qualifications. A comparison of the salaries paid the employees of Hawaii with local and State jurisdictions in the continental United States will show there are very few which pay more.

In order to protect Hawaii from the rampages of a spoils system, civil service and classification laws were enacted during the years 1939 and 1941. Our classification system was patterned after the Closing Report Classification and Compensation Schedules of 1920. This so-called closing report was the result of a study instituted by the Congress of the United States in order to bring the salaries of Government workers and those in private enterprise into closer focus.

The record will show that the Congress of the United States never put the recommendation of this report into effect. However, our legislative fathers, not being satisfied with the provisions of the Brookhart schedules, not only adopted the closing report in principle, they went one step further by altering the basic salary schedules to the end that the employees in the lower classified positions were granted salaries which were higher than either the closing report or the Brookhart schedule.

With the increase in the cost of living since the start of World War II, these schedules have been materially increased. Attached hereto and marked "Exhibit C" is the compensation schedule which is in effect in Hawaii today. In addition to these basic rates of compensation, the employees are paid a \$25 a month bonus in order to take up some of the slack as a result of high prices and the added fact that salary studies have not been completed whereby basic rates may be altered on an equitable basis.

Our civil-service law, enacted in 1939, was patterned after that of the Federal Government, and a perusal of the same will disclose the fact that it compares very favorably with any others in existence in the United States. This law, together with the rules and regulations which have the force and effect of law, are attached hereto and marked "Exhibit D." After 10 years of experience with this law, the people of Hawaii, our civil service authorities, our legislators and the employees feel that the time is apropos for revisions in the same in order to keep abreast of sound administrative policies and procedures. Attached hereto and marked "Exhibit E" is a copy of the new law which is being considered by the hold-over committee of the 1949 legislature.

The 1947 legislature, being satisfied that they would not have the time to make a complete and thorough investigation of the classification and salary structure of our government, created by resolution a salary study commission whose duty and responsibility it was to ascertain whether there was any need for a change in our classification law and the basic rates of compensation which were in effect. The findings and recommendations of this commission were presented to the 1949 session of the legislature for their consideration. However, its late presentation precluded proper consideration by that body, with the result that the results of this survey, together with the recommendations, were referred to a legislative holdover committee for further study with recommendation to be made to the 1951 legislature.

A comparison of our Territorial retirement system with those in effect in any State in the Union will substantiate our contention that there is none better. Attached hereto for your scrutiny, marked "Exhibit F" is a copy of our retirement laws.

The sick leave and vacation privileges granted government employees in Hawaii are liberal to the utmost, the employees being granted 21 working days' vacation a year and the same number for sick leave, with accumulation privileges up to 54 days. Authority is given the Governor for Territorial employees, the mayor for the city and county of Honolulu, and the chairman of the respective county boards of supervisors, to grant sick leave in excess of 54 days where there is meritorious cause.

The 1949 legislature, in order to bring the hours of work into focus with the pattern which is being followed in the United States, enacted a 40-hour workweek law. After a few months' experience with this law, through the interpretations of the attorney general of the Territory, the special session of the legislature referred this particular law to a holdover committee for further study and recommendation. Attached hereto and marked "Exhibits G and H" is the law as it exists today and the proposed law being recommended by the legislative holdover committee.

It is our conviction that our police and fire departments throughout the Territory are of the finest, and that the training of these men, their equipment and facilities will compare very favorably with any city of the United States.

In order to assure to the people of Honolulu adequate water, the Territorial legislature saw fit to remove the board of water supply from the complete domination of politics, the result being that we have one of the finest water systems in America today.

We pride ourselves in the advancement we have made with our parks and recreational facilities and our public utilities, although privately owned, are operated in a very businesslike and efficient manner with ample service to the entire Territory.

We have a very progressive tax program in effect in Hawaii and history shows it has been changed from time to time to fit the needs of our community.

It is the firm belief and conviction of the members of our association that in the over-all picture, government in Hawaii is as progressive and forward as will be found in any jurisdiction in the United States. It is, therefore, our feeling that if the Congress of the United States were to grant us admission as the forty-ninth sister State, there will be incorporated into our State constitution sound provisions to assure the further continuance of this efficient and progressive government.

We, therefore, humbly submit that we have demonstrated our ability to legislate progressively and to efficiently administrate; and our acceptance of this progressive legislation and sound administration is definite proof that we are ready, willing, and able to be granted our inalienable right to sit as citizens in the Government of the United States as a member of the sisterhood of sovereign States.

Respectfully submitted.

C. H. KENDALL,

Executive Director, Hawaiian Government Employees' Association.

(Exhibits A, B, C, D, E, F, G, and H, submitted by Mr. Kendall, will be found in the files of the committee.)

**STATEMENT OF OLIVER P. SOARES, CHAIRMAN OF THE
REPUBLICAN PARTY OF HAWAII**

Mr. SOARES. Mr. Chairman and members of the committee:

My name is Oliver P. Soares. I was born a subject of the Kingdom of Hawaii during the reign of the merry monarch, Kalakaua.

My parents were originally from Springfield, Ill.

I am enough of a hero worshipper to take pride in the fact that my grandfather was a contemporary of Abraham Lincoln.

I have come here for the express purpose of testifying at this hearing. The cost is not being paid out of any legislative appropriation, nor is it being borne by the political party which it is my pride to be presently serving as its State chairman.

I am a member of the bar of the courts of the Territory of Hawaii and of the Supreme Court of the United States, where my batting average is 1,000. I should qualify this by saying I have been up only two times.

I am engaged in the general practice of law. This takes me to all the islands.

I have no corporations—Big Five or any size—among my clients.

I have served four terms as a member of the house of representatives of the Legislature of the Territory of Hawaii.

Like Senator Rice, though of somewhat younger age, I was present at the raising of the American flag at the time of annexation.

Senator MALONE. At that point, what companies make up the so-called Big Five?

Mr. SOARES. My list is American Factors Ltd., Alexander & Baldwin Co., C. Brewer & Co., Castle & Cooke, and Theodore H. Davies & Co.

Senator MALONE. Could you give us the names of the managers or presidents?

Mr. SOARES. The manager of the American Factors is H. P. Faye.

Senator ANDERSON. I thought Mr. Walker was.

Mr. SOARES. He just resigned. Mr. Spaulding, I believe, is president of Brewer & Co.; Mr. Budge is president of Castle & Cooke; Mr. Bell is president of Alexander & Baldwin; and Mr. Russell, I believe, is president of Davies & Co.

Senator MALONE. I suppose the reason you were careful to say that you did not represent them is they are reputed to control much of the economy of the islands.

Mr. SOARES. No; that is not the reason. The reason is that the question has been raised in some minds that they do control.

I have had occasion to tell them in my capacity as chairman of the party, that they do not control political affairs, and it is likewise true that while they influence, they do not control economic affairs.

Referring to the raising of the American flag, there happened on that occasion a minor incident which I have since come to wonder whether it was prophetic of the delay we are now experiencing in obtaining that full measure of American citizenship which can come only with statehood. On hoisting the flag, the rope jammed at the top of the pole, and there was a delay while a boy from my neighborhood climbed the pole and released the rope.

Nearly 45 years afterward I stood under the same royal palm on the same spot where I had stood at the flag raising, and heard Presi-

dent Roosevelt say, in a speech delivered from the upper lanai of the palace, "Hawaii is an integral part of the United States." The thrill I had experienced as a boy when Old Glory replaced the Hawaiian flag, I experienced again for, to me at least, there was that in the inflection of the President's voice when he repeated those well-known words that held promise of quick statehood for Hawaii.

I want to bear witness that such is the alertness and intelligence of our electorate, that communism in Hawaii will always be kept at bay. And this is true whether we remain a Territory or come into our just heritage of statehood.

In the election of 1946, which took place before I became state chairman of my party, we lost control of the house of representatives and held control of the senate by but one vote. For the first time in the history of the Legislature of Hawaii, membership in the house was evenly divided between Republicans and Democrats.

Because certain people high in the ranks of the CIO who were also duly enrolled members of the Democrat Party, and some of whom, I doubt not, were Communists, took it upon themselves to direct the strategy of the Democrat members of the House, the feeling got abroad that the Communists were in control of the government. They did delay the organizing of the House some 18 or 19 days, but they did not influence a single piece of legislation which came out of that session. The following session showed that they had been completely routed insofar as the legislature was concerned. The Republicans gained a two-thirds majority in the House and missed a like majority in the Senate by only one vote.

We of Hawaii have been nurtured in the belief that it is with ballots that the battle for good government and the American way of life is to be fought in our land and we have fought, and will continue to fight, in that way.

By the very thorough work of the congressional committee investigating un-American activities in Hawaii, it has been clearly demonstrated that not a single Communist or Communist sympathizer, is now, or was ever in the ranks of the Republican Party in Hawaii. They shun us as they would a plague. Our party has become stronger and stronger as we have continued to wage war on communism. This fact is proof positive that Hawaii's people as citizens of a state will keep the Communists out of power just as we kicked them out when their presence became suspected.

May I add a word along another line? Sometime before I left home, I heard it suggested by some of the opponents of statehood for Hawaii, that our coming before this committee was a wholly useless effort because the Congress would want to know what advantage would accrue to the United States if Hawaii be admitted. I cannot believe that this committee or the Senate will act from mercenary motives. I should like, however, to put in this record my answer to those people at home who ask, What will the United States gain?

In terms of dollars and cents, the United States will be relieved of the burden of what it is now spending for territorial government which it is not required to spend for state government. This includes the full cost of the executive department; the salaries of the entire judiciary, and the compensation of the members of the legislature.

Senator ANDERSON. We are not trying to analyze this on a financial basis, but if you are going to open it up, what do we get for the \$84,-

000,000 we formally got as Federal income tax? You are starting to balance back and forth. Are we going to start counting dollars on this thing?

Mr. SOARES. No. I am saying that it should not be a consideration.

Senator ANDERSON. Then why are you going into it?

Mr. SOARES. Merely to answer the people who have made the point.

Senator ANDERSON. Where are they, in Hawaii?

Mr. SOARES. Yes, sir.

Senator ANDERSON. So you put it into this record?

Mr. SOARES. Quite so, because this record is being followed very, very closely in Hawaii.

But more important still is the fact that there will be added men and women who can, and who will, interpret to the entire Pacific area the true spirit of America in the manner in which only a person who himself has become a beneficiary of that spirit can interpret it.

The admission of Hawaii to the sisterhood of States will give to our Nation a vast reservoir of men and women born and raised in, and who practice, the belief expressed in the motto of Hawaii: The life of the land is preserved in righteousness.

Thank you very much for this opportunity of being heard.

Senator MALONE. Mr. Chairman, may I ask a question?

Senator ANDERSON. Certainly.

Senator MALONE. I think you have made a very good statement in showing the close control of the legislature by the two parties, which is a very good thing. It shows alertness on the part of the citizens. Did not Hawaii furnish as large or even a larger percentage in the last war in enlistments as the mainland did?

Mr. SOARES. Yes, indeed, and in every other part of the war effort.

Senator MALONE. And there were some Japanese units that were sent from Hawaii, almost altogether Japanese units, were there not?

Mr. SOARES. That is true.

Senator MALONE. They made a very good record, a fine record as a matter of fact.

Mr. SOARES. Yes, sir.

Senator MALONE. Would you give us the number, if you have it, of these units?

Mr. SOARES. No, I am sorry I cannot, but that was included in two previous statements made by other witnesses.

Senator MALONE. That is all right then. I did not happen to hear that.

Senator ANDERSON. We had two very fine statements from veterans who had been disabled and who had done splendid jobs.

Senator MALONE. I was told by Admiral Nimitz that they made as good soldiers as he had found any place.

Mr. SOARES. Sir, they could not help it. They were Americans through and through.

Senator MALONE. I happened to be the one that consulted the Senate Military Affairs Committee when they investigated Japanese camps during the war in this country. We found that 1,900 young Japanese boys of military age had said that they would not fight for the United States, in other words, that they would be loyal to Japan.

We also found that some of them did not understand. Some of them thought that if they did not go into the Army, something else would happen to them. When they understood a good many of them changed.

Mr. SOARES. May I interrupt to say that that number was almost exclusively from the mainland of the United States, and from States who have not embraced them as Hawaii has, on the basis of their full American citizenship.

Senator MALONE. I neglected to mention that. I think they were totally within the United States. I only mention this to show the contrast.

Now I agree with the chairman that as far as mercenary gain to the United States is concerned, I believe the record would show that all possessions of the United States, call them whatever you may, have always cost us money. We never have gained financially by any Territory.

That is the difference that I meant to show to Mr. Anthony, the former witness, between England and other empire-minded nations, and the United States.

We take over a Territory and it always costs us money. When they take over a Territory they tax them for the benefit of the homeland. That is the reason that I did not like the reference to colonial set-up here.

Mr. SOARES. I am very sorry I did not make it clear enough that I was not for 1 minute suggesting that that was not a consideration at this end of the country. I wanted to illustrate—and my excuse for having it in this record is to point out how specious is the argument used in Hawaii by the opponents of statehood.

Senator MALONE. Now, Mr. Chairman, for the benefit of the witness and the record, I want to state that many of us who have not been ready to vote for statehood, who have not been against it but are not ready to vote for it because we would favor more control in Hawaii, in Puerto Rico; would favor letting you take care of your own business to a large extent. Certainly if there is any one Member of the Senate that is against centralizing control, it would be the junior Senator from Nevada.

Senator ANDERSON. I think I would subscribe to that.

One question, Mr. Soares, just before you go. I was very much interested in your statement, and thought it was a fine one. You do not have any questions whatever on this Communist matter?

Mr. SOARES. No questions, sir. We have all the answers.

Senator ANDERSON. You have handled it all right as far as you are concerned?

Mr. SOARES. Yes, sir; very definitely.

Senator ANDERSON. And you think you will go right along handling it without any question?

Mr. SOARES. There is no indication that we should not, because the feeling, the knowledge, that the people are gaining—may I say that our party conducts a civic forum of the air every Friday night for the purpose of disseminating information, and we have been non-partisan on it, and we have not been afraid to let the opponents of our principles speak.

We had a forum on communism at which Estelle Stark, a prominent Communist who was there to testify for Reinecke in his case, was on the air. We were taken to task for having given her the opportunity, but those very people realized after our people heard directly from a prominent national figure in communism that much was done to protect us against the influence from that organization.

Senator ANDERSON. I am glad to have the professional testimony of somebody who takes an active part in politics. A great many people dodge this question of taking an active part in politics. I don't, and I am glad that you don't.

Now as a person who takes an active part in politics and in public life, getting down to the cases of what it takes to elect people to offices, you are not worried about the Communist situation?

Mr. SOARES. No, sir; I am not so long as we carry on as we do. We do not blink at the presence of Communists, but we do know that, when the attention of the people is called to the difference between them and our way of life, it is as we say "pau" for them; it is all over.

Senator MALONE. I am interester to hear you say that you do understand how things are done, and it is politics. The word "politics" has degenerated somewhat over the years, it seems to me.

Any attempt to govern any public relations comes under the heading "Politics," and any one who denies that he does not enter into politics to get what he wants is somewhat insulting the intelligence of people who understand how business is done, and it is not the politics of influence; that is not what I mean.

Now, was the conviction of Bridges on the Pacific coast, because of Communist activities, of any benefit to your set-up out there in controlling the Communist activities?

Mr. SOARES. Very definitely so. I was sitting in the constitutional convention on opening day when the extra paper appeared, and it was all that the audience there could do to keep from applauding.

Senator MALONE. Then I would take it that Hawaii is not any more fond of Mr. Bridges' activities in trying to carry communism into labor—where I think it never would be if it were not carried in through some outside interference—than our own State of Nevada or any other State.

Mr. SOARES. They are not only not more fond of it, but they are very vocal in expressing their disapproval.

Senator MALONE. I have stated before—and I intend to follow it through further—that if communism is stopped in this country it is going to be labor and veterans who stop it, because these two groups cannot stand Communists. I am glad to hear you say, as the chairman said, that you do not fear it as long as you air it out and have a vote.

Mr. SOARES. That is quite correct.

Senator ANDERSON. Thank you very much.

I would like to insert in the record at this point a wire from Carlton Skinner, Governor of Guam, in which he very clearly points out that the Guamanians are not interested in statehood and that the granting of statehood to Hawaii would not in any way raise any possible obligation to grant statehood to Guam.

There is that question. We are trying to pass a bill, and I happen to be the chairman of the subcommittee which is trying to give some semblance of orderly government to Guam. Governor Skinner points out:

I am informed that in hearings before your committee on Hawaiian statehood a question was raised as to a possible obligation to grant statehood to Guam. Please inform the committee that the people of Guam do not envision or desire statehood. They do ardently desire passage of your bill (S. 1892), now being considered by your committee, which will give them citizenship and right of self-government, which they have patiently sought for the 51 years that they have been under the American flag. The bill for organic act on which Senator Anderson's subcommittee has already held an excellent and sympathetic hearing contains absolutely no promise, direct or implied, of statehood for Guam. By its language describing Guam as an unincorporated territory, the pending bill clearly rejects the possibility of statehood. With citizenship and self-government provided in your bill (S. 1892), the people of Guam will be happy and contented as to their political ambitions and will have the foundation they need to fulfill their destinies politically, economically, and socially.

CARLTON SKINNER,
Governor of Guam

(Sent to Commandant, Twelfth Naval District, San Francisco).

Senator MALONE. Mr. Chairman, at this point I think I should make a short comment, because I think I was responsible for the wire. We had a conference with Mr. Skinner, and I said, "Well, I suppose the next thing you will be doing is asking for statehood." We discussed this very thoroughly, and he thought it would be a detriment to have his bill passed if we thought that. I think I am responsible for the wire.

Senator ANDERSON. I am very glad you did that. I wish that the clerk of the Senate Interior and Insular Affairs Committee would also incorporate that telegram into the Guam hearings so that it would not be lost if it is in the Hawaiian hearings only. Incorporate it in our record so that it will be clearly understood that there is no promise expressed or implied in the action we are now taking or contemplate taking on Guam.

Senator MALONE. Of course, Mr. Skinner is an appointee, and he will be short-lived in the history of Guam, and he can make no such commitment. That should be understood.

He is simply the Governor temporarily out there. In my opinion if we set up a government out there, the next thing will be incorporation, and the next thing after that will be an application for statehood if we really get launched into taking in States throughout the Pacific and Atlantic areas.

In other words, personally Mr. Skinner does not desire statehood. He knows he could not get it now anyway, but possibly the next Governor, after he gets the rest of it will desire statehood. I make a prediction that in about 30 years, after we are both gone, they will be after statehood.

Senator ANDERSON. Speak for yourself.

In any event, we should straighten out this question insofar as legislative history can do it. We should read that into the Guamanian record.

Mr. FARRINGTON. I think we should start with Mr. Houston, with the understanding that when the Secretary comes he should yield his place to him temporarily.

Senator ANDERSON. This relates to the provisions of the bill covering the perpetuation of the Hawaiian Homes Act. Will you identify yourself, please?

**STATEMENT OF VICTOR S. K. HOUSTON, CHAIRMAN OF THE
HAWAIIAN HOMES COMMISSION**

Mr. HOUSTON. I am Victor Houston from Honolulu, presently chairman of the Hawaiian Homes Commission. I was born in San Francisco of Part-Hawaiian parentage.

I went to public schools in Norfolk, Va., private schools in Norfolk, Va. I went to school in Switzerland; in Dresden, Germany; and in the public schools of the District of Columbia; and in 1893 I went to the Naval Academy and graduated in 1897.

I remained in the Navy until I was retired in 1926, and was elected the same year as Delegate to Congress to represent the Territory of Hawaii, and served in the Seventieth, the Seventy-first, and the Seventy-second Congresses.

Since that time I have maintained my home in Honolulu and was at one time a member of the police commission in Honolulu, and have been recently a member of the Hawaiian Homes Commission, and more recently was nominated and confirmed as the chairman of the Hawaiian Homes Commission.

I may say that when I was nominated to the police commission and confirmed by the board of supervisors, it was without my previous knowledge of any intention to place me on that commission. I was confirmed without anyone even conferring with me as to whether I could serve.

The same came about when I was appointed to the Hawaiian Homes Commission. It was taken for granted, I assume, that I would serve.

On the 7th of December 1941, I immediately proceeded as a retired officer to Pearl Harbor, and went back on duty and remained on duty until 1945. I was for most of that time the Fourteenth Naval District security officer, and naturally as such was concerned with the actual security of the installations during most of the effective war period.

As a security officer, I can say to you at no time was any report made to me, or did I observe any case, of sabotage or of any indication that sabotage had been tried. We had some very, very dangerous situations there.

There was the bulk storage of gasoline for one, which was within 10 to 15 feet of the main highway running through the island of Oahu. A quarter of a mile away from that storage, around which there was nothing but a wire fence, there was a pump of the Oahu Sugar Co. that was maintained and manned by an alien Japanese, and he remained in that position all throughout the war, so that, if there had been any occasion, there was ample opportunity for terrific damage to be performed. None was performed.

A brand thrown over the fence could have landed right among those millions of barrels of gasoline, which was aviation gasoline. That is the reason it was stored in such containers.

I was married in Honolulu to a girl who was a part Hawaiian, and have since that time remained there and call that my home.

The particular section with which I have been charged to explain in this hearing is with respect to the Hawaiian Homes Commission.

That was an act passed in 1920 under the auspices of Prince Kalaiana'ole, who for nearly 20 years was the Delegate from Hawaii here.

He had been concerned during most of the tenure of his office with the serious reduction in the native Hawaiian population. He died in

1922, so that you can see that through most of the term of his office he was concerned with general matters of legislation for the Territory as a whole, and not until it came to the latter years of his life was he able to bring about the passage of this act, which must have been very near to his heart during all of that time.

The figures with respect to the Hawaiian population have been given to you. I just want to repeat some of them for the purpose of emphasizing, if I may, this matter of the reduction of the Hawaiian population.

It has been estimated that there were about 350,000 Hawaiians at the time of Captain Cook's arrival here. Figures by some have been placed as high as 400,000, but I think the figure of 350,000 can be justified, because later on, as we got the census of the population and spotting those figures and drawing a fair curve back to the period of 1778 when Cook was there, you find that it crosses just at that particular spot, or 350,000.

Fifty years later the population had been reduced by 200,000. That is at the rate of about 50,000 in each 10-year period.

Senator MALONE. To what do you attribute the reduction?

Mr. HOUSTON. I was going to come to that a little bit later, Senator, if I may.

In the next 30-year period the population was halved so that around 1853 there were 71,000 left.

After that, the Hawaiian population was reduced at about the rate of 10,000 every 10 years and later at a rate of about 5,000 each 10-year period, and that reduction continued until the time of the passage of the organic act. Mind you, after annexation it continued to be reduced to the time of 1900, when it reached a low point of 37,600, which was the total figure for all those of Hawaiian blood, either full or part Hawaiian—37,600.

That is the time when Prince Kuhio started thinking about the matter, and when he was able to bring forward a bill in 1920 the Hawaiian population had increased a little bit, so that it had reached the figure of around 42,000 in round numbers. It was 41,000 and a fraction, showing a rate of increase of only about 300 per year.

The reduction of the Hawaiian population was due to two factors: First, the introduction of disease into the Hawaiian Archipelago, to which the Hawaiians had not been accustomed—they had lived there for a matter of five-hundred-odd years completely isolated from the rest of the world. They had none of those diseases from the rest of the world. They had none of those diseases and had not built up in their bodies that resistance to disease that comes from being in contact with disease.

Then, secondly, was the revolution in their civilization, setting up different forms of outward appearance. The temperature of Hawaii—of course it is in the tropical zone. It is almost at the upper limit of the tropical zone, but it is tempered by the trade winds, which winds of course are quite strong, so that, if they wore no clothing, there would not be perspiration, and the difficulty coming from being subjected to the winds did not result in any sickness. But inducing them to wear clothing brought on trouble, and many died from tuberculosis and pneumonia.

Captain Cook was the first to bring in venereal diseases. That is generally understood, but it is not so well known that he also had

with him two men who died of tuberculosis between the visits. He was there two times, in 1778 and 1779. Two of his officers died during that period; one just afterward.

Smallpox, measles, even leprosy, was brought in in the early days, and is one of the scourges to which the Hawaiians have been very seriously subjected.

The Caucasian coming in there with his civilization created a complete revolution, opposed to anything that they had had. Hawaiians lived for comfort. They felt by necessity that they should appear like the Caucasians, and therefore were induced to wear clothing, and it is ironic you might say that only now it is the Caucasian who is taking off his clothes, because he realizes that it is sensible; that to meet the conditions of the climate you should not cover yourself with clothing just for appearance's sake.

Anyhow, those are the reasons perhaps for this reduction of the population, which the Hawaiians, of course, could not understand, but they might have been psychologically affected by the original first reduction of their population, and by having people hammer into their minds that it was a dying population, that may have influenced them.

Then the further influence of the Caucasian became apparent between 1840 and 1849 when the division of land was made, as you were told by other witnesses. The old Hawaiian lived under a semifeudal system. A Hawaiian always had an opportunity to use the land. Usually their living was near the beach.

Now very few Hawaiians have any land holdings near the beach. The Mahele provided in general for a division of it between one-third for the King, one-third the chief, and one-third to the common people, who were known as the Makuuina in the Hawaiian Islands, but when the division of lands was completed, out of a total acreage of about 4,200,000 in round figures, the total of the amount of land that was given to the common people, which was supposed to amount to one-third, was only 28,000 acres divided into 11,000 parcels, and which Prince Kuhio said was divided amongst 3,000 families.

Taking the figures which have been given at the time of the Mahele there were about 75,000 people, and dividing that by five, as constituting a family, that would give you 25,000 family groups. If only 3,000 families got their homes at the time of the Mahele, you will realize that 22,000 Hawaiian families never got any division of lands.

When the Prince came here, the Hawaiian homes bill, having passed in the Hawaiian Legislature, and asked for passage of this measure, it was not on his own initiative but it was the Legislature of Hawaii that asked for this law. There were government lands left, and he asked that some of those lands be given to this set-up which became known as the Hawaiian Homes Commission. A bill went to Congress in 1910, I believe, and finally passed in 1920, and Hawaiian lands were made available. That is the basis of the Hawaiian Homes Act, for which the Prince will always be remembered.

It will be his memorial in Hawaii, and the Hawaiians will always feel that the Congress gave its most sympathetic and kind consideration to the native Hawaiians' aspirations in having a little parcel of land upon which they could go and settle.

Senator MALONE. How many persons was the one-third of the upper strata so-called at one time divided between, how many people?

Mr. HOUSTON. Oh, that was probably not more than 1,500. That is a guess, mind you. I cannot answer that offhand. The chiefs constituted a group of about 1,500 or 2,000 in all, I imagine.

Senator MALONE. Then they have as much land as the 75,000.

Mr. HOUSTON. They have much more land since the chief got about 1,500,000 acres while the common people got only 28,000 acres. You see, this was a situation that was completely new to this group of people who had always lived under a semifeudal tenure in the Kingdom of Hawaii.

It was required that they should come to the capital and make an application for the parcels on which they were living. Then they had to present a survey. There were few surveyed and money was not in common circulation.

At that time they were still bartering mostly, so that it is reasonable to suppose that many of them did not apply because they did not understand what it meant. They did not have the money to pay for a surveyor, nor did they have money to pay for the commutation that followed.

Senator MALONE. This is very interesting concerning the historical growth of the population. All of the native people had access, general access to the beach anyway, did they not, without having to own anything?

Mr. HOUSTON. I do not want to be repetitive, Senator, but the major subdivisions of land ran from the mountain top to the sea and beyond the shore into the sea up to the edge of the reef, so that they could enjoy not only the produce of the land, but also the produce of the sea in their own subdivision, and the villages were along the beaches.

Senator MALONE. Since they had always had this access, they perhaps did not think it necessary, in order to keep the access to the beach, to do all this. They did not realize the importance of it, and now they are prohibited.

Mr. HOUSTON. Now of course when private tenure of land comes to the beach, that means the public cannot go through that private tenure.

In some places near Honolulu even this is the case. There in the Kahala area if you recall, out there, that runs for a mile and a half without a single public right-of-way down to it. As a matter of fact, in that area there are 17 to 19 private rights-of-way which only the occupiers of the leases of the bishop of estate can use.

Now the Homes Commission, the bill provides for the assigning to the Commission, of about 180,000 acres of land by act of Congress. The act, for the purpose of settling those parcels, provides that Hawaiians of 50 percent or more Hawaiian blood should be selected.

The bill provides that house lots may be granted, or agricultural lots, of from 1 to 40 acres, or pastoral lots of from 100 to 250 acres, first-class grazing land, and from 250 to 1,000 acres of second-class grazing land.

It also provides for a revolving fund so that loans may be made to the homesteaders for the purpose of starting them into business.

During the first 5 years of the life of the Homes Commission, only the lands on Molokai and certain lands on Hawaii were made available. That was to be a trial period at the end of which Congress was petitioned to have it extended to the balance of the lands.

At the end of the trial period, it was declared that the project was a success and that it should be extended to all of the islands. We get money from the rentals of available lands that are not used by the Homes Commission, because we cannot open them all up at the same time since there is not money in any fund that can provide for the opening. The legislature provides for opening certain parcels, and also provides for the administrative fund.

There are at the present time 1,337 homesteaders in the various projects, with a total population of 6,517, and a total number of children of 2,798 who are still living with their parents.

In every respect it may be said that it has brought the Hawaiians back to life, and I may say, to show you the success in arresting the decrease in the population, that the figures as of the 1st of January of this year show that from a low of 37,600, there are now 85,000 Hawaiians and part Hawaiians.

The question will be brought up by the next witness, because he is opposed to the continuation of the projects, probably on the so-called constitutional grounds.

Senator MALONE. How many acres are now in your project at this time that have not been definitely disposed of to the people?

Mr. HOUSTON. About 103,000.

Senator MALONE. Is it the objective of your Commission to finally make disposal, complete disposal, of these lands to private ownership?

Mr. HOUSTON. Eventually as we can get appropriations.

Senator MALONE. Just as fast as it can be brought about?

Mr. HOUSTON. There is a limitation of not more than 20,000 acres in any one 5-year period.

Senator MALONE. Well, why do you need the appropriation?

Mr. HOUSTON. To bring water in, and roads, and for subdividing it. Water is the great need to prepare the land for settlement.

Senator MALONE. It is not possible for the population itself to work that out if they own the land?

Mr. HOUSTON. No, Senator. Water is the crux of the situation.

Senator MALONE. Where does the water have to come from?

Mr. HOUSTON. From the mountains, usually. The areas, as you know, are in many places arid. On Oahu most of the water comes from underground sources. The terrain is pumped up, but on other islands there is no artesian basin. It is so porous that the rainfall just seeps right through.

Senator MALONE. Well, if you do get water which you have to pump, even though it was not artesian, is it ocean water or salty water?

Mr. HOUSTON. Oh, no, it is fresh water.

Senator MALONE. Then they could pump water out.

Mr. HOUSTON. If there is an artesian source.

Senator MALONE. Well, there are many places in this country where it is not artesian, but where water that will accumulate in a well and be pumped.

Mr. HOUSTON. We are not so fortunate in Hawaii.

Senator MALONE. What is the water table below the surface? I suppose it depends on elevation above sea level.

Mr. HOUSTON. It depends. The only place we have driven a well, we had to go down a thousand feet, more or less.

Senator MALONE. That is what elevation above sea level?

Mr. HOUSTON. That was driven between 500 and 600 feet.

Senator MALONE. Above sea level?

Mr. HOUSTON. Yes.

Senator MALONE. That would go down 500 feet below sea level?

Mr. HOUSTON. Yes.

Senator MALONE. You found fresh water?

Mr. HOUSTON. Yes.

The question of constitutionality is what may be brought up, and in that connection in the report of the house committee on territories, when the homes commission bill was before it, they gave this opinion. It was a subparagraph headed "Constitutionality" and it reads as follows:

In the opinion of your committee there is no constitutional difficulty whatever involved in setting aside and developing lands of the Territory for native Hawaiians only. The privileges and immunities clause of the Constitution, and the due process and equal protection clauses of the fourteenth amendment thereto, are prohibitions having reference to State action only, but even without this defense, the legislation is based upon a reasonable and not an arbitrary classification and is thus not unconstitutional class legislation. Further, there are numerous congressional precedents for such legislation in previous enactments granting Indians and soldiers and sailors special privileges in obtaining and using the public lands. Your committee's opinion is further substantiated by the brief of the attorney general of Hawaii (see hearings, pp. 162-164) and the written opinion of the solicitor of the Department of the Interior (see hearings, pp. 130-131).

May I submit that for the record?

Senator ANDERSON. Yes.

We will break into your testimony at this time because the Secretary of the Interior is here.

Mr. HOUSTON. May I introduce some further opinions as to the constitutionality?

Senator ANDERSON. Is it relatively long or relatively short?

Mr. HOUSTON. I would rather read some parts of them afterward if I may come back again. If not I will submit the whole paper.

Senator ANDERSON. Mr. Secretary, we are glad to welcome you back.

STATEMENT OF HON. OSCAR L. CHAPMAN, SECRETARY OF THE INTERIOR

Secretary CHAPMAN. Thank you, Mr. Chairman, I appreciate the opportunity to return to the hearing. I had intended to have a conference with Mr. Farrington to see if he was getting ready to close up these hearings and cut down on the number of witnesses, because I thought that by this time the testimony might be getting a little repetitious.

Senator ANDERSON. I will say that the Delegate has been striving hard this morning to have all witnesses heard, even though briefly. He has done a fine job.

Mr. FARRINGTON. We had a schedule that would have concluded all of the testimony this morning, but unfortunately we have about 1 hour more of testimony, so that we can give representation to some of our people who have come here. If they can proceed without interruption, I think we can conclude in an hour after the Secretary has made his talk.

Senator ANDERSON. I think, if you do not mind, Secretary Chapman, we will proceed with you.

I would particularly like to have your comment on the statement that Senator Butler prepared. When you have completed your testimony, I am going to leave with Senator Taylor some questions that were proposed to me to be asked with reference to this Hawaiian Homes Commission.

I do not know anything about the questions, but I think if there is a curiosity on these points, we might as well cover that, and Senator Taylor will go on with the hearing this afternoon. I hope to attend, but I have some responsibilities on the floor this afternoon.

Senator MALONE. Mr. Chairman, I believe that people who have come this far should certainly be heard even if we have to hold a night session.

Senator ANDERSON. I will be very happy to hold an evening session.

Senator MALONE. I would be very willing to.

Senator ANDERSON. I thought you would, George.

I am sure that the Alaskan crowd will admit that when they had their hearing we tried our very best to give them a full and respectful hearing. We intend to do the same thing for the Hawaiians, as you have suggested, and we will go on and get the job done somehow. Proceed, Mr. Secretary.

Secretary CHAPMAN. Mr. Chairman, I want to do this. I have not read the statement of Senator Butler. I was just advised that he had submitted a statement for the record, commenting upon what is called the walk-out of certain members of the Democratic Party in their convention.

Senator MALONE. Mr. Secretary, that is not unusual, is it?

Secretary CHAPMAN. Not unusual at all. As a matter of fact, it seems to be rather healthy, the walk-out. I am very glad you raised that, Senator Malone.

The Democratic Party has been anything but unanimous and harmonious all the way through in its deliberations in conventions. I have known other conventions in which delegates walked out, and we have not gotten some of them back yet, but that is all right. I think it is a healthy thing, and I am not going to object to it. That is a part of the democratic system under which we work.

I will attempt in a few minutes to sum up for you, although you have other witnesses to testify before you, as to what I think this situation is, and what I think it leads to. I did not come before you the other day or this morning totally unprepared, without an idea, or without having heard or seen something about Hawaii. I have never been to Hawaii. I have never been to Alaska; but I have read more memoranda on Alaska and Hawaii than any man living. I have read a great deal about Hawaiian affairs and about the day-to-day business of the Territory.

Now is there anyone on this committee who doubts the sincerity of Governor Stainback, that he has fought the Communist issue in Hawaii these years and led the fight against communism? Is there any doubt about that?

I want Governor Stainback to stand up. I do not want to embarrass anybody, but I want to face this thing straight once and for all. You are for statehood?

Governor STAINBACK. Yes, sir.

Secretary CHAPMAN. Regardless of what this statement says?

Governor STAINBACK. I think we will take care of the so-called Communists when we get back.

Secretary CHAPMAN. You are for statehood. You knew about this walk-out? You heard about it afterward?

Governor STAINBACK. After I came here.

Secretary CHAPMAN. And you still are for statehood?

Governor STAINBACK. Yes, sir.

Secretary CHAPMAN. All right.

Senator MALONE. Mr. Secretary, at that point my remark was a little facetious. Even Republicans have walk-outs. I did read Senator Butler's statement, and I think he had reference mostly to something more deep-seated, kind of an undertow there, and I had asked one of the witnesses, which I intend to ask you, if the conviction of Mr. Bridges might clear the air a little bit out there.

Secretary CHAPMAN. Well, I think if you would keep a lot of Californians out of Hawaii, we would be better off.

Now I have a great respect for Californians, as I have for people from Nevada or any other State, but when you turn Harry Bridges loose in Hawaii, he can cause a lot of damage, just as he could in Nebraska and Nevada, except that they do not happen to have a port which he could organize.

Senator MALONE. He tried to move in there and the boys met him at the port.

Secretary CHAPMAN. Men like Governor Stainback will take care of that issue of communism within the Democratic Party. The Democratic Party will take care of the Communist issue within its own party, and I do not care whether it is in Hawaii, in Nevada or Colorado or anywhere else, we will meet that.

Senator MALONE. At that point, Mr. Secretary, I wish to say that you are a westerner and you know we are not very sympathetic with them out there. Mr. Bridges was up once before, and probably the evidence was not much different than it was this time, but the situation was different.

Secretary CHAPMAN. No, I think the evidence was quite different this time, Senator. When it was presented to the court they had positive witnesses this time that they did not have the first time. They had documents this time that they did not have the first time.

Senator MALONE. Well, the first time there was no doubt in anyone's mind but that he was a Communist, but there was a certain interference at the time that kept the thing from coming to a show-down, and I do not think this is the place to bring that up.

Secretary CHAPMAN. I do not think so either.

Senator MALONE. But it was there.

Secretary CHAPMAN. I do not think that fits into this.

Senator ANDERSON. Are you satisfied that this situation can be controlled? We had a very fine statement from the chairman of the Republican central committee out there that he was not worried about it. He was convinced that it could be handled.

Secretary CHAPMAN. I had a call yesterday from the mayor of Honolulu. I do not know whether he and Governor Stainback agree generally and politically or not. I do not know whether they are in the same faction within the party.

I do not attempt to keep up with the local political factions among them, but the mayor of Honolulu phoned me yesterday and said, "There

have been some difficulties out here that might be exaggerated, and I wanted you to know that there is nothing serious about this walk-out one way or another except that there is a difference of opinion, and we do want to kick the Communists out of the picture if we can, and we are going to do it our way. Let us do it."

I do not know what he had in mind but he is the mayor and evidently many people have confidence in him.

Senator CORDON. Mr. Chairman, I would like to interrupt.

Senator ANDERSON. Senator Cordon.

Senator CORDON. I would like to say, Mr. Chairman, I would be glad to hear the Secretary. It does not make any difference what he says. He does not know any more about this than I do.

Secretary CHAPMAN. That is right, you have been there.

Senator CORDON. I do not know anything about this affair, and frankly if there is a situation such as indicated in this statement of Senator Butler's that has come up since this hearing started, so far as I am concerned—and I think I am one of the members of this committee and of the Senate who cannot be accused of being anti-Hawaiian statehood—if that situation has occurred out there, I want information before my committee before I act, as to what actually happened. We are entitled to have it. The Senate is entitled to have it.

Secretary CHAPMAN. I think you are.

Senator CORDON. And the people are entitled to have it from somebody who knows. I do not know. I was not there, and neither was Senator Butler there. According to the first paragraph of his statement he got the story from some newspaper clippings. I am sure that is true. All I am saying to you is this—

Senator BUTLER. I would like to just say one word, because I am fearful of your comments in bringing Governor Stainback into this picture. I want to assure you and everybody else from Hawaii or any place else in the United States, that no one is shooting at Governor Stainback. If there is any citizen of the United States that has done a magnificent job in his official capacity, I think it is the Governor.

Secretary CHAPMAN. So do I. That is the reason I asked him to stand up, and that is the reason I knew that he would stand foresquare on what he believed is right. He believed that communism was wrong in Hawaii and was getting too much of a foothold. He fought it.

Now he has fought Communism in Hawaii and he is coming here to tell you today that he wants statehood for Hawaii. I believe his testimony in favor of statehood should have some bearing on this thing.

I believe you should give weight to that kind of testimony. Now we go ahead and talk about what the political complexion of Hawaii is. It is generally conceded that Hawaii would probably be Republican.

I might say to you that it is my personal belief—and I am no Gallup poll; I would not attempt to be that type of a prognosticator of any political situation—I say here are the two gentlemen [indicating Delegate Farrington and Mr. King] I think they would be elected to the Senate of the United States. They would be your first two Senators. I do not think there would be any question about it.

I have no objection to that. I do not agree with their political philosophy, but I agree that their integrity cannot be questioned by any member of this committee or by anybody else. They believe in statehood; they want statehood; they have asked for it. They have come to the committee and laid their case before you.

Let me say this. No State was ever admitted to the Union with as much information placed on the record as you have in this case of Hawaii. No State, including Nebraska, when a Senator got up on the floor and said, "I do not believe Nebraska should yet become a member of the Union because of fraud involved in its election," because they permitted two regiments of soldiers to vote in that Territory when they were trying to qualify a sufficient number of residents. They said that even after Nebraska was admitted to the Union, but the Congress never went back to try to correct the fraud. They realized the rights of the people in Nebraska should be protected.

Their civil rights had something to do with it, and so they let the fraud diminish itself by the rights of the people being asserted in coming to the top. They did not attempt to go back to hold hearings on the so-called fraud that was alleged on the floor of the Senate when Nebraska was admitted to the Union, and I do not think they should have.

Senator MALONE. Mr. Secretary, I do not think that anybody questions the honesty and integrity of Joe Farrington, certainly no member of this committee.

Senator BUTLER. Or Mr. King.

Senator MALONE. Or Sam King. They are too well known.

Secretary CHAPMAN. Then what are we worrying about?

Senator MALONE. Well, I will tell you. In my humble opinion there are many things that go into the matters of statehood besides Communists.

Secretary CHAPMAN. That is right.

Senator MALONE. And there are many shades of security risks. They do not all carry Communist cards.

Secretary CHAPMAN. That is right.

Senator MALONE. And there are a couple of points that the junior Senator from Nevada wants cleared in his own mind. I am not ready to vote for statehood. I have not made up my mind, but if I had to vote now I would vote against it, and I will tell you why.

We have just gone over the population. We have just gone over the number of what someone here called alien citizens. That was brought up.

Now we have digested that a little. There is one other thing, one other reason why I am not ready to vote for statehood yet. One decision to make is whether or not we are going to take States into the Union of noncontiguous areas.

Secretary CHAPMAN. That is right; that is one of the decisions.

Senator MALONE. Now, once that decision is made, I would say to the distinguished Secretary, whom I have known for 30 years very favorably, and spoke for him in the committee and would again, that there is no reason if you make up your mind that noncontiguous areas, regardless of distance, are going to be taken in as States, why Puerto Rico, when they are finally incorporated and come along and want to

be a State, which they once did want, should not be admitted as a State. They had their application in, and we went down to take a look.

We have Guam, and no doubt it will qualify economically sometime regardless of the statement of the present Governor. He could not commit anybody beyond himself.

We have Okinawa; we have other areas that are on the verge of applying for statehood, like Newfoundland. Two or three years ago they sent an emissary down here. Once break it, if we do—and I say now I am not against that, but I am just studying it—you would have representation in the Congress of the United States of noncontiguous areas 1,500, 2,000, maybe up to 3,000 miles away, that perhaps all together might control the Senate of the United States. People with no particular idea of just how the United States was set up in the first place or its ideals or its methods of governing itself.

We have some very severe differences of opinion on the Senate floor now, and to bring in representatives of noncontiguous areas that know very little except their own area, I claim it is one of the most serious things that we have to decide, and that must be decided.

No one is questioning the integrity of Governor Stainback. I was there during the war. I just said that a while ago before the Secretary came in. Admiral Nimitz called his whole staff together. Then I went to Mr. Richardson and to Governor Stainback and to the then president of the University of Hawaii.

I was sent there to get the picture and then went out to New Guinea to do the same thing.

Economically and in a lot of ways they are even ahead of some of our own States, but there are some fundamental questions, and I did not want the record to show that any of us question the integrity of anyone who is here, least of all the officials of this Government. We do not question the sincerity of the witnesses who come here with their story, but they have their particular fields. They are not here trying to judge the fundamentals that enter into statehood.

Now, I shall listen very carefully to the Secretary of the Interior.

Secretary CHAPMAN. May I answer you on that?

Senator MALONE. You can answer me or just make your statement.

Secretary CHAPMAN. Let me answer that specific question, because you have to decide, in considering statehood for Hawaii and Alaska, whether you are going to admit Territories noncontiguous to the other States. You have already done that under the Constitution of the United States as laid down when you admitted California.

It was noncontiguous to any other State. Now you can say it was a part of the continent, but between it and the States was a great land barrier that was not a part of the Union. It was only in a Territorial stage.

Now let me go one step further. I like the analogy that you made of Puerto Rico. The Constitution of the United States does not now apply to any organized Territories other than Hawaii and Alaska. Hawaii was a republic.

Senator MALONE. But I might say at that point it is merely a question of deciding to do that.

Secretary CHAPMAN. Well, you can decide whether to incorporate other areas some other day. That does not have to be decided in this statehood bill.

Senator MALONE. That is true.

Secretary CHAPMAN. You cannot bind the next Congress as to what they want to do in any event, any more than you could bind my successor under the law.

Senator MALONE. If I may say so, Mr. Secretary, and to the people who have come 5,000 miles to be heard, no member of this committee questions their testimony, their sincerity. They are giving facts. If we can keep it on the basis of the sincerity of everyone—

Secretary CHAPMAN. Let us assume everybody is sincere. I do not want to accuse anybody of ulterior motives. I do not question anybody's motives. Then we start off even. Now you have not extended the Constitution of the United States to Guam and to Puerto Rico.

Senator MALONE. It is very easy to do that.

Secretary CHAPMAN. Well, that is up to Congress to do it when it gets ready to do it under a separate bill. It has nothing to do with statehood for Hawaii and Alaska.

Senator MALONE. I do not think you really understand my point. My point is this: and when you have the economic set-up necessary, and the number of people you think necessary for a State, it is a very easy thing, once you have broken it, the one thing of noncontiguous areas, for other Territories to demand to be brought in.

Now as far as California is concerned, the thing is that it all belonged to the United States, and it simply was a matter of time and meeting the necessary requirements. They were all right here together.

Secretary CHAPMAN. I am sorry you were not here when I made my opening statement the first day. I said that day in my testimony, if you will read it, that this was a noncontiguous area.

There were honest people who believed that the distance from Hawaii to the mainland of California made it a serious barrier to becoming a State, but I said that I did not believe that that was a valid objection because I did not believe that under our present transportation system that could legitimately be an issue.

I think Hawaii can be a State just as Colorado or Nevada are. I do not think that distance is relevant today as it might have been 25 years ago. That applies to Alaska also.

Remember that Hawaii pays an income tax into the Treasury of the United States. The people of Puerto Rico do not pay an income tax. They have never petitioned Congress to become a State.

Senator MALONE. I beg your pardon.

Secretary CHAPMAN. No, no, they have never filed a formal petition to ask that of Congress. Their legislative body has never even passed a resolution asking that that be done, Senator. Let us have it. Where is it? It has never been filed. You have had a group agitating for statehood in Puerto Rico, I know that, but today the Governor will tell you they do not want statehood.

Senator MALONE. The Governor at that time did not tell us that.

Secretary CHAPMAN. But even if he does, you pass on that. Each Congress has the right to pass on that when they reach it.

Senator MALONE. After we passed on it, there was a bill introduced here. Then they changed their minds apparently.

Secretary CHAPMAN. It did not have the support of the Department of the Interior.

Senator MALONE. Well, there have been things that were passed that did not have that support.

Secretary CHAPMAN. Surely, there have been many things passed without the support of our Department.

Senator ANDERSON. Mr. Secretary, may I just interrupt to ask a question on this one matter. Senator Cordon has raised a question with reference to this statement.

Now Senator Butler, when he introduced the statement, was, I thought, very fair and very fine about it. He said this was purely a report, but he did believe we should have information on it.

Secretary CHAPMAN. I agree with him.

Senator ANDERSON. Do you not think that while these hearings are being printed and we are getting around to the point of trying to decide in the committee what will be done with Hawaiian statehood, that we should have specific and definite information on the point raised by Senator Butler and Senator Cordon, and don't we have time enough to get it?

Secretary CHAPMAN. We have time enough to get it. I will get and submit to this committee statements from people that I am sure you will not question irrespective of the fact that they may belong to a different political party. I do not believe you will question their integrity or the facts.

Senator BUTLER. That makes no difference to me.

Secretary CHAPMAN. I know it does not, Senator, and that is why I say that to you. I have respect for you. If I did not, I would not argue with you. I am trying to win your support. If I did not believe you were sincere in your position, I would not waste time arguing about it.

Now I will get for this committee a statement of facts as to who walked out of that convention and why, the very best I can.

Senator CORDON. Mr. Secretary, we are also interested in who stayed in and did not walk out.

Secretary CHAPMAN. I would like to know that, too. I think it is more important to know about who stayed in than who walked out. I want to know for myself.

Senator BUTLER. In my statement I have given no names, but I have listed the number.

Secretary CHAPMAN. I think it is important to know who stayed in and who walked out.

Mr. Wilson, who is the mayor of Honolulu, indicated to me that he did not walk out, and I do not think anybody here, or the Un-American Activities Committee, ever questioned his loyalty to the Government.

Senator BUTLER. He used to be a citizen of Omaha.

Secretary CHAPMAN. That is right, he had good background, good training. These folks go from Nebraska to Hawaii and the first thing you know they are running the place. That is all right, I am for it, and I say this to you in all fairness.

There are so many things, some things that Senator Malone has raised here, that have to be decided when you decide on statehood.

It is not just one question that you decide. There are several questions that you will have to decide when you decide the statehood question.

I have tried to bring before this committee every piece of information that it is possible to obtain for you. There has never been a State admitted to the Union about which there was as much information in the record as Hawaii has presented. I was not being critical, Senator, when I spoke of Nebraska, but it just so happens that Nebraska was a State where the question of fraud was raised 2 or 3 years after it had elected its Senators.

Now I simply mention that these questions will come up all the time. We will have charges made here and there by different people who disagree with us, and when I spoke to you of these two eminent gentlemen here, politically I may be wrong, because I have not been to Hawaii, but my belief is you will probably find these two men elected to be the first Senators to come down here.

Senator ANDERSON. They stand pretty well with the home folks.

Senator MALONE. They stand well down here.

Secretary CHAPMAN. I think they stand well not only at home but in Washington.

Now I say that not to influence your decision, but to give you a rounded picture of what the whole story looks like. How can we turn our backs on the Hawaiian people? How can we turn our backs on the civil rights of those people?

For 50 years they have waited for statehood, and I say waited because there is a direct commitment by this Government that they would eventually become a State. I think the good faith of this Government is at stake.

Senator MALONE. What is the commitment?

Secretary CHAPMAN. The commitment is that when Hawaii was incorporated in 1900 it would be given the privilege of becoming a State. It is in writing and in print and signed by the President of the United States, and it is in the records of this hearing. There is no question about that.

Hawaii stands on its own feet, on its own merits different from any other State in the Union. It was a republic to start with. It had an organized governing body. Like the State of Texas, it was a republic.

There is no public land in Hawaii to speak of except in a very minor way. It is different from any of the other Western States.

Senator BUTLER. It is my understand that it is about one-fourth of it.

Secretary CHAPMAN. It is a fraction of the total acreage, Senator. There is a very small fraction of it involved. If you take into consideration what the Navy and the Army and the military, all the Military Establishments, control, and what we have in the national park you probably have a million and a half acres altogether.

Senator MALONE. I think that is a point in their favor.

Secretary CHAPMAN. I think it is a great point in their favor. They gave us that national park. It is supposed to be a beautiful park, and I hope to see it after you have given them statehood. I am not going to Hawaii until they get statehood.

I say this with all sincerity. I never appeared before a committee before in my 17 years' experience feeling as deeply as I do about this

Senator MALONE. He was in charge when you had the trouble.

Secretary CHAPMAN. But he was not in Interior. He was running a five-man combination coordination proposition. That is what he was doing.

Senator MALONE. But he was not coordinating.

Secretary CHAPMAN. No one could coordinate.

Senator MALONE. We made the recommendations that you followed. You took the disloyal ones and quit pampering them.

Secretary CHAPMAN. We did not just take the disloyal ones. We took all the Japanese.

Senator MALONE. Not in that one camp.

Secretary CHAPMAN. We put them in a different camp. We had them in a half dozen camps.

Senator MALONE. I think we are off the subject.

Secretary CHAPMAN. We are. I could discuss that all day with you.

Senator MALONE. I am going to clear this up. You built a stockade at the edge of Oregon there, and put the tough ones in it because we recommended that you do it. Now let us get off of that and get back on the other.

Secretary CHAPMAN. We did that.

Senator MALONE. Because we recommended it.

Secretary CHAPMAN. We did it, but we did not do it to any Japanese in Hawaii.

Senator MALONE. I am the one that complimented these regiments. I brought it up myself.

Secretary CHAPMAN. You did.

Senator MALONE. Now the thing I am trying to say is that we are clear away from the fundamentals. We all admit economically they are all right. We all admit that these leaders are fine people and that they are earnest, and we know you are.

Secretary CHAPMAN. Then you are ready to vote for statehood.

Senator MALONE. Then I am not ready to vote for statehood because of the thing I brought up.

Secretary CHAPMAN. What, the distance?

Senator MALONE. No; not the distance. People cannot come across 2,000 miles of water, the ordinary people that have no means, but they can go across the State line of Colorado into Utah.

Secretary CHAPMAN. Well, then, Senator, under that thesis I could never hope to win your vote for Hawaiian statehood because I cannot move the islands any closer. Hawaii is as close as we can get it. This is not facetious. This is serious.

Senator MALONE. It is serious for me, too.

Secretary CHAPMAN. These people have asked that their rights be given to them under the Constitution of the United States, which was extended to them by the Congress. Let us give them their civil rights now.

Senator MALONE. Mr. Secretary, you may be in the wrong job.

Secretary CHAPMAN. I may be.

Senator MALONE. In other words, it is up to this committee to determine those questions, and we are hearing you and we know what you think about it.

Secretary CHAPMAN. That is right, and I am trying to give you the facts.

Senator MALONE. And the facts are just as I tried to give them, that if you admit a State 2,000 miles away from the mainland, there is

no reason why you should not admit any nation in the world as a State if it meets the same qualifications.

Secretary CHAPMAN. Senator, that is for the Congress to decide when the question is presented to it.

Senator MALONE. And this is, too.

Secretary CHAPMAN. And this is for this Congress to decide. This is before this Congress now.

Senator MALONE. We agree on that.

Secretary CHAPMAN. Now we are together. That question is for this Congress to decide, and I think you should decide it in its favor.

Senator BUTLER. I want to say just one word with reference to the movement of the Japanese-Americans from the West Coast to the interior. We, in Nebraska, helped educate a lot of them, and they were good students in the school where I am chairman of the board of trustees.

Secretary CHAPMAN. That is right, you very definitely did so, Senator. You took a lot of those students in when we could not get them into some other communities up West, and I want to compliment you and your leading citizens of Nebraska for doing it to help them.

Senator CORDON. Mr. Chairman, I am going to have to leave. I just want to have the attention of the Chairman if I may for a moment.

From time to time, Mr. Chairman, the question has arisen on the extent of the investigations made on this statehood question, and with reference to completeness, the comprehensiveness of such investigation. At my request, representatives of the Statehood Commission have compiled an index of those congressional hearings under tropical headings, some sixty-odd topical headings, with all eight hearings indexed under those 68 topics, making a very convenient reference both for this committee and for others who may be interested in getting information on any of the topics. I believe it would be most helpful if the index itself could be included in this printed hearing so that it will coordinate this hearing with the other eight hearings, and I ask that the complete index be made a part of this record.

Senator ANDERSON. Without objection it will be done.

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Agriculture:	Page
1935.....	12, 207-208
1937.....	177-179,
	193-194, 197-198, 200-204, 209, 409, 574-575, 577, 631-639
1940.....	51, 88-100,
	224, 234-235, 306-308, 321-326, 581, 624-625, 632-633, 686-687, 890
1947.....	128
1948.....	207-310, 331-338, 387-399
1949.....	83

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Agriculture:

	<i>Page</i>
1935.....	12, 207-208
1937.....	177-179,
	193-194, 197-198, 200-204, 209, 409, 574-575, 577, 631-639
1946.....	51, 88-100,
	224, 234-235, 306-308, 321-323, 581, 624-625, 632-633, 696-697, 830
1947.....	128
1948.....	297-310, 331-338, 387-399
1949.....	33

Aliens:	Page
1935-----	10, 19, 189, 190, 221, 232, 243, 287
1937-----	13, 53, 114-116, 133, 164, 179-180, 185, 188-189, 190-200, 297, 319-320, 322, 344, 356-357, 373-374, 421-422, 486-487, 527-528, 533-535, 539, 578-579, 654, 655
1946-----	38, 463-465, 600
1947-----	157, 173-174
1948-----	7, 87, 96-97
1949-----	56
Americanization:	
1935-----	10, 24, 34, 89, 41, 42, 54, 71, 83, 87, 97, 118, 123, 129, 131, 135, 141, 159, 160, 173, 175, 182, 189, 204, 208, 214, 227, 230, 233, 245, 248, 250, 253, 256, 261.
1937-----	40, 183-185, 199, 230, 232-233, 242-243, 266-267, 274-277, 290, 302-303, 314, 327-328, 352, 373-375, 378, 417-418, 432-434, 436-437, 439, 454-455, 469-473, 479, 480, 486-487, 499-500, 503-504, 514-515-517, 520-523, 526, 535, 542-543, 546, 561-568, 573-574, 579.
1946-----	530-530, 542
1948-----	141, 149-150, 157-158, 163, 167-168, 170-179, 197-200, 208-209, 236-237, 247, 249-252, 260, 312, 314-316, 325-326, 353-359, 379-381, 465-466.
1949-----	34
Annexation:	
1935-----	33, 51, 60, 101, 110-111, 119, 125, 138, 144, 152, 158, 163, 168-169, 183, 188, 211, 222, 224, 283, 285-286.
1937-----	105, 118, 182-183, 238, 253, 265, 277, 278, 381-382, 387-388, 403, 415-417, 510-513, 572, 583-584.
1946-----	12-13, 21, 281
1947-----	37, 60, 96, 103, 131, 144
1948-----	66, 121-122, 162
1949-----	58
Banks:	
1935-----	108-109
1937-----	24, 27, 28, 87-88, 422-423, 511, 641-642
1946-----	678-679
1947-----	31
1948-----	448-460
Big Five:	
1935-----	110, 113, 164, 182, 233
1937-----	12-13, 16-18, 20-23, 51-52, 65-66, 71-76, 86-88, 90-92, 106-107, 111, 118- 119, 132-133, 154-160, 165, 167, 175-179, 193, 265-266, 275-276, 277-278, 285-288, 383-385, 389-390, 403, 465-466, 516, 528-529, 574-577.
1946-----	112-115, 133-134, 135, 138, 139, 222-235, 246, 264-265, 295, 341, 342-343, 358- 359, 431-432, 459-460, 474-475, 482-484, 500, 507, 532, 539, 783.
1947-----	16, 45, 118, 129, 188-189, 193-194
1948-----	138, 228-229, 230, 234-235, 273, 277, 350, 383, 447, 465-466
1949-----	36
Bloc voting:	
1935-----	29, 71, 90, 98, 127, 173-174, 176, 179, 200, 204
1937-----	54, 181, 190-200, 211-213, 239, 282, 284, 307-308, 351, 480, 590
1946-----	9, 28, 29, 65-66, 130, 134-135, 139, 215-216, 244-245, 248, 290, 320, 330-333, 336, 338, 342, 440, 447, 458-459, 466-467, 474, 528-529, 622-624.
1947-----	57, 121
1948-----	3, 25, 42, 44, 51, 60, 65, 69, 79-80, 82, 88, 106, 129, 131-132, 133, 142, 152-154, 165-167, 174-175, 185, 191, 202, 222-223, 227, 229, 240, 295, 384, 438-439.
1949-----	11, 15, 33

Business:	Page
1935-----	815, 317
1937-----	27-28, 34-35, 176, 235-236, 574-577, 639-654
1946-----	410-422, 583, 608-609, 668-675, 702-703, 875-881
1947-----	55, 57, 60, 104, 182-183
1948-----	18-19, 122-126, 131-132, 147-151, 207, 308, 446
1949-----	84
Citizenship:	
1935-----	14-15, 32, 135, 141, 161, 222, 240-250, 255
1937-----	40-42, 46-48, 56-57, 59, 66, 69-70, 93-94, 112-116, 124, 143-153, 170-171, 173, 179-180, 188-190, 200, 227, 245-246, 269-270, 279, 282-284, 288-292, 294-295, 302-303, 305, 308, 313-315, 318, 321, 344, 346, 363-364, 382, 388-389, 418-420, 447-448, 458-465, 470-471, 473-477, 511, 513, 523-524, 532, 538-542, 562-566, 568-569, 580, 585-588
1946-----	654, 717, 723-724
1947-----	83, 72, 99, 182
1948-----	141, 144, 16, 169, 184, 192, 199, 205-
1948-----	141, 144, 163, 169, 184, 192, 199, 205-207, 212, 241-245, 274-275, 278, 290, 314, 356, 365, 371-372, 382-384, 466-467
1949-----	29, 36
Communism:	
1937-----	382, 385
1947-----	88
1948-----	12-13, 27, 29, 45, 48, 70-72, 77-78, 80, 89, 91-93, 97-98, 118, 132-133, 144, 168-170, 178-179, 184, 194-196, 223, 229, 230, 232, 237, 259, 277, 287, 311-312, 321-323, 328-330, 347-348, 351-352, 372, 384-385, 402, 419-420, 469-470, 482-483, 485-487.
1949-----	11-12, 48
Congress, U. S.:	
1935-----	8, 15, 16, 39, 132, 143, 147, 151, 207, 237, 239, 277, 286, 287
1937-----	40, 42-43, 46-47, 49-51, 66-69, 85-86, 90-91, 93, 106-110, 112, 115-120, 123-128, 130, 134-139, 143-144, 155-157, 160, 162-163, 165-167, 172- 173, 181-183, 200, 202, 204-206, 215-216, 219, 225-228, 230, 237, 241- 242, 260, 272-274, 278-280, 284, 293, 387, 388, 401, 404, 412-413, 417, 421, 423-426, 461-462, 483-486, 488-490, 496, 508-509, 514, 527, 531-534, 561-566, 568-570, 580, 582-583, 608-605.
1946-----	1-5, 15, 18-19, 24, 32-33, 42-44, 272-282, 447, 482
1947-----	17, 37, 41, 44, 47, 52-53, 57, 101-102, 106-107, 120-121, 155, 185
1948-----	19, 31-32, 34-36, 67, 90, 98, 101-102, 131, 140-142, 144, 168, 192-194, 200-201, 226-227, 230, 234-235, 237, 241-244, 246, 278-279, 292, 313, 317, 346, 349, 351-352, 364-366, 368, 372, 379, 402, 408, 417.
1949-----	28, 32, 33, 37
Constitution, United States:	
1935-----	9, 15, 26, 161, 175, 286
1937-----	47, 50, 57, 60, 74, 80, 108-110, 139, 148, 167, 179-181, 222-223, 231, 240-242, 245, 375, 419, 474, 509.
1946-----	18-14, 24, 447-448, 469, 498-499, 577, 641
1947-----	39, 96
1948-----	118, 141-142, 193, 200, 259, 274, 291, 317, 334-335, 367, 383, 407
1949-----	11, 28, 292
Debt bonded:	
1935-----	311
1937-----	43-44, 616
1946-----	15, 204, 209, 664
1947-----	123
1949-----	20
Discrimination against Hawaii:	
1935-----	35-36 39, 63-64, 94-96, 99-102, 109, 122, 126, 161, 176, 207, 212, 233, 234, 239-243, 302.
1937-----	135-136, 143-144, 160, 220, 284, 508, 566, 568-569
1946-----	18-19, 24, 32, 42-44

Discrimination against Hawaii—Continued

Page.

1947-----	17, 37, 41, 44, 47, 52-53, 101-102, 100-107, 120-121, 155, 185	
1948-----		19,
	31-32, 34-36, 67, 66, 68, 101-102, 131, 140-142, 144, 168, 192-194, 200-201, 220, 227, 230, 234-235, 237, 241-244, 240, 278-279, 292, 313, 317, 340, 349, 351-352, 364-366, 368, 372, 379, 402, 408, 417.	
1949-----		28, 32, 33, 37
Education:		
1935-----		14,
	33-34, 51, 71, 78, 79, 84, 86, 88, 89, 126, 146, 187-190, 225, 247	
1937-----		5,
	29, 32, 35-36, 45-46, 48-50, 62-63, 65, 110, 115, 123-124, 181, 183-185, 221-222, 233-234, 260-263, 266-269, 275-276, 285-288, 294, 296, 301-302, 307, 310, 314-315, 319-320, 323-337, 339, 341-346, 355- 356, 370, 372-377, 417, 437-439, 450-451, 487, 494-495, 497-507, 509- 510, 545-548, 593-594, 605-606.	
1940-----		11,
	25, 39, 45-46, 60-70, 81-82, 94, 174-175, 192-194, 254-255, 258, 331-332, 334-338, 343-344, 347, 349, 358-359, 361, 375-376, 380-399, 451-452, 454-457, 465-468, 511, 518-521, 561, 569, 571-572, 584-586, 588-589, 591-592, 715-719, 739, 832, 873.	
1947-----		38, 40-41, 43, 58-60, 77, 93, 97-98, 120, 142, 170
1948-----		9,
	15-18, 53, 62-67, 130-143, 146, 149, 159-160, 166-175, 198-203, 207, 269-271, 293-297, 330-341, 352-354, 380, 431-435.	
1949-----		27, 33-34
Elections:		
1935-----		30,
	43, 46, 47, 54, 55, 56, 72, 73, 90, 97, 119, 127, 155-156, 172, 173, 176, 177, 179, 181, 182, 193, 197, 200-204, 208, 230, 233, 260-268, 270, 272, 282, 286, 291, 303, 307.	
1937-----		18,
	45-46, 54-55, 72-76, 80, 87, 100, 117, 118, 128-134, 164, 175, 176, 195-196, 199-200, 210-214, 216-217, 225-226, 282-284, 299-300, 306- 308, 373-375, 390, 420-422, 477-478, 576, 588-590, 658-660.	
1946-----		9,
	17, 27, 29, 46, 178-179, 182-183, 242, 244, 256-257, 330-332, 337, 343, 346-347, 350, 360, 430-431, 459-460, 471-472, 487-488, 501, 623-624, 721-725.	
1947-----		40, 57, 98, 121
1948-----		44, 80, 91, 106, 175, 185, 190, 202, 217-220, 227-228, 235-236, 240
1949-----		15
Exports:		
1935-----		317
1937-----		28, 35, 141, 627-628, 636
1946-----		9, 695
Federal expenditures and grants:		
1935-----		15, 94-96, 109, 115-117, 149, 168, 234, 290, 312
1937-----		33, 45, 180, 226, 495-496, 501, 507-509, 624
1946-----		75-76, 82-83, 84, 148, 149-150, 315-317, 553, 558, 593-594, 660, 661, 662
1947-----		50, 61
1948-----		194, 336-337
Federal revenues:		
1935-----		28, 90, 301, 317, 326
1937-----		27, 337, 388, 625-626
1946-----		15-16, 187, 189, 287-289, 488-489, 658-659, 676-677, 903
1947-----		16, 39, 50-51, 57, 81, 144, 183, 211-213
1948-----		372
1949-----		15, 29-30
Finances, Territorial:		
1935-----		315
1937-----		25-34, 110, 226, 339-340, 607-624
1946-----		208-209, 211-212, 567-568, 664-667
1947-----		40
1948-----		164-165
1949-----		11

Government, Territorial:

Page.

1930-----	9, 11, 12, 14, 27, 36, 51, 61, 163, 166, 189, 212, 223, 239, 245, 301, 306	
1937-----	15-16, 19-21, 24, 90, 120-122, 125-126, 202, 207, 227-228, 236-237	
1940-----	12-13, 175-177, 204-205, 207-210, 340, 344, 345, 381, 408, 509-508, 752	
1947-----	40-41, 57, 60-61, 98, 101, 104, 105, 140-141, 285-287	
1948-----		27,
	35, 55-59, 64-66, 117-120, 136-137, 164-166, 170, 173, 186-188, 193,	
	200, 211, 212, 217-220, 226-227, 230, 237-241, 260, 268, 271-272, 355-357,	
	364-373, 400-407, 416, 423-425, 445, 464, 494.	
1949-----		26, 33
Health:		
1935-----		70, 88, 153-154, 189
1937-----		26, 83, 513-514, 679-684
1940-----	47-51, 69-87, 95-96, 208-209, 560-561, 570, 584, 725, 738, 828-830	
1947-----		205-209
1948-----		23, 72-75, 101, 145, 340
1949-----		35
Immigration:		
1935-----	25, 26, 114, 117, 124, 138, 161, 241, 243, 253	
1937-----		116-118, 144, 150-152,
	253-254, 263, 265-266, 310-311, 337, 342, 435-436, 441, 523, 532-535	
1946-----		55, 67, 318-320, 483-484, 568, 570, 572-573
1947-----		59, 189
1948-----		100, 242, 244, 278
Imports:		
1935-----		317
1937-----		28, 35, 627, 629
1946-----		9, 16, 234-235, 690, 696
Japanese in Hawaii:		
1935-----		9,
	17-18, 21-24, 27, 29, 31, 34, 36, 40-41, 58, 67-69, 81, 83, 123, 135,	
	137-138, 160, 170-180, 184-185, 204, 207, 213, 216, 220-232, 237,	
	239, 245-248, 250, 278, 284.	
1937-----		13,
	18, 24, 39-42, 44-50, 54-59, 61-70, 140-154, 156, 170-171, 175, 179-	
	181, 184-185, 187-192, 196-200, 203, 207, 210-217, 221-223, 227,	
	229-233, 239-272, 276-278, 281-284, 288-297, 302-323, 327-333, 335-	
	340, 342-353, 357, 360-373, 375-376, 382-383, 388-389, 417-420,	
	426-488, 513-516, 520-533, 535-548, 572-574, 578-580, 582, 584-590,	
	593, 634, 654-659.	
1946-----		34,
	35, 38, 53, 243-246, 248-250, 255-256, 258-259, 262-263, 332,	
	335-336, 338, 358, 367-368, 375-377, 397-398, 400-403, 430-431,	
	433, 440, 446, 457-460, 462-465, 471, 473-475, 487-488, 506-511, 530-	
	536, 543, 568-570, 597-604, 893-894.	
1947-----		42-43,
	51, 55-56, 63-65, 68-69, 71-72, 74, 157, 180-181, 199-200, 224-229	
1948-----		3,
	18, 29, 34, 42, 45, 49, 60-61, 64-66, 68, 81, 83, 87-88, 99, 133-136, 142,	
	151-154, 176-178, 180-181, 196-197, 208, 210, 211, 220-221, 225,	
	250-252, 262-265, 291, 369-370, 410-416, 427-428, 447, 464-465.	
Jones-Costigan Act:		
1935-----	35, 38, 54, 64, 85, 96, 113, 122, 176, 214, 230, 239-240, 259	
1937-----		269, 277, 485-486, 489, 493, 569
1946-----		18, 19, 32
1947-----		101
1948-----		442
Judiciary:		
1935-----		122-123, 140, 144
1937-----		5,
	72-73, 86-89, 99, 96-99, 100-101, 123, 124, 126-127, 165, 225-226,	
	278-279, 286, 358-359, 403, 510-511, 514-515, 569.	
1946-----		595-596
1947-----		96
1948-----		46, 56-57, 84, 120-122, 187, 224, 280-283
1949-----		11

	Page.
Labor:	
1935-----	26, 70, 115, 116, 124, 138, 218-221, 250, 257-259, 272, 294
1937-----	12-13, 16-17, 50, 71-73, 77-80, 94-96, 101-103, 107-108, 116-117, 124, 168-170, 203, 230-237, 252-253, 305, 353-354, 358-360, 382-383, 422, 488, 510-517, 633-637, 653-654.
1946-----	17, 65-66, 102-105, 109-122, 125-126, 128-141, 218-219, 225-226, 284- 289, 343, 346-347, 368-369, 473-478, 483, 503-504, 565-566, 580-586, 625-632, 666-701, 698-709, 712-714, 741, 901-902, 908.
1947-----	56-57, 60, 98, 119-120, 142, 185-191, 250-255
1948-----	26-31, 45-46, 89-90, 145, 147, 169-170, 194-195, 230, 245-248, 273, 292-293, 330, 341-342, 346-348, 401-410, 420.
1949-----	33, 36
Land:	
1935-----	45, 146, 230, 278-280, 311, 317-318
1937-----	14-16, 19-22, 31, 53, 120-122, 163, 171-172, 177-179, 208-210, 217, 224, 227, 379, 390-403, 403-415, 517-519, 601-602, 631-634, 637, 661-664, 693.
1946-----	88-89, 107, 148-150, 155-158, 160-168, 172-173, 217-222, 228-231, 235-237, 268-270, 272-282, 336, 370, 373, 441-442, 573-574, 582, 686-687, 745- 747, 759-762, 770-783.
1947-----	16, 25-27, 45, 53, 62, 79, 82-85, 107-117, 122-134, 143-148, 153, 158-160, 223, 229-245, 257-284, 293-310.
1948-----	11-12, 43-44, 139-140, 272-273, 331-337, 387-388, 399, 422-423, 447-448
1949-----	15-16
Law enforcement:	
1935-----	51, 117, 122, 150
1937-----	72-73, 87-89, 91, 96-99, 101-102, 125-126, 165, 211-212, 237, 358-359, 374- 375, 511, 514, 542-543, 546-548.
1946-----	17, 25, 594-597, 635-637, 841-873, 903, 904, 906
1947-----	29, 51, 103, 107
1948-----	8, 33-34, 51-52, 103-104, 106-110, 115, 130, 403-406
Literacy:	
1935-----	313
1937-----	59
1946-----	332, 337-338, 739
1947-----	33, 55, 246, 247
1948-----	189
1949-----	69, 72
Loyalty to United States:	
1935-----	11, 16, 18, 23-24, 30, 34, 37, 41, 63, 72, 78, 80, 91-92, 98, 107, 115, 118, 126, 134, 136, 139, 150, 153, 160, 169, 173, 174, 184, 186, 187, 190, 199, 200, 204, 205, 207, 211, 213, 214, 216, 220, 221, 225, 226, 227, 229- 233, 236, 237, 244, 247, 248, 253, 254, 258, 276, 283, 288, 290.
1937-----	46-48, 50, 56-57, 68-70, 105-106, 114-115, 148-152, 167, 170, 183, 191, 196- 198, 210, 223, 231-232, 239-242, 271-272, 280-281, 283, 292-296, 303-305, 313-314, 322-323, 327-328, 332, 339, 348, 350, 352, 363, 376, 383-384, 388-389, 419, 464-465, 475, 484-485, 512-514, 524-525, 539-540, 544-545, 573, 579, 585-586, 588.
1946-----	38, 53, 255-256, 262-263, 397-398, 400-403, 433, 440, 446, 457-460, 462- 465, 473-475, 506-507, 509-510, 536, 569, 572-573.
1947-----	40, 41, 63, 66-67, 72, 99, 155-156, 163, 171-172, 178-181, 224-229
1948-----	11, 183, 203, 251, 258, 380, 410-416, 473-475, 484-485
1949-----	26, 32, 47

	Page
Military government:	
1946-----	33, 403
1947-----	21-22, 66, 156
1948-----	34-35, 103, 118, 127-128, 282-283, 382
National defense:	
1935-----	11, 12, 16, 30, 53, 63, 98, 104, 123, 133, 184, 199, 214, 250, 259, 260, 289- 290, 304.
1937-----	173-174, 220, 232, 280, 483-484, 512-513, 520, 528, 577-579, 584-585, 598
1946-----	40-41
1947-----	44, 48-50, 53-54, 56, 61-77, 80, 87, 122, 144
1948-----	13-14, 492
1949-----	11
Newlands resolution:	
1937-----	381-382, 387
1946-----	13
1947-----	37, 42, 96, 103
1949-----	53
Newspapers:	
1935-----	18, 122, 177, 180, 203, 283, 314
1937-----	12-13, 15, 17-21, 30-37, 39, 59-60, 73-74, 92, 98, 102-103, 107, 240-251, 254-255, 257-259, 272-279, 283, 289, 294, 296, 342, 358, 385-386, 415, 423, 450-452, 457-465, 482, 527-528, 540, 570, 573-574, 580-588, 604, 630, 640-652.
1946-----	44-45, 472-473, 740, 826, 889, 891-892, 893
1948-----	495
Organic act:	
1935-----	12, 14, 21, 53, 57, 63, 93-96, 98, 148, 184, 242, 272
1937-----	67-68, 108, 112, 118, 125-130, 135, 139-140, 160-164, 173-174, 183, 209-210, 214-215, 234, 278, 356, 358, 388, 394, 398, 401-404, 408-409, 412-413, 420, 484, 564-565, 584.
1946-----	13, 31, 242-243, 269-283, 350- 352, 367, 373, 408, 411-412, 447-448, 489-490, 748-752, 824-825
1947-----	37, 132, 134, 137
1948-----	90, 122
1949-----	56
Pacific era:	
1946-----	37-40, 888-889
1947-----	40, 76-80, 86, 89, 139
1948-----	142, 160, 168, 174-175, 231-232, 248-249, 261, 267-268, 293-294, 473, 493
1949-----	11, 34, 38
Pineapple industry:	
1935-----	212, 217, 219, 315
1937-----	35, 50, 169, 177-178, 193-194, 208, 210, 235-236, 305, 376, 378-381, 389-390, 398, 403, 414, 495, 631-633, 636-637.
1946-----	90-91, 93-94, 101-107, 221-222, 232-233, 324, 561-563, 685-686, 705-706, 901-902
1947-----	24-25, 183
1948-----	143-147, 157-158, 297-310, 332-335, 337-338
Plebiscite:	
1935-----	16, 25, 84, 93
1937-----	49, 137-138, 166, 228, 277, 283, 305, 512, 579-580, 585
1946-----	4-5, 12, 15, 24, 133, 139, 282, 284, 290- 291, 293, 305, 338, 361-362, 366-369, 372-374, 447, 475, 491-498, 725
1947-----	38, 71
1948-----	162, 254, 421
1949-----	27, 38
Political parties:	
1935-----	57-59, 70, 87, 119, 127, 189, 191-192, 195, 291
1937-----	40, 54, 72-74, 76, 80-81, 86-87, 105-107, 118, 127-129, 131, 134, 155-156, 158-159, 182, 195, 199, 215, 239, 311, 359, 511

	Page
Political parties--Continued	
1946-----	28 29, 30 31, 224 225,
350, 431-432, 440-441, 452, 459, 466-467, 722 723, 736, 896 897	
1947-----	40, 136 137, 151
1948-----	107, 227, 247, 273 274, 275 276, 283 289, 323 324, 370, 383, 385, 424
1949-----	29
Polls on statehood:	
1946-----	15, 887
1947-----	139
1948-----	1, 41, 123, 148-149, 102, 108, 420 421, 438, 446 447
1949-----	27
Population:	
1935-----	7, 9, 10,
18, 23, 37-38, 40, 59, 103, 118 120, 126, 100, 228, 293 294, 296 297	
1937-----	45, 105-109,
113, 115, 175, 184 185, 247 250, 253, 264, 280, 298 300, 302, 374,	
420-421, 426, 428-431, 434, 439 445, 467 469, 589 590, 654 655	
1946-----	15, 31, 41-42, 55 61, 67 68, 70, 185 487, 507
508, 561, 568 570, 572 573, 593, 601-603, 654 655, 717 718, 723	
1947-----	39, 40 42, 54, 59, 71, 102, 163 164
1948-----	96 97, 258 259, 493
1949-----	12 13, 35, 47
Property, assessed valuation of:	
1935-----	314
1937-----	43 44, 630
1946-----	190 192, 195 202, 668
1947-----	39, 104
1948-----	356 357, 446
Public utilities:	
1937-----	52, 73, 134 135, 156, 157,
164-165, 168 169, 176, 206 207, 234 236, 278 279, 577, 645 648	
1946-----	224-225, 563, 575-576, 680 682, 825
1947-----	192, 199
Public welfare:	
1935-----	316
1937-----	494-498, 513-514, 576 577, 678 684
1946-----	560-561, 582, 593-594, 725 727, 834-835
1947-----	57, 105, 199, 205 206, 209, 247
Public works:	
1935-----	311 312, 316
1937-----	5, 29, 33, 43, 138, 143, 156, 217, 695
1946-----	148-154, 582
Race:	
1935-----	7, 9,
11, 16, 18, 20, 21, 25, 29, 36, 37, 40, 42, 50-51, 53, 71, 86, 90, 97, 98, 113,	
115, 117-119, 121, 127, 131, 142, 149, 153-154, 173-175, 178-179, 182,	
200, 204, 212, 214, 226, 230, 233, 239, 248, 250, 293, 295-296,	
1937-----	44-45,
54, 62-63, 132, 135, 167-168, 184-185, 211-212, 275-276, 356, 374,	
428-431, 548, 570-572, 654, 658-660,	
1946-----	25-26,
29-30, 34-36, 50-68, 134-135, 137-138, 212, 222, 243-244, 255 256,	
263, 285-286, 295, 311, 336-338, 340, 358, 367-368, 373, 375-377,	
403-405, 415, 419-420, 430-433, 440-442, 444, 448-449, 457-458,	
473-477, 484-485, 522, 599-606, 875-881,	
1947-----	40, 42, 55, 58, 80, 90, 102-103, 162
1948-----	17-18,
22, 47-51, 65-66, 79, 82, 85-86, 88-89, 138, 142, 145-146, 149, 154-157,	
169, 172, 174, 183, 191-192, 204-208, 230-240, 249, 250-257, 296, 325,	
359, 361-363, 379-380, 403, 446, 479-482, 495,	
1949-----	11, 28-29, 32-33
Shipping:	
1935-----	317
1937-----	28, 35, 43-44, 52, 73, 77, 164-165, 168-169, 204-206, 230, 300, 627-629, 636
1946-----	153-155, 223-224, 422, 609-621, 680, 682, 694-695
1947-----	30

Social Security:	Page
1935.....	220
1937.....	236, 496-497, 501
1940.....	594, 725-727, 834
1947.....	33, 59
1949.....	69
Sugar Industry:	
1935.....	35, 38-39, 54, 96, 164, 176, 259, 304, 315, 318
1937.....	40, 51, 53, 74, 82-83, 130-137, 139-141, 170, 235-236, 422, 494, 517, 575-576, 633, 639.
1946.....	32, 90-110, 218-219, 222, 233, 341-343, 347-348, 358-359, 391-392, 474-475, 563-564, 610-611, 683-685, 705, 622-824.
1947.....	17, 22-24, 44-47, 52, 117, 182-195
1948.....	19-24, 389-390, 423-425, 439-443
Taxation:	
1935.....	9-11, 30, 38, 52, 95, 98-99, 113, 222, 306
1937.....	25, 27, 30-33, 225-226, 234-235, 621, 630, 666
1946.....	183-184, 208, 211-212, 665-667
1947.....	152, 156
1948.....	34-35, 67, 103, 140-142, 144, 244, 305, 346, 372, 381, 446
1949.....	28, 33
Unions:	
1935.....	70-71
1937.....	72-73, 95, 100-103, 105, 168, 369, 545
1946.....	131-138, 284, 308-309, 476-477, 565-566, 362, 709
1947.....	33, 36, 57, 60, 80-90, 169, 272-254
1948.....	27-30, 70, 89-90, 230, 247, 341, 346-348, 401, 403-405, 469, 483
Veterans:	
1935.....	33, 186
1937.....	23-25, 39
1946.....	213, 274-275, 276-284, 512, 628
1948.....	1-6, 127, 133-135, 224-226
War record:	
1935.....	107-108, 118, 185-186
1937.....	58, 114, 183, 470, 520, 524-525, 545, 584
1946.....	9, 11-12, 18-19, 25-26, 33-36, 38, 41-42, 47-55, 71-72, 130, 138, 209-210, 358, 372-373, 375-376, 398, 400-403, 407, 433, 446, 449-450, 457-458, 463, 470, 494-495, 560-564, 597-599, 633-635, 727-728, 736-738, 832-833, 837-840.
1947.....	74-75, 99, 105-106, 173-179, 224-229
1948.....	8, 133-135, 142, 151-154, 156, 183, 250, 257-258, 263, 291, 324-325, 354- 355, 427-428, 440, 465, 473.
1949.....	11

Secretary CHAPMAN. I think that should be most helpful and will provide vital information on any subject pertinent to this question.

I believe you have the facts before you, gentlemen. I do not believe there are any more facts that need to be presented here. I think you have them, and if I did not think so, I would be searching and try to get them before you either in written form or orally. The things that continue to stand out in my mind are the fact that the Constitution of the United States was extended to Hawaii, the fact that Hawaii has been taxed without representation, the fact that it is one of the greatest melting pots of America, a mixture of races of people, a great mixture.

Are we going to ask Hawaii to apologize today for her mixture of races? Then if you do, what are you going to say to New York? Are we going back to that kind of a principle today? Of course not.

You are going to decide it on fundamental issues that are before you such as Senator Malone has raised, which is a perfectly legitimate one, and one that Senator Butler has raised about which he is con-

cerned. I do not blame him for being concerned about that problem, but it appears to me that even if everything you said was correct, Senator, it still would not control the political destiny of Hawaii, because the Republicans would still win the Senatorships of Hawaii and the Governorship of Hawaii. Generally in their philosophy the people of Hawaii are Republican. I believe that, but I am for their rights being protected.

That is the paramount thing here, their civil rights, their right to vote for their Senators and Congressmen, their right to vote for their President, and that to me stands out stronger than all the other questions combined.

I will compromise on most anything in this bill except my fundamental principle, to help make this bill a workable bill. I want it to work. I want Hawaii to be a State accepted on an equal basis with other States.

The obligations of the Federal Government should be carried out. Why should we let the incident of one political party's convention disrupt and stop us completely in our deliberations here, other than to get at the truth of what happened.

I want to get that for you. I think you should have that, but I do not think it should stop the deliberation and the fair consideration of this question before you of admitting Hawaii today as a State of the Union.

Never before have I appeared before this committee or any other committee with a more earnest request than that you admit this area as a State among our States of the Union.

Senator ANDERSON. I do believe, if you have concluded, that we would like to have an opportunity to go to the Senate floor for a few moments.

Secretary CHAPMAN. If another day would win his vote, I would cancel any other business.

Senator ANDERSON. We will resume at 2:30.

(Whereupon, at 12:50 p. m., the hearing recessed to reconvene at 2:30 p. m. this same day.)

AFTERNOON SESSION

Senator Joseph C. O'Mahoney, chairman, presiding.

The CHAIRMAN. The committee will come to order.

Mr. Houston.

STATEMENT OF VICTOR K. S. HOUSTON, CHAIRMAN, HAWAIIAN HOMES COMMISSION—Resumed

Mr. HOUSTON. I started this morning, Mr. Chairman, and would like to continue on the constitutionality of the Hawaiian Homes Act.

I read to the committee this morning the report of the House committee, with a paragraph from the House of Representatives committee report on the Territories with respect to the constitutionality, in which it said, in principal:

The privileges of the immunity clause of the Constitution and due process and equal protection clauses of the fourteenth amendment thereto are prohibitions having reference to State action only, but even without this defense the legislation is based upon a reasonable and not arbitrary classification and is therefore not unconstitutional class legislation.

I have here, Mr. Chairman, a copy of the opinion of the then Harry Irwin, who was the attorney general of Hawaii, of which I will read only the most pertinent part of the opinion.

He said:

I come now to the proposition which I believe to be one which merits the consideration of the committee and which I believe constitutes a sound and the only basis upon which legislation of this kind can be enacted.

The proposition, briefly stated, is that the Federal Government, in the exercise of its plenary powers over the Territory of Hawaii, should by appropriate legislation set apart for the exclusive use of members of the Hawaiian race certain portions of the public domain of Hawaii for the purpose of rehabilitating the race, and preventing its ultimate extinction.

It has been suggested by some, and emphatically stated by others, that legislation of this kind may not be constitutionally enacted for the reason as suggested, that it would be class legislation, and therefore in violation of the Constitution of the United States.

No parallel of the Constitution has been suggested as being prohibitive of this legislation, nor do I know of any such prohibitive provision in the Constitution.

That is the attorney general of Hawaii, at the time the bill was originally passed.

The CHAIRMAN. Did you at the beginning of your statement this morning summarize the Hawaiian Home Commissions Act?

Mr. HOUSTON. In general terms, yes, Mr. Chairman. It is an act in which certain of the remaining public lands of the Territory were set aside to the use of rehabilitating Hawaiians, and providing that the lands might be awarded to homesteaders upon a 99-year lease who qualified by blood, 50 percent or more being required, and that there were town-site or house-lot projects, agricultural projects which extended from 1 to 40 acres, grazing projects which ran in first-class grazing land from 100 to 250, and second-class grazing land from 250 to 1,000 acres.

The provisions with respect to the 99-year lease rather than the fee-simple title was for the purpose of preventing or of repeating what had happened originally when the lands were distributed to the Hawaiian people between 1840 and 1949.

When it was found that the Hawaiian, not being used to fee-simple titles, never having heard that term used before and having lived under a semifeudal condition, soon got rid of it by being offered money for it, and then he had the money which he spent and he had no more land.

That in a few words, Mr. Chairman, is the purpose of the Hawaiian Homes Act. I stated at that time that since its origin in 1920 there had been placed on the land about 1,337 homesteaders, aggregating a population of about 7,000 inhabitants, with 3,000 minor children remaining on the land.

The CHAIRMAN. When this bill came over from the House, and I read it for consideration by this committee, I took note of the fact that the provision contained in the bill at page 9 is to the effect that the Hawaiian Homes Commission Act may not be altered or repealed without the consent of the United States, which would mean, of course, without the enactment of a special statute by Congress and signed by the President.

That raised in my mind immediately a question as to why it seemed desirable to tie the hands of the new State authorities if the statehood should be granted, with respect to this particular act.

I suppose you will discuss that question?

Mr. HOUSTON. The only explanation that I can give of that is that that is the form of the legislation which was requested by the legislature of 1917, which was passed in the House of Representatives as being satisfactory at that time, no opposition having been offered.

It was again passed upon in the Territorial Legislature of 1919 without any changes being suggested for the enabling act, and has again been passed in the House of Representatives in that same form.

I assume that that is placed in there because the original legislation is legislation that the Federal Government alone could make. A State government could not set aside apparently—according to the decisions of the courts—land for such particular purposes.

Since the terms of lease are for 99 years—and there are still some seventy-odd years perhaps or so to run—it seems reasonable that it should be put in that particular form.

The CHAIRMAN. Why could not a State properly constituted enact legislation of this kind?

Mr. HOUSTON. Being a 'ayman, Mr. Chairman, and not a lawyer, I am not in a position to answer that.

The CHAIRMAN. Have you any opinion with respect to the problem?

Mr. HOUSTON. The only opinion is the part that I read to you from the opinion of the Attorney General of the Territory, in which he said—

The CHAIRMAN. I am not trying to get a legal discussion. I am trying to determine the basic reasons for denying to the people of Hawaii and the new State the authority to amend and change a law dealing with the matter of homesteads upon certain lands.

Mr. HOUSTON. The only reason that I can advance, Mr. Chairman, is that there should be no change in the policy, but that there should be a continuation of it, in other words, the Legislature of Hawaii wishes to prevent alienation of the holdings.

The CHAIRMAN. There is a controversy of some kind about this, of course.

Mr. HOUSTON. Yes; which has only developed recently. I have not seen the brief to be submitted by Senator Nobrigo.

The CHAIRMAN. This committee has received more than 50 telegrams.

Mr. HOUSTON. All coming from the same source.

The CHAIRMAN. All raising this issue. I am trying to find out what the center of the controversy is.

Mr. HOUSTON. As I said, that form of the legislation was initiated in the Legislature of Hawaii, so that it got complete publicity. It was then passed by the House of Representatives of the United States Congress after hearings before the committee, when publicity was again given to the subject.

Then it was available for discussion in the Territorial legislature of 1919, with consequent publicity, and no suggested change was made.

In between those times there was a general election in which no changes were suggested by any of the candidates, and a general election for the constitutional convention at which no successful candidates—successful candidates, I say—advanced that argument for change.

The CHAIRMAN. Forgetting that, let us ask now how the act has been administered. Has it served the purposes for which it was enacted?

Mr. HOUSTON. Starting from scratch, with no population, and having to depend upon legislation by the Territorial legislature to provide administrative funds, it has gone along what I consider very successfully. We have now 1,300 homesteaders.

The CHAIRMAN. How many acres?

Mr. HOUSTON. The total land involved is about 180,000 acres, of which 105,000, in round figures, still remains unoccupied or unallotted.

The balance is land that is being leased.

The CHAIRMAN. For a period of how many years?

Mr. HOUSTON. Since 1920.

The CHAIRMAN. Senator Cordon?

Senator CORDON. Of the remaining land subject to the act, what portion is arable or tillable?

Mr. HOUSTON. Practically none. The remaining portion is grazing land, mostly.

Senator CORDON. Correct me if I am wrong. It seems to me that I recall—I am not certain whether it was on Molokai or not—on one of the islands having my attention called to certain areas, then under lease and in cultivation, growing pineapples or sugarcane, one or the other—

Mr. HOUSTON. The Island of Molokai, I think.

Senator CORDON (continuing). Which I was given to understand were owned as public land and where there was some question as to whether they should be withdrawn from use in agriculture and divided under the terms of this Hawaiian Homes Act.

Mr. HOUSTON. In the Territorial legislature of 1917 a bill was enacted requesting Congress to add to the then existing Hawaiian homelands an area at Molokai on the eastern side of Kaunakakai. That area was then, and is still, under an existing lease, which does not expire for some time.

That was approved—the addition was approved by the United States Congress, and those lands now form part of the Hawaiian Homes Commission land. But since the lease has not yet expired, the appropriation which was made in anticipation of its becoming available, is standing to our credit.

Senator CORDON. Then your answer to my first question is "Yes" rather than "No," that there are lands that are cultivatable, now being cultivated, now under lease, which either are or will become subject to disposition under this act?

Mr. HOUSTON. Yes. I was not thinking of the lands that had been added to the original lands, because that was done recently.

Senator CORDON. How many acres are in this last status?

Mr. HOUSTON. I cannot say offhand. I think there were about 250 acres, possibly. It is a comparatively small tract. It was to be for house lots.

Senator CORDON. How many acres of government land—I assume originally termed Crown land—are now under lease for agricultural purposes but not included within the described areas that are subject to the Hawaiian Homestead Act?

Mr. HOUSTON. I cannot give you that information.

Senator CORDON. It is a considerable amount?

Mr. HOUSTON. About 25,000 or 28,000 acres, I should say, at a rough guess.

Senator CORDON. That is what I wanted, Mr. Chairman. That is all that I have.

Mr. HOUSTON. Shall I continue?

The CHAIRMAN. If you please.

Mr. HOUSTON. An opinion in 1922 was also rendered by the Solicitor of the Interior Department, which bears upon the question of constitutionality, and he, in answer to a question by the chairman of the Committee on Territories in the House of Representatives, who asked:

Would an act of Congress setting apart a limited area of the public lands of the Territory of Hawaii for lease or occupation by native Hawaiians be unconstitutional.

And he answered:

It would not. There are numerous congressional precedents for such action. The act of Congress approved February 8, 1887, as amended by the act of February 28, 1891 (26 Stat. 794), authorizes public lands which have been set apart as Indian reservations by order of the President to be surveyed and 80 acres of land therein to be allotted to each Indian located upon the reservation, or where the lands are valuable for grazing, to be allotted in areas of 160 acres. Another section of the same act authorizes any Indians entitled to allotment to make settlement upon any public lands of the United States, not otherwise appropriated, and to have same allotted to them.

Resolution No. 20, passed by the House of Representatives December 10, 1919, and by the Senate February 5, 1920, gives to soldiers of the late war a preference right over all other citizens to enter public lands of the United States when same shall be open to disposition. H. R. 11553 proposes to set apart a large area of valuable public lands in Imperial Valley, Calif., for disposition to soldiers. Many instances might be cited where Congress has conferred special privileges or advantages upon classes of individuals in connection with the disposition or use of public land. Another line of acts of Congress are the numerous laws setting apart areas of public lands for water supply or park purposes of cities, counties, and towns.

Mr. HOUSTON. During the hearings before the Committee on Territories there were some other questions on the constitutionality that perhaps I might quote to you. There is a statement by the chairman of the committee at that time. One of the witnesses who at that time opposed the passage of the act—and may I say that the witness at that time, who opposed the passage of the act, was the paid representative of the largest ranch in the Territory, the so-called Parker Ranch.

The chairman made this statement: "We enact laws for reclamation and irrigation projects. We give preference to certain people to go onto those projects. We open up certain tracts of land and people go in and draw lots for those. It has been the established policy of the Government to settle land in that manner. Also by homestead and by preemption. And if there is any class legislation in it, why it is an established policy of the Government that has been enacted into legislation time after time and has been held to be constitutional by the courts time and again."

Senator BUTLER. The Parker Ranch is still the largest ranch?

Mr. HOUSTON. It is still the largest single ranch.

Senator BUTLER. It is largely leased land or deeded land?

Mr. HOUSTON. They lease a large part of government land, but they also have a lot of land in fee simple.

Mr. Chairman, finally, because it bears upon the passage of this interesting piece of legislation, I would like to offer for your records

an excerpt from the House Congressional Record of May 21, 1920, in which the then Delegate, Prince Kalaniana'ole, made his statement with respect to what he hoped to do with this project.

It is very interesting, but somewhat repetitious because you have heard many of the arguments used.

The CHAIRMAN. It may be received.

The excerpt from House Congressional Record, May 21, 1920, is as follows:

The Hawaiian race is passing. And if conditions continue to exist as they do today, this splendid race of people, my people, will pass from the face of the earth. At the time of the discovery, in 1778, Captain Cook estimated the population at 400,000, which he probably overestimated. Two hundred and fifty thousand would be about the correct number. The official census taken in 1832, 54 years later, revealed the fact that there were 130,319 Hawaiians, and today only 20,000 pure Hawaiians are left and an equal number of part Hawaiians.

The legislation proposed seeks to place the Hawaiian back on the soil, so that the valuable and sturdy traits of that race, peculiarly adapted to the islands, shall be preserved to posterity.

I think a situation is presented here that can be distinguished from any other. Perhaps we have a legal right, certainly we have a moral right, to ask that these lands be set aside. We are not asking that what you are to do be in the nature of a largesse or as a grant, but as a matter of justice—belated justice—and extend a least a helping hand, without cost to the Government of the United States, to the Hawaiians in their endeavor to rehabilitate themselves, a people who are thoroughly loyal to the Government of the United States.

It is a subject in comparison with which all others sink into insignificance, for our first and great duty is that of self-preservation. Our acts are in vain unless you can stay the wasting hand that is destroying my people. I feel a heavy and special responsibility resting upon me in this matter, but it is one in which you all must share; nor shall we be acquitted by man or our Maker of a neglect of duty if we fail to act speedily and effectually in the cause of my people.

Mr. HOUSTON. The Hawaiian Homes Commission project is primarily, as I indicated, not an economic measure, nor one to increase the financial expectations of the homesteaders. It is purely and simply what the Prince had wanted: a rehabilitation project, so that the race which had been so terrifically decimated could be brought back to more normal numbers.

The CHAIRMAN. I understand you to say that there are about 1,200 homesteaders on this area.

Mr. HOUSTON. Yes, sir.

The CHAIRMAN. Are they actually living on the land?

Mr. HOUSTON. All living on the land; yes, sir.

The CHAIRMAN. Are they utilizing the land as individuals in their own right?

Mr. HOUSTON. They are utilizing the land. Some of it is through contract, because of the pineapple development which requires the utilization of large areas in Hawaii, because of climatic conditions.

The producers enter into a contract through the Homes Commission with the individual lessees, and the lessees are in turn able to seek employment from them, so that they get a fee for their land, and wages for their services besides.

The CHAIRMAN. Does it boil down, then, to this: that a substantial part of this area, while in the name of individuals as their individual property, is in fact being managed for agricultural purposes not by the titleholder but by some lessee?

Mr. HOUSTON. That is true with respect to the pineapple producing lots.

The CHAIRMAN. How about sugar?

Mr. HOUSTON. There is no sugar there.

The CHAIRMAN. It is a difference which we note in this country between individual small family farms and corporate farms; is that the distinction there?

Mr. HOUSTON. That is true.

The CHAIRMAN. Is that the heart of the controversy?

Mr. HOUSTON. I do not believe so, sir. The controversy, as I understand it, has relation to some of the lands on the big island of Hawaii in the neighborhood of the Parker ranch which lands are now leased to the Parker Ranch, the lease having expired and the homes commission being desirous to set up a Hawaiian homes project on those lands.

I may say with respect to those lands, that we could not utilize them until the lease had expired. We could not utilize the lands until water became available. The water was under lease also, Mr. Chairman, and that lease expired in 1947.

The Territorial Legislature of 1947, mind you, with respect to this parcel, passed an act providing \$350,000 to open up that area for Hawaiian Homes Commission work.

The CHAIRMAN. The question that is suggested to my mind, and one which I would like to have completely explored, is whether or not the desire to insert this limitation upon the freedom of the legislature of the new State was designed, either directly or indirectly, or remotely, to prevent a change of this leasehold system which you have described.

Mr. HOUSTON. I could not say as to what the purposes were, because I had nothing to do with that originally, sir. I have only become chairman of the Commission this last year.

The CHAIRMAN. Would you see any objection to striking that out of this bill so that the people of Hawaii, through their legislature, would be perfectly free to handle this question as they would any other question involving—

Mr. HOUSTON. Yes, I would.

The CHAIRMAN. Give us those reasons, please.

Mr. HOUSTON. Because of the possibility of changing a project which has been running for, now, some years, and which has shown successful results to change anything having to do with the Hawaiian population, that way would be disastrous.

I have heard many Hawaiians express themselves to the effect that if the Hawaiian Homes Commission projects are not protected that they would rather stay a Territory in which case they would remain as is, of course. I have always said to them "No, you should not take such a position." The experience of past years has shown that when fee-simple titles were given, Hawaiians were tempted to dispose of their holdings, and it is my feeling that they should be protected against this action for at least the 99-year period.

The CHAIRMAN. Why would it be disastrous? I am trying to get the facts here, not opinions.

Mr. HOUSTON. Because of the possibility that you suggest, that they might change it.

The CHAIRMAN. What would be disastrous about a change?

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