

104TH CONGRESS  
2D SESSION

# S. 1906

To include certain territory within the jurisdiction of the State of Hawaii,  
and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 25, 1996

Mr. AKAKA (for himself and Mr. INOUE) introduced the following bill; which  
was read twice and referred to the Committee on Energy and Natural  
Resources

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## A BILL

To include certain territory within the jurisdiction of the  
State of Hawaii, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Insular Areas Consoli-  
5 dation Act of 1996”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) BAKER ISLAND.—The term “Baker Island”  
9 means all of the islands and appurtenant reefs at  
10 the parallel of 0 degrees, 11 to 13 minutes, of lati-

1 tude north of the Equator and at the meridian of  
2 176 degrees, 27 to 30 minutes, of longitude west of  
3 Greenwich, England, and the territorial waters of  
4 the islands and reefs.

5 (2) HOWLAND ISLAND.—The term “Howland  
6 Island” means all of the islands and appurtenant  
7 reefs at the parallel of 0 degrees, 46 to 50 minutes,  
8 of latitude north of the Equator and at the meridian  
9 of 176 degrees, 37 to 39 minutes, of longitude west  
10 of Greenwich, England, and the territorial waters of  
11 the islands and reefs.

12 (3) INCLUDED AREA.—The term “included  
13 area” means the area included in the State of Ha-  
14 waii under section 3(a).

15 (4) JARVIS ISLAND.—The term “Jarvis Island”  
16 means all of the islands and appurtenant reefs at  
17 the parallel of 0 degrees, 22 to 24 minutes, of lati-  
18 tude south of the Equator and at the meridian of  
19 160 degrees, 0 to 3 minutes, of longitude west of  
20 Greenwich, England, and the territorial waters of  
21 the islands and reefs.

22 (5) JOHNSTON ATOLL.—The term “Johnston  
23 Atoll” means all of the islands and appurtenant  
24 reefs at the parallel of 16 degrees, 40 to 48 minutes,  
25 of latitude north of the Equator and at the meridian

1 of 169 degrees, 24 to 36 minutes, of longitude west  
2 of Greenwich, England, and the territorial waters of  
3 the islands and reefs.

4 (6) KINGMAN REEF.—The term “Kingman  
5 Reef” means all of the territory and appurtenant  
6 reefs at the parallel of 6 degrees, 22 to 27 minutes,  
7 of latitude north of the Equator and at the meridian  
8 of 162 degrees, 22 to 25 minutes, of longitude west  
9 of Greenwich, England, and the territorial waters of  
10 the islands and reefs.

11 (7) MIDWAY ISLANDS.—The term “Midway Is-  
12 lands” means all of the islands and appurtenant  
13 reefs at the parallel of 28 degrees, 10 to 18 minutes,  
14 of latitude north of the Equator and at the meridian  
15 of 177 degrees, 16 to 28 minutes, of longitude west  
16 of Greenwich, England, and the territorial waters of  
17 the islands and reefs.

18 (8) PALMYRA ATOLL.—The term “Palmyra  
19 Atoll” means all of the islands and appurtenant  
20 reefs at the parallel of 5 degrees, 51 to 54 minutes,  
21 of latitude north of the Equator and at the meridian  
22 of 162 degrees, 0 to 11 minutes, of longitude west  
23 of Greenwich, England, and the territorial waters of  
24 the islands and reefs.

1 **SEC. 3. ADDITIONS TO STATE OF HAWAII.**

2 (a) IN GENERAL.—The State of Hawaii shall include  
3 Baker Island, Jarvis Island, Howland Island, Johnston  
4 Atoll, Kingman Reef, the Midway Islands, and Palmyra  
5 Atoll.

6 (b) JURISDICTION.—The included area shall be sub-  
7 ject to the jurisdiction of the State of Hawaii to the same  
8 extent as and in the same manner that the jurisdiction  
9 of the State applies to all other areas within the State.

10 (c) RIGHTS OF UNITED STATES.—The inclusion of  
11 the included area in the State of Hawaii under this section  
12 shall be subject to all rights of use, ownership, manage-  
13 ment, and operation by the Government of the United  
14 States that exist on the date of enactment of this Act.

15 **SEC. 4. CONFORMING AMENDMENTS.**

16 (a) HAWAII STATEHOOD ACT.—Section 2 of the Act  
17 entitled “An Act to provide for the admission of the State  
18 of Hawaii into the Union”, approved March 18, 1959  
19 (Public Law 86–3; 48 U.S.C. prec. 491), is amended by  
20 striking all that follows “enactment of this Act” and in-  
21 serting a period.

22 (b) EXEMPTION FROM PROVISIONS RELATING TO  
23 THE GUANO ISLANDS.—Title LXXII of the Revised Stat-  
24 utes (48 U.S.C. 1411 et seq.) shall not apply to the in-  
25 cluded area.

1 **SEC. 5. ACCEPTANCE BY STATE OF HAWAII.**

2 (a) ACCEPTANCE BY STATE OF HAWAII.—Sections 3  
3 and 4 shall not take effect unless not later than 1 year  
4 after the date of enactment of this Act (unless the Sec-  
5 retary of the Interior and the Governor of the State of  
6 Hawaii agree to an extension), the Governor of the State  
7 of Hawaii certifies to the President that the State of Ha-  
8 waii accepts all or part of the included area.

9 (b) PROCLAMATION BY THE PRESIDENT.—Not later  
10 than 30 days after receiving the certification described in  
11 subsection (a), the President shall issue a proclamation  
12 of the new geographical jurisdiction of the State of Ha-  
13 waii.

14 (c) EFFECTIVE DATE.—Sections 3 and 4 shall take  
15 effect on the issuance of the proclamation described in  
16 subsection (b).

17 **SEC. 6. USE OF INCLUDED AREA.**

18 Nothing in this Act authorizes, approves, or suggests  
19 the appropriateness of any change in the use that is being  
20 made on the date of enactment of this Act of any of the  
21 included area.

22 **SEC. 7. INDEMNITY.**

23 The United States shall indemnify, defend, and hold  
24 harmless the State of Hawaii from any claim arising from  
25 the ownership of lands and waters in the included area  
26 (including structures and other improvements) or the op-

1 eration by the United States of any facilities or equipment  
2 in the included area before the date of issuance of the  
3 proclamation described in subsection (b).

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