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INFORMATION FROM NON-SELF-GOVERNING TERRITORIES :
SUMMARY AND ANALYSIS OF INFORMATION TRANSMITTED
UNDER ARTICLE 73 e OF THE CHARTER. REPORT
OF THE SECRETARY-GENERAL

A REPORT ON THE
APPLICATION OF THE DECLARATION OF HUMAN RIGHTS
IN NON-SELF-GOVERNING TERRITORIES
ADMINISTERED BY THE UNITED STATES OF AMERICA

Information transmitted by the
Government of the United States
of America^{1/}

^{1/} This information is also submitted to the Special Committee on Information transmitted under article 73 e of the Charter.

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INTRODUCTION

By letter dated 8 October 1951, the representative of the United States of America to the United Nations transmitted to the Secretary-General of the United Nations under the terms of General Assembly Resolution 446 (V) copies of A Report on The Application of Human Rights in Non-Self-Governing Territories Administered by the United States of America. In transmitting this report, the representative of the United States to the United Nations stated inter alia that his Government hoped that the action taken by the General Assembly relating to human rights in Non-Self-Governing Territories would be a significant step forward in the furtherance in all countries of the principles set forth in the Universal Declaration of Human Rights.

The Report on the Application of Human Rights in the Non-Self-Governing Territories Administered by the United States of America is reproduced in full in the present document.

I. Civil and Political Rights (Articles 1 - 21)

1. Civil Rights (Articles 1 - 20)

The rights set forth in Articles 1 - 20 are guaranteed to the inhabitants of non-self-governing territories administered by the United States through one of the following methods:

- (1) The extension to the territories of the Federal Constitution, including the Bill of Rights (Alaska, Hawaii). The "fundamental personal rights" of the inhabitants of the other territories are also protected by the Constitution. ^{1/}
- (2) Through organic Acts which include a Bill of Rights (Guam, Puerto Rico, and the Virgin Islands).
- (3) Through Bills of Rights embodied in Codes (American Samoa).

Although these various bills of rights vary somewhat in their inclusiveness, the following rights inter alia are provided for: freedom of religion, of speech and of the press; freedom of peaceful assembly; freedom from unwarranted searches and seizures; the privilege of the writ of habeas corpus; freedom from discrimination on the grounds of race, language, or religion; security against deprivation of life, liberty, or property without due process of law; the right to a speedy and public trial; freedom from slavery; freedom from involuntary servitude except as a punishment of a crime whereof the party shall have been duly convicted.

Participation

^{1/} Balzack v. People of Puerto Rico, 258 U.S. 298 (1922).

2. Participation in Government ^{1/} (Article 21)

The people of the territories administered by the United States enjoy, in general, a high degree of self-government. In two territories in particular, Puerto Rico and Guam, there have been recent significant advances. The people of Puerto Rico have been given the right ^{2/} to draft their own constitution for approval by the Congress of the United States and upon the coming into force of that instrument, many provisions of the Organic Act of 1917 as amended, now the basis of the Government of Puerto Rico, will be superceded. The 81st Congress also enacted an Organic Act for Guam ^{3/}, on the basis of which the government of that territory is now being organized. An Organic Act for American Samoa is under consideration in consultation with the inhabitants of that territory. The information given below on specific points regarding Guam, Puerto Rico, and American Samoa describes the situation as of the present date.

By the terms of their respective Organic Acts, United States citizenship was conferred on the inhabitants of Guam, Hawaii, and Puerto Rico, without regard to race.^{4/} In these territories citizenship and residence are, in general, the principal qualifications for voting for persons of both sexes, 21 years of age and over. In American Samoa where the inhabitants are nationals of the United States, the American Samoa Code grants the right to vote to adult Samaons who are permanent residents of American Samoa^{5/} Alaska and the Virgin Islands require.

^{1/} The basic sources for this section are the organic acts of Alaska, Hawaii, Puerto Rico and the Virgin Islands of the United States, contained in Title 48 of the United States Code, 1946 edition and Supplement III. For Guam, the source is the organic Act (Public Law 630, 81st Congress) and for American Samoa, the Code of American Samoa, Ch. 3.

^{2/} Public Law 600, 81st Congress.

^{3/} Public Law 630, 81st Congress.

^{4/} Citizenship was conferred on the inhabitants of Alaska by the treaty with Russia (15 Stat. 539), and on the people of the Virgin Islands by the Act of February 25, 1927 (44 Stat. 1235).

^{5/} Code of American Samoa, sec. 79.

require, in addition, literacy in English ^{1/}; Hawaii requires literacy in English or Hawaiian ^{2/}. There are no literacy requirements for voting in Puerto Rico ^{3/}, Guam ^{4/}, and American Samoa ^{5/}. No property qualifications for voting are imposed in any of the territories, including American Samoa.

The qualified voters of the territories of Alaska, Guam, Hawaii, Puerto Rico, elect the members of their territorial legislatures. In the Virgin Islands the Municipal Councils of St. Thomas and St. John and of St. Croix are popularly elected and these municipal councils sit jointly as the Legislative Assembly of the Virgin Islands. In American Samoa, the members of the House of Representatives are elected while the members of the House of Alii are the holders of certain specified titles. Puerto Rico, uniquely among American territories, elects its own Governors ^{6/}. In Alaska, Hawaii, and Puerto Rico, the people also elect a delegate or Resident Commissioner to the Congress of the United States who has the right to initiate legislation, speak, and serve on Committees, but not the right to vote. In all of the territories some officials at the territorial level are appointed by the President of the United States with the advice and consent of the Senate of the United States: in Alaska, Hawaii, Guam, the Virgin Islands and American Samoa those so appointed are the Governor, the Secretary, and certain members of the judicial branch; in Puerto Rico, in addition to certain judicial officials, the Auditor is appointed by the President of the United States ^{7/}.

In

^{1/} 48 U.S. C. 1946 ed., secs. 51-58; Alaska Compiled Laws Annotated, 1949, 38-1-1-38-1-9; Bill No. 7, 13th Legislative Assembly of the Virgin Islands.

^{2/} 48 U.S. C., 1946 ed., Supp. III, sec. 617. (48 U.S.C., 1946 ed., Supp. III, sec. 617).

^{3/} Act. No. 79, approved June 25, 1919 as amended by Act. No. 115, approved May 12, 1943.

^{4/} Public Law 34, 10th Guam Congress.

^{5/} Code of American Samoa, sec. 79.

^{6/} 48 U.S.C., 1946 ed., Sup. III, sec. 771.

^{7/} Judicial officials and the Auditor will no longer be appointed by the President after the Constitution of Puerto Rico becomes effective. (64 Stat. 319)

In most of the territories other territorial officials are appointed by the Governor with the consent of the territorial legislature. The exception is American Samoa where the Governor's appointments are not subject to the approval of the Fono. In all territories except Guam and American Samoa the public service is largely manned by inhabitants of the territories, either as a matter of law or practice. In Hawaii, the Presidentially-appointed officials including the Governor are required to be residents of the Territory by the terms of the Organic Act and a similar requirement is made of lesser officials and public servants by territorial law. The last appointed Governor of Puerto Rico was a Puerto Rican and the present Governor of the Virgin Islands is a Virgin Islander. Since 1948 the position of Governor of Puerto Rico has been filled by popular election.

In American Samoa and Guam the process of appointing inhabitants of the territory to (professional and technical positions in) the public service has been slower. Almost all the heads of departments of the Government of American Samoa are still continental Americans. In Guam, however, the new Organic Act provides for preference to qualified persons of Guamanian ancestry and for the establishment of a merit system.^{1/} At the present time several department heads and all except one member of the judiciary are Guamanians.

The territories of Guam, Hawaii, Puerto Rico and the Virgin Islands have made some legislative provision for a personnel system for government service based on merit principles and for the classification of positions.^{2/}

Below

^{1/} Public Law 630, 81st Congress, Sec. 9 (a)

^{2/} Public Law 4, 11th Guam Congress; Revised Laws of Hawaii, 1945, secs. 61-80, 101-124; Act No. 345, approved May 12, 1947 (Puerto Rico); Bill No. 2, 11th Legislative Assembly of the Virgin Islands.

Below the territorial level, in local or county government much more scope is given in the territories to the elective principle. In Puerto Rico all local or county officials are either locally elected or appointed by locally elected officials.

The Legislature (Fono) of American Samoa is an advisory body. Elsewhere the powers of the territorial legislatures extend generally to all subjects of legislation of local application not inconsistent with the terms of the Organic Acts and laws of the United States applicable to the territories. The Congress of the United States has never exercised its authority under the Constitution to annul acts of the territorial legislatures. In Alaska and Hawaii, enactments of the territorial legislatures are subject to the veto of the Governor, but become law when repassed over his veto by a two-thirds majority of each House. In Puerto Rico, the Virgin Islands and Guam, enactments of the territorial legislature which have been vetoed by the Governor and repassed by the requisite majority of the ¹/_{legislature} must be further referred by the Governor to the President of the United States for approval or disapproval.

Elections, on the basis of a choice of candidates, are held biennially except in Puerto Rico, where elections are quadrennial. The secret ballot is prescribed in all the territories except American Samoa. In that territory two of the 54 members of the House of Representatives are elected by adult Samoans not living under the Matai system. These elections are held by secret ballot. The remaining 52 members are elected by adult Samoans living under the Matai system at open village meetings in accordance with Samoan custom.²

Labour

¹/ In Puerto Rico, two-thirds of the members of each house is required. In the Virgin Islands, two-thirds of the members of the "legislative body having jurisdiction" is required. In Guam two-thirds of the unicameral legislature is required.

²/ For the electoral laws of the respective territories see Alaska Compiled Laws Annotated, 1949, 38-1-1-- 38-9-16; Public Law 34, 10th Guam Congress; Revised Laws of Hawaii, 1945, secs. 171-288; Act No. 79, approved June 25, 1919 as amended (Puerto Rico); Bill No. 7, 13th Legislative Assembly of the Virgin Islands; Code of American Samoa, secs. 46-101.

II. Labour and Social Security (Articles 22, 23, 24 and 25 of the Declaration)

1. Labour Legislation

The Fair Labour Standards Act of 1938 ^{1/} applies throughout the United States territories to industries engaged in interstate commerce. Some broad categories of workers are exempt from the provisions of this Act. Among others, persons are exempted who are employed in agriculture, fishing, food and fish processing, and retail and service establishments. The Fair Labour Standards Act establishes a minimum wage of 75 cents an hour, requires time and a half for overtime in excess of 40 hours weekly, and prohibits oppressive child labour. In Puerto Rico and the Virgin Islands minimum wage rates lower than the statutory minimum can be established by a Federal administrator on the recommendation of industry committees on which the inhabitants are represented. In the Virgin Islands hourly rates so fixed vary from 15 - 40 cents per hour.

Conditions of work in other industries in Alaska, Hawaii, Puerto Rico and the Virgin Islands are regulated by territorial legislation. Alaska, Hawaii and Puerto Rico have labour departments with enforcement powers.

All four territories have minimum wage and maximum hour laws, the Alaska minimum wage law applies only to women workers, providing that no woman over 18 years of age shall be paid less than \$18 per week for a six-day week of 48 hours or 45 cents per hour for part-time employment.^{2/} The Hawaii minimum wage law establishes a minimum wage of 40 cents an hour with time and a half for overtime in excess of 48 hours weekly. This law applies to agricultural workers as well as to workers in commerce and industry, the principal groups excluded from coverage being those in public employment and executive and professional positions.^{3/}

Actual

^{1/} 29 U.S. Code, 1946 ed., secs. 201-219, as amended.

^{2/} Alaska, Compiled Laws Annotated 1949, 43-2-11 -- 43-2-12.

^{3/} Revised Laws of Hawaii, 1945, secs. 4351-4366.

Actual wages are considerably in excess of this minimum. In the Virgin Islands, each municipality has a minimum wage and (maximum) hours act covering employees in industry and commerce who are outside the scope of the Federal Fair Labour Standards Act. In St. Thomas and St. John, minimum rates vary from 20 to 65 cents per hour depending on the occupation, with maximum hours of 8 in a day and 44 in a week with the time and a half rate for overtime. The St. Croix law provides for minimum wage rates of from 15 to 50 cents per hour. In Puerto Rico^{1/} the minimum wage law creates a minimum wage board to approve minimum wage rates and maximum hours and labour conditions in various industries and makes the Commissioner of Labour responsible for the enforcement of such wage orders. Wage orders in effect cover the sugar and tobacco industries, hospitals, clinics, and sanatoria, hotels, restaurants and bars, theatres, wholesalers, bakeries, the construction industry, transportation, laundries and dyers shops, furniture factories and quarries. The following minimum wage rates are illustrative: 25 cents hourly for a forty hour week in the agricultural phase of the tobacco industry; 25 cents hourly in the laundry industry; in the construction industry rates vary from 32 cents an hour for unskilled to 45 cents hourly for semi-skilled and a high of one dollar and ten cents hourly for skilled workers.

In Alaska, Hawaii, Puerto Rico and the Virgin Islands, territorial legislation regarding working hours, as noted above, generally follows the pattern of the Fair Labour Standards Act in not fixing maximum hours but in requiring time and a half for overtime in excess of a fixed number of hours. In Puerto Rico, there is special legislation providing for one day of rest for every six working days for all employees of commercial and industrial establishments and double rates of wages for employees working on such a day.^{2/} Other legislation establishes a legal working day of 8 hours, a working week of 48 hours and a working month of 208 hours.^{3/}

Alaska,

^{1/} Act No. 8 approved April 5, 1941 as amended by Acts No. 9, approved Mar. 20, 1942, and 44, approved April 22, 1942, and Act No. 217, approved May 11, 1945.

^{2/} Act No. 289 approved Apr. 9, 1946.

^{3/} Act No. 379 May 15, 1943.

Alaska, Hawaii and Puerto Rico have enacted legislation giving special protection to certain groups, notably women and children. Alaska prohibits women under 16 from working in any mercantile or industrial business and makes 60 hours weekly the maximum for employment in domestic service, including the time during which the employee is subject to call by the employer.^{1/} In Puerto Rico it is illegal for a woman to work between the hours of 10 p.m. and 6 a.m. in any lucrative occupation, the exceptions being women over 18 employed in canning, packing or refrigeration industries or in textile plants or as telephone operators, telegraphers, artists, nurses or domestics.^{2/} Women may work in excess of 8 and up to twelve hours daily or up to 72 hours weekly if twice the regular compensation is paid for hours in excess of 8 daily and 48 weekly. Puerto Rican legislation also guarantees to women employed in offices, commercial and industrial establishments and public service enterprises a rest period of four weeks before and after child birth at one-half the regular rate of compensation and prohibits women from working in such establishments during this period.^{3/} Child Labour Laws in Alaska^{4/}, Hawaii^{5/} and Puerto Rico^{6/} establish 16 as the basic minimum age for the employment of children; permitting a child 14 years of age to work outside school hours in certain occupations. In Hawaii and Alaska, the combined hours of work and hours in school may not exceed 9 per day; in Puerto Rico the total must not exceed 8 hours.

Night

^{1/} Alaska, Compiled Laws Annotated 1949, 43-2-21, 43-2-31 -- 43-2-37.

^{2/} Act No. 73, approved June 21, 1919, as amended by Act No. 28, approved Apr. 24, 1930; Act No. 6, approved Dec. 4, 1947; and Act No. 364, approved May 14, 1949.

^{3/} Act No. 3 approved Mar. 13, 1942 as amended by Act No. 398, approved May 13, 1947.

^{4/} S.L.A., 1949, ch. 73, as amended by S.L.A., 1951, ch. 28; Annual Digest of State and Federal Labour Legislation, U.S. Department of Labour, Bureau of Labour Standards, Bulletin No. 18.

^{5/} Revised Laws of Hawaii, 1945, secs. 4118-4122 as amended by Laws of Hawaii, 1945, Act 9, and Laws of Hawaii, 1947, Act 49.

^{6/} Act No. 230 approved May 12, 1942 as amended by Act No. 325, approved Apr. 15, 1946.

Night work for minors is prohibited with certain exceptions. Puerto Rico also has legislation regulating industrial homework^{1/} and giving the Commissioner of Labour the power to regulate contracts for workers whose services are to be used outside of Puerto Rico.^{2/}

Alaska is the only territory which has enacted legislation specifically guaranteeing equal pay for equal work to men and women workers. A law of 1949 prohibits discrimination in pay by reason of sex and the employment of women in any occupation at lower wages than those paid to male employees for work of comparable character in the same locality.^{3/}

The National Labour Relations Act as amended by the Labour Management Relations Act of 1947 applies^{4/} to the territories. The Federal legislation guarantees the right of workers within the scope of the Act to organize and bargain collectively and defines unfair labour practices. The principal groups excluded from the scope of the legislation are agricultural and government workers. Hawaii and Puerto Rico have enacted territorial legislation modelled on the Federal legislation but designed to cover certain employees excluded from its scope. Thus the Hawaii Labour Relations Act of 1945^{5/} and the Puerto Rico Labour Relations Act of the same year^{6/} cover agricultural workers. Both Acts affirm the right of employees to have unions of their own choosing and to bargain collectively, and set up agencies to enforce the right and to prevent and remedy unfair labour practices. Both Acts include among unfair labour practices action by an employer "to interfere, restrain, or coerce his employees in the exercise of their guaranteed rights", or to "encourage or discourage membership in any labour organization by discrimination in regard to hiring, tenure, or conditions of employment". In the Virgin Islands there are two active labour unions, each having

1/ Act No. 163, May 15, 1939 as amended by Act No. 295 May 12, 1949

2/ Act No. 89 approved May 9, 1947.

3/ Annual Digest of State and Federal Labour Legislation, U.S. Dept. of Labour, Bureau of Labour Standards, Bulletin No. 118.

4/ 29 U.S.C. 1946 ed., Supp. III, secs. 151-166.

5/ Laws of Hawaii, 1945, Act 250

6/ Act No. 130, approved May 5, 1945

having a membership of several hundred persons and during the year 1950, the municipality of St. Thomas and St. John enacted a Labour Relations Act.^{1/}

Other significant legislation in the labour field includes the following: the compulsory workmen's compensation laws of Alaska, Hawaii, Puerto Rico and the municipality of St. Thomas and St. John (Virgin Islands)^{2/}; laws in Alaska, Hawaii and Puerto Rico requiring private employment agencies to be licensed;^{3/} laws regulating the payment of wages in Alaska, Hawaii, and Puerto Rico and establishing machinery whereby the territorial labour department may assist workers in collecting wages due them;^{4/} laws in Alaska, Hawaii and Puerto Rico regarding safety of employment;^{5/} laws in Alaska, Hawaii and Puerto Rico giving authorized officials of the Labour Department authority to inspect any place of employment for the proper enforcement of labour laws.^{6/}

In Guam and American Samoa labour legislation is less advanced than in the other territories. However, in Guam the Fair Labour Standards Act does apply. A territorial workman's compensation law and child labour legislation are now under consideration in that territory. In American Samoa not more than 1625 persons over 14 are employed for wages of which 1200 are employed by the Federal or Island Governments. The wages and hours of employees of the Samoan government are prescribed by the Governor, as are the working conditions, health, safety and welfare

^{1/} Annual Report of the Governor of the Virgin Islands to the Secretary of the Interior, 1950, p. 20.

^{2/} Alaska, Compiled Laws Annotated, 1949, 43-3-1 -- 43-3-39; Revised Laws of Hawaii, 1945, secs. 4401-4467; Act No. 45, approved Apr. 15, 1935 (Puerto Rico) as amended by Act No. 384, approved May 13, 1947; Ordinance, approved May 5, 1941, Municipal Council of St. Thomas and St. John; Ordinance, approved Aug. 23, 1946, Municipal Council of St. Croix.

^{3/} Alaska Compiled Laws Annotated, 1949, 35-1-11; Revised Laws of Hawaii, 1945, sec. 4119; Act No. 417, approved May 14, 1947 (Puerto Rico).

^{4/} Alaska, Compiled Laws Annotated, 1949, 43-2-11 -- 43-2-12; Revised Laws of Hawaii, 1945, secs. 4381-4385; Act No. 17, Apr. 5, 1937 as amended (Puerto Rico)

^{5/} Alaska, Compiled Laws Annotated, 1949, 43-2-1, 43-2-21; Revised, Laws of Hawaii, 1945, secs. 4101-4122; Act No. 317, approved May 15, 1938, as amended by Act No. 84, approved Apr. 25, 1949.

^{6/} Alaska, Compiled Laws Annotated, 1949, 43-1-8; Revised Laws of Hawaii, 1945, sec. 4118; Act No. 73, approved June 21, 1919.

welfare standards. For non-professional government workers these wages range from a minimum of 16 cents per hour for a common labourer to 46 cents per hour for blacksmiths, electricians, machinists and plumbers. The few non-government wage earners are employed at rates and under conditions which approximate government standards.

III. Levels of Living and Social Security

1. Means of Improving Level of Living

The primary means by which the territories hope to improve the level of living among their people is by the expansion of the productive, income-earning bases of their economies and through full employment. The means adopted include the development of new industries, the expansion of land and water resources, efforts to develop new exports and to expand existing ones, the stimulation of local food production and the expansion of the tourist trade. Puerto Rico, in particular, has embarked on a series of long-range economic development programmes which have given new hope to the people of this island.

For many years the people of the territories, like people within the continental United States have made some provisions for assistance to those who were not able to provide for themselves adequate food, clothing, housing, medical care, etc., through their own efforts. Except in American Samoa and Guam, where primary reliance is still placed on the traditional social organization or voluntary agencies, public agencies have assumed responsibility.

With the passage of the Federal Social Security Act of 1935 and subsequent amendments,^{1/} the Federal Government has entered this field, laying down general patterns for programmes of social insurance, public assistance, and social services to families, and making provision for grants-in-aid to certain of the territories, as well as to the States, for the financing of approved programmes.

Social

^{1/} 42 U.S.C., 1946 ed., secs. 301-1336, as amended by Public Law 734 81st Congress.

2. Social Insurance

Social insurance and public assistance are the two chief means envisaged by the Social Security Act for ensuring that economic need is met when loss of income occurs.

In the social insurance field, there are two programmes under the Social Security Act: old-age and survivors insurance and unemployment insurance. The old-age and survivors insurance programme is one under which the worker contributes during his working years to provide a monthly income for himself and his family when he retires at 65 or later and for his family when he dies. Under the original Social Security Act all persons employed within the United States, including Alaska and Hawaii, regardless of the citizenship of the employer or employee, and American citizens employed by American employers regardless of the place of service, were covered. From that broad definition of employment, there were certain exceptions some of which have been subsequently removed. Those employees who remain exempt include casual labourers, employees of one's own family and ministers.^{1/} Under the unemployment insurance programme of the Social Security Act assistance is given to States and certain of the territories in the administration of their unemployment insurance laws. Social insurance benefits are flat amounts related to the wage earner's previous employment and wages and are payable without regard to any other resources which the beneficiary may possess. Hawaii and Alaska were made eligible for Federal assistance with respect to both the social insurance programmes under the original Social Security Act, and old-age and survivors insurance and unemployment insurance programmes ^{2/} have been in effect for some time in both territories. By the Social Security Act amendments of 1950, Puerto Rico and the Virgin Islands are eligible for Federal

assistance

^{1/} 42 U.S.C.A. secs. 409-410. The 1950 amendments also broadened coverage to include Puerto Rico and the Virgin Islands.

^{2/} Alaska, Compiled Laws Annotated, 1949, 51-5-1 -- 51-5-20; Revised Laws of Hawaii, 1945, secs. 4201-4301.

assistance in the field of old-age and survivors insurance. Without Federal assistance, Puerto Rico has inaugurated a limited programme of unemployment insurance with the establishment of a compulsory system for workers in the agricultural and industrial phases of the sugar industry. This is financed by a tax on sugar grinders and refineries and pays benefits of from \$3 to \$5 weekly to labourers who have worked in the sugar industry for 60 days or more during the immediately preceding grinding season.^{1/} The Act establishing the United States Employment Service as amended extends grants to state employment services which conform to established standards. This Act at present extends to Alaska, Hawaii, Puerto Rico and the Virgin Islands.^{2/}

3. Public Assistance

As an accompaniment to social insurance, the provisions of the Social Security Act as amended provide for Federal grants-in-aid to four of the territories, as well as to the States, to assist them in financing public assistance programmes which meet certain general standards laid down in the Federal legislation. The public assistance programmes for which Federal assistance may be given comprise old-age assistance, aid to dependent children, aid to the blind, and (under the Social Security Act Amendments of 1950) aid to the permanently and totally disabled. Under old-age assistance, money grants may be given to the needy 65 and over who are not in public institutions. Aid to dependent children is a programme designed to assist the surviving parent or a relative of a dependent child under 18 to maintain a home for the child through a money grant. Under the aid to the blind programme, cash payments are made to the needy blind to make it possible for them to continue living in their own homes or with relatives. The new programme for aid to the permanently and totally disabled will make assistance available to an additional group of handicapped persons 18 years of age and older.

The

^{1/} Act No. 356, approved May 15, 1948

^{2/} 29 U.S. Code, 1946 ed., secs. 49-49n, as amended by P.L. 775, 81st Congress.

The public assistance provisions of the original Social Security Act and its amendments were applied to Alaska and Hawaii on the same basis as to the States of the Union. Alaska has not made the necessary territorial appropriations to enable her to receive Federal assistance under the aid to the blind programme but has established approved programmes for old-age assistance and aid to dependent children ^{1/} and presumably will pass the necessary legislation for participation in aid to the permanently and totally disabled. In Alaska during the fiscal year 1950, the average monthly payment for old-age assistance was about \$60. The average payment per child under the aid to dependent children programme was \$27. Hawaii has programmes in all the four fields of public assistance covered by the Social Security Act.^{2/} Until the enactment of the Social Security Act Amendments of 1950, Puerto Rico and the Virgin Islands were not eligible for Federal assistance for public assistance programmes. Amendments to that Act in 1950, however, made these two territories eligible for Federal grants-in-aid for old-age assistance, aid to dependent children, aid to the blind, and aid to the permanently and totally disabled. Federal grants-in-aid to these two territories will be on a more limited basis than grants-in-aid to States and to the Territories of Alaska and Hawaii. For old-age assistance, aid to the blind, and aid to the permanently and totally disabled, the maximum individual payment in which the Federal Government will share is \$30 per month; for aid to dependent children, the limit for Federal sharing is \$18 per month for one child in the family and \$12 for each child beyond the first. Within these maxima, the Federal share of expenditures is limited to 50 percent. Federal grants for these four public assistance programmes

can

^{1/} Alaska, Compiled Laws Annotated 1949, 51-2-31 — 51-2-69.

^{2/} Revised Laws of Hawaii, 1945, secs. 4846-4862.

can be no more than \$4,500,000 to Puerto Rico and no more than \$160,000 to the Virgin Islands in any one year,^{1/} yet these Federal funds will be of the greatest assistance to the two islands, since prior to the extension of the public assistance provisions of the Act to Puerto Rico and the Virgin Islands, a flat amount of \$7.50 per month was available for all cases in Puerto Rico; in the Virgin Islands the average monthly grant was somewhat less.

Finally, the Social Security Act has provided for Federal assistance to the States and to Alaska, Hawaii, Puerto Rico and the Virgin Islands in establishing, extending and strengthening maternal and child health, child welfare, and crippled children's services.

In these four territories also, some provision is made out of territorial and local funds for general assistance (temporary assistance and medical care) for those who do not fall into the categories laid down in public assistance legislation.

^{1/} Public Law 734, 81st Congress.

4. Housing

In all the Territories administered by the United States, with the exception of American Samoa, housing is to some extent a problem. This is particularly the case in Puerto Rico where the population has increased from 953,000 in 1899 to 2,205,398 in 1950. To cope with these problems, housing authorities have been established in Alaska^{1/}, Hawaii^{2/}, Puerto Rico^{3/}, and the Virgin Islands^{4/} to undertake slum clearance and to provide housing for persons of low income and to co-operate with the Federal Government in such programmes. Steps are now being taken to establish a local housing authority in Guam.

In Puerto Rico, four housing authorities were established in 1938 -- three separate authorities for the cities of San Juan, Ponce, and Mayaguez, and the Puerto Rico Housing Authority which has jurisdiction over the other municipalities. The Puerto Rico Housing Authority builds and administers three types of housing projects -- urban, semi-rural, and land and utilities. The urban housing projects are two-storey apartment buildings; the semi-rural types are principally one-storey, one family structures located on parcels of land measuring 40,000 square feet. The excess land is used to raise food and other subsistence crops. In the land and utilities projects, the authority provides only building lots on which owners may build their own homes or transfer their shacks from slum areas with the assistance of the authority. Streets, sidewalks, water and sewage and overhead electric distribution systems are provided. On the intersection of four lots a sanitary unit for each lot is provided which consists of a water closet and shower. The lots may be rented for from 50 cents to four dollars a month or purchased at monthly payments of about eight dollars for a twenty-year period. The Authority contributes up to 25 dollars for the improvement of houses. Many families have improved or completely replaced their original houses. Puerto Rico is also experimenting with aided self-help housing for rural families. Under this system the Social Programmes Administration of the Government

^{1/} Alaska, Compiled Laws Annotated 1949, 40-7-1 -- 40-7-21.
^{2/} Rev. Laws of Hawaii, 1945, secs. 3501-3535.
^{3/} Act No. 126 approved May 6, 1938.
^{4/} Bill No. 5, 14th Legislative Assembly of the Virgin Islands.

Government of Puerto Rico provides technical help and a loan of \$300 per house for construction materials, all of which are bought by the Administration on a bulk basis. The settlers, organized in groups, provide the labour. The houses, made of cement blocks with reinforced concrete floor, roof and columns, have a living-room bedroom, 2 bedrooms, and a kitchen-porch. The Department of Health provides a separate aluminium privy with concrete foundations. The government loan of \$300 is interest free and is to be repaid in 5 - 10 years. The work of the housing authorities extends beyond housing to embrace the entire field of rehabilitation--co-operative stores, clubs, libraries, milk stations, medical clinics, welfare services, athletic programmes, etc.

In Hawaii, the Hawaii Housing Authority administered 4,400 dwelling units in June 1950. In addition 82 units are being completed at Palolo, and 150 units are planned for Hilo and 800 additional units for the city of Honolulu. On the basis of surveys conducted in 1949 and 1950, the Honolulu Housing Authority has concluded that families of moderate and low incomes will need assistance for many years. In Alaska, where there has been an acute housing situation in recent years, a positive programme for extensive housing developed during 1948-1949. The Territorial legislature appropriated \$250,000 to implement the housing programme and the Congress of the United States appropriated \$15,000,000 for the improvement of housing in Alaska, including the improvement of native dwellings in the remote areas of the Territory. The Virgin Islands plan an extensive survey of their housing needs, and have a six-year programme to construct a total of 1,050 units of about \$3,150,000. Plans have also been made for 725 units of rural non-farm public housing.

The territories of Alaska, Hawaii, Puerto Rico, and the Virgin Islands have been assisted in their programmes for slum clearance and the construction of housing for low-income families by Federal loans, capital grants, and contributions under the United States Housing Act of 1937 as amended,^{1/} and the Housing Act of 1949.^{2/} By Public Law 615, the 81st Congress authorized these territories to
create

^{1/} 42 U.S. Code, 1946 ed., secs. 1401-1433.

^{2/} 42 U.S. Code, 1946 ed., Supp. III, secs. 1441-1483.

create housing authorities to undertake slum clearance, active redevelopment, and low rent housing activities and to issue long-term, low interest bonds for this purpose.

IV. Education, Health and Welfare (Articles 25, 26 and 27)

1. Education and Cultural Facilities

In all the non-self-governing territories administered by the United States the public schools provide free education through the high school-level. Education is also compulsory in all territories for all children without regard to race or sex. The age limits vary somewhat from territory to territory. In Alaska, attendance is required of children between 7 and 16^{1/}; In Hawaii, between 6 and 16^{2/}; in the Virgin Islands, between 6 and 15^{3/}; in Guam, between 6 and 16^{4/}; and in American Samoa, from 7 - 15 inclusive^{5/}. The Puerto Rico law^{6/} lays down no entering age, but requires attendance up to the age of 16. In Puerto Rico the lack of adequate school facilities prevents the full enforcement of the compulsory attendance law even though Puerto Rico spends the largest single segment (36 per cent) of its total budget on education. In Alaska, it was estimated that some 1500 native children had no opportunity to attend school because they live in isolated areas where no facilities can be provided. Elsewhere, the school attendance laws are strictly enforced.

Education at the university level is available in Alaska, Hawaii, and Puerto Rico. Tuition fees are relatively low - fifty dollars a semester, for example, at the University of Hawaii for resident and non-resident students alike. In 1947, in Puerto Rico, the Insular Government provided 1349 scholarships for students at the University of Puerto Rico. All three universities offer technical and

^{1/} Alaska Compiled Laws Annotated, 1949, 37-7-1.
^{2/} Revised Laws of Hawaii 1945, secs. 1829-1833.
^{3/} Bill No. 1, 4th Legislative Assembly of the Virgin Islands.
^{4/} Public Law 630, 81st Congress, Sec. 5 (r).
^{5/} Code of American Samoa, sec. 580.
^{6/} Act 230 App. May 12, 1942, Secs. 21-24.

and professional training in addition to courses in the humanities. The University of Alaska has a College of Agriculture, a School of Mines, an Agriculture Experiment Station, and maintains an agricultural extension work programme.^{1/} The University of Hawaii includes a College of Arts and Sciences, a College of Applied Science, a College of Agriculture and a Teachers College. The University of Puerto Rico includes the Colleges of the Humanities, Natural Sciences, Social Sciences, Business Administration, Education, Law, Pharmacy, Medicine, Agriculture and the Mechanic Arts, and a School of Industrial Arts. In the Virgin Islands, Guam, and American Samoa there are no institutions of comparable standing. However, some training beyond the high school level is provided and promising students are assisted by scholarships to attend colleges and schools in the continental United States and in the territories. In the Virgin Islands, a summer session under the direction of the Polytechnic Institute of Puerto Rico gave courses in biological science and the teaching of science in 1949. In Guam there is a normal training course for teachers; and a summer school conducted in Guam by the University of Hawaii has offered both non-credit courses in teacher training and college credit courses. In American Samoa a vocational school is operated for adults in the fields of woodwork and carpentry, mechanics and machine shop, and agriculture, and some vocational training is provided in the high school. The American Samoa hospital has a school for the training of nurses; there are nine nursing schools in Puerto Rico and three hospitals in Hawaii have accredited schools of nursing. In Guam the staff of the Guam Memorial Hospital operates a nursing school for 60 inhabitants of Guam and the Trust Territories.^{2/}

Educational objectives as stated by the various territorial administrations stress the optimum development of each individual pupil, the achievement of standards comparable to those provided in the continental United States, training for responsible citizenship in a democracy, and preservation of the best in local cultures

^{1/} Alaska, Compiled Laws Annotated, 1949, 37-10-1 -- 37-10-45.

^{2/} Further details are contained in the Information Transmitted under Article 73 (e).

cultures and traditions. In Hawaii, the non-segregated public school system, under which each child regardless of race attends the school of his neighbourhood, has made a very important contribution to racial harmony and a sense of common citizenship among a people of many races and cultures.

In all the territories there are private or parochial schools for children whose parents prefer for them a different type of education from that obtainable in the tax-supported public schools. Parents as citizens also have the opportunity to influence educational policy through their participation both in the government of the territories and in the school boards which exist in every territory.

While in most of the territories educational policy is a matter for local determination, the Federal Government extends some financial assistance, including grants to the Universities of Alaska, Hawaii, and Puerto Rico, and financial assistance for vocational education and the school lunch programme. In 1950^{1/}, the Congress extended to the Virgin Islands the provisions of the Vocational Education Act^{2/}, which had hitherto applied only to Alaska, Hawaii, and Puerto Rico. The Vocational Education Act with its several amendments establishes a grant-in-aid programme to assist the financing of vocational education in agriculture, home economics, trades and industry, and distributive occupations below the college level for students expecting to embark on a career in the relevant field. By Public Law 462 the Virgin Islands will be eligible for a maximum grant of \$40,000 per annum. Educational services in the Virgin Islands, Guam and American Samoa are also financed in part out of general Federal appropriations to these territories for the expenses of their administrations.

In the more advanced territories the cultural facilities available to the people in urban centres are comparable to those enjoyed by communities on the mainland. Hawaii, for example, has the Honolulu Academy of Arts, the Bishop Museum

^{1/} Public Law 462, 81st Congress
^{2/} 20 U.S. Code, 1946 ed., secs. 11-30.

Museum, the Community Theatre, the Library of Hawaii, and the Honolulu Symphony Orchestra. On the island of Oahu where over two-thirds of the total population resides, there is in every important community or in every section of the city of Honolulu an organization known as the "Community Association". These organizations participate in every phase of community life. In particular they conduct studies of territorial problems and prepare legislation for consideration. In Puerto Rico the colleges and universities contribute not only to the education of the pupils enrolled but to the general cultural life of the island through lectures, concerts, plays and art exhibitions. Even in those territories, such as the Virgin Islands, Guam, and American Samoa where facilities are more meagre, there are public libraries, newspapers, and motion picture theatres. The protection of the copyright laws of the United States extends to Alaska, Hawaii, Puerto Rico, and the Virgin Islands.^{1/}

2. Health

In all the territories under the administration of the United States there are territorial departments of health with the duty of making rules and regulations relating to the promotion and protection of public health -- including the control of communicable diseases, the adulteration and mishandling of foods and drugs, water supply and sewage systems, standards of cleanliness and sanitation in various types of establishments, programmes for the improvement of maternal and child health and for the eradication of diseases of special importance in the territory concerned.^{2/}

In all the territories, recognition is given to the principle that medical care including hospitalization, must be provided, within the limits of resources available, to all persons needing such care whether or not they are able to pay
for

^{1/} 48 U.S. C. secs. 23, 495, 734, 1405 q).

^{2/} Alaska, Compiled Laws Annotated, 1949, 40-1-1 -- 40-2-6; Revised laws of Hawaii, secs. 2001-2020; Code of American Samoa, secs. 401-518; 48 U.S.C., 1946 ed., sec. 785 (Puerto Rico); Codes of Guam, 1947, Civil Regulations, Chapter 9; the Virgin Islands have a Dept. of Health, but the citation to the statute establishing it has not been found.

for it. In the Virgin Islands, Puerto Rico, Guam, and American Samoa, the great majority of the people depend on the Government for medical care, including free hospitalization. In Alaska, while the health services of the territorial department of health are given to all people regardless of race, the Alaska Native Service, an agency of the Federal Government, maintains seven hospitals for the Aleut, Eskimo, and Indian population with a total of 712 beds. Health education has a respected place in the school curriculum in all of the territories.

While reports from the territories stress the existence of special problems, such as, in Alaska, the prevalence of tuberculosis, and, in Puerto Rico, the shortage of doctors and hospital beds, the vital statistics indicate a high health standard in some of the territories and commendable progress in the health field in others. Thus in Hawaii, in 1950 the infant mortality rate of 25.2 per 1,000 live births compares favourably with the provisional rate of 31.1 for the United States Registration area in 1949. The death rate in Puerto Rico has been reduced from 31 per thousand in 1899 to 10.7 per thousand in 1949, and the average life expectancy has increased from 39 years in 1910 to 57 years in 1947-1948. Puerto Rico had one physician for about every 2500 persons in 1950 as against one for every 5,478 persons in 1899. It is expected that the new medical school in Puerto Rico will further improve this ratio.

Under the Public Health Service Act as amended^{1/}, Alaska, Hawaii, Puerto Rico, and the Virgin Islands, receive Federal grants-in-aid for general health, prevention, control, and treatment of venereal diseases, tuberculosis, heart disease and cancer, and for the establishment of local public health services. The Hospital Construction Act authorizes Federal assistance in the planning and building of public and non-profit hospitals.^{2/} Grants-in-aid are also received by these territories for maternal and child health and crippled children's services. The territories have been prompt to enact the necessary territorial legislation

^{1/} 42 U.S.C., 1946 ed., secs. 201-288 e.

^{2/} 42 U.S.C.A. sec. 291-291 n; 63 stat. 900.

legislation and to appropriate funds to enable them to take advantage of the Federal grants-in-aid. These grants-in-aid are of substantial assistance to the territories. For example, in 1950, in the Virgin Islands a total of \$656,167 was expended for public health, of which \$182,106 was contributed by the Federal Government under these grant-in-aid programmes. Hawaii in the same year received from the Federal funds, \$677,778 or 18 per cent of its total expenditure for health services.

3. Welfare

In Alaska, Hawaii, and the Virgin Islands there are public welfare departments and in Puerto Rico, a Division of Public Welfare within the Department of Health.^{1/} The primary functions of these governmental agencies is the administration of the public assistance programmes -- old age assistance, aid to dependent children, aid to the blind, and aid to the permanently and totally disabled -- which were described above in connection with the Social Security section of this report. In addition, public welfare departments administer child welfare services for homeless, neglected and dependent children and children in danger of becoming delinquent; arrange for the placing of children in private foster homes, or in suitable institutions; administer institutional facilities for the needy, the aged, children, and various categories of handicapped persons^{2/}; furnish or pay for medical services, including medical care and hospitalization, for persons receiving financial assistance from the public welfare department; and co-operate with other public and private agencies in planning for the prevention and treatment of conditions giving rise to public welfare programmes.

In programmes for homeless, neglected and dependent children, care in the home or foster home care is regarded as preferable to institutional care.^{3/} For example

^{1/} Alaska, Compiled Laws, Annotated, 1949, 51-1-1 -- 51-1-5; Revised Laws of Hawaii, 1945, secs. 4821-4845; Act No. 95, approved May 12, 1943 (Puerto Rico); Bill No. 1, 8th Legislative Assembly of the Virgin Islands.

^{2/} Hawaii has a separate Department of Institutions.

^{3/} Alaska, Biennial Report of the Alaska Department of Public Welfare, 1947-1949.

example, in Hawaii, a total of 2,655 children were receiving child welfare services at the end of the 1950 fiscal year. Of these children, 38 per cent lived with their own parents, 12.7 per cent with relatives, 34.4 per cent in foster family homes, 10.4 per cent in institutions and 4 per cent elsewhere. In Alaska, where approximately one-third of such children are in institutions the Department of Public Welfare emphasizes the undesirability of this situation. Institutions for delinquent children emphasize rehabilitation and not punishment. Thus, in Puerto Rico the Industrial School for Boys and the Industrial School for Girls furnish academic and vocational education, occupational placement and follow-up, and recreational and religious activities as well as food, clothing, shelter, and medical care to delinquent children committed by the courts. The School for Delinquent Boys in the Virgin Islands is conducted along similar lines. In Hawaii, the Kawaiiloa Training School for Girls is operated on a cottage basis under the supervision of cottage matrons and the wards receive intensive instruction in all phases of home operations. At the Waialeale Training School for Boys, there is a diversified vocational programme including carpentry, plumbing, electrical work, farming, livestock raising, and the manufacture of furniture.

V. Co-operation with the United Nations and other International Organizations
(Article 28)

The United States Government attempts to keep the territorial governments informed of the activities of the United Nations and in particular to bring to their attention United Nations programmes such as the technical assistance programme and the United Nations fellowship and scholarship programme -- from which the people of the territories might benefit. It is the desire of the United States Government to further the participation of the inhabitants of the territories in the work of the United Nations and the Specialized Agencies by appointing qualified persons to United States delegations to these bodies. The Government of Puerto Rico has made facilities available for a number of United Nations trainees in various fields. On their part, the territorial governments co-operate with the United Nations and the Specialized Agencies by meeting a large number of requests for information emanating from these bodies.

The territories also participate very directly in two regional advisory bodies -- the Caribbean and South Pacific Commissions and their auxiliary bodies -- which are concerned with economic and social problems of the Caribbean and South Pacific areas. Puerto Rico and the Virgin Islands are within the scope of the Caribbean Commission. Of the four United States Commissioners of the Caribbean Commission, two are Puerto Ricans and a third is a Virgin Islander. The delegates to the West Indian Conference, which is held biennially, are selected by the members of the legislatures of the two territories. Citizens of the territories participate actively in the work of the Research Council and in the conferences on technical subjects held under its auspices.

While American Samoa is at present the only United States territory within the scope of the South Pacific Commission, active consideration is being given to the inclusion of both Guam and the Trust Territory. Because of the interest of the people of Hawaii in problems of the Pacific region, a citizen of Hawaii is an alternate United States Commissioner in the South Pacific Commission. Two delegates chosen by the Fono of American Samoa attended the first session of the South Pacific Conference held in Suva, Fiji, in April 1950.