

96TH CONGRESS
1ST SESSION

H. R. 3756

IN THE SENATE OF THE UNITED STATES

MAY 9 (legislative day, APRIL 9), 1979

Read twice and referred to the Committee on Energy and Natural Resources

AN ACT

To authorize appropriations for certain insular areas of the United States, 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 TITLE I—TRUST TERRITORY OF THE PACIFIC
4 ISLANDS

5 SEC. 101. Section 2 of the Act of June 30, 1954 (68
6 Stat. 330) is amended by inserting after "for fiscal year
7 1980, \$112,000,000;" the following: "for fiscal years after
8 fiscal year 1980, such sums as may be necessary."

9 SEC. 102. There is hereby authorized to be appropriated
10 to the Secretary of the Interior an amount equal to 50 per

1 centum of such sums as may be necessary to satisfy all adju-
2 dicated claims and final awards made before the date of the
3 enactment of this Act by the Micronesian Claims Commission
4 under title I of the Micronesian Claims Act of 1971 (85 Stat.
5 96; 50 U.S.C. App. 2018 et seq.), to be used by the Secre-
6 tary for the payment of such awards.

7 SEC. 103. The Act entitled "An Act to authorize cer-
8 tain appropriations for the territories of the United States, to
9 amend certain Acts relating thereto, and for other purposes"
10 (91 Stat. 1159; Public Law 95-134) is amended—

11 (1) in subsection 104(a), by striking out paragraph
12 (4) and redesignating paragraph (5) as paragraph (4);
13 and

14 (2) by inserting after section 105, the following
15 new section:

16 "SEC. 106. (a) In addition to any other payments or
17 benefits provided by law to compensate inhabitants of the
18 atolls of Bikini, Enewetak, Rongelap, and Utirik, in the Mar-
19 shall Islands, for radiation exposure or other losses sustained
20 by them as a result of the United States nuclear weapons
21 testing program at or near their atolls during the period 1946
22 to 1958, the Secretary of the Interior shall provide for the
23 people of the Atolls of Bikini, Enewetak, Rongelap, and
24 Utirik and for their descendants a program of medical care
25 and treatment and environmental research and monitoring for

1 any injury, illness, or condition which may have been the
2 result of such nuclear weapons testing program. Such pro-
3 gram shall include but shall not be limited to—

4 “(1) an integrated, comprehensive health care
5 program including primary, secondary, and tertiary
6 care with special emphasis upon the biological effects
7 of ionizing radiation;

8 “(2) a periodic comprehensive survey and analysis
9 of the radiological status of the atolls of Bikini,
10 Enewetak, Rongelap, Utirik, and Alinginae, employing
11 the most current scientific and technical methods avail-
12 able, with emphasis upon radionuclide pathways to
13 man and economic development of the islands;

14 “(3) at appropriate intervals, but not less fre-
15 quently than once every five years, the development of
16 an updated radiation dose assessment, together with an
17 estimate of the risks associated with the predicted
18 human exposure, for each such atoll;

19 “(4) an education and information program to
20 enable the people of such atolls to more fully under-
21 stand nuclear radiation and its effects, to the end that
22 unrealistic fears will be minimized and measures to dis-
23 cover, treat, or reduce human exposure to radiation at
24 such atolls will be maximally effective.

1 “(b)(1) In the development and implementation of the
2 program provided by this section, the Secretary shall consult
3 and coordinate with the High Commissioner of the Trust
4 Territory of the Pacific Islands, the President of the Marshall
5 Islands, the Secretary of the Department of Energy, the Sec-
6 retary of Defense; and, in consultation with the National
7 Academy of Sciences, shall establish a scientific advisory
8 committee which shall review and evaluate the conduct of
9 such program and make such recommendations regarding its
10 improvement as they deem advisable.

11 “(2) At the request of the Secretary, any Federal
12 agency shall provide such information, personnel, facilities,
13 logistical support, or other assistance as the Secretary deems
14 necessary to carry out the functions of this program; the
15 costs of all such assistance shall be reimbursed to the provid-
16 er thereof out of the sums appropriated by this section.

17 “(3) There are authorized to be appropriated to the Sec-
18 retary of the Interior such sums as may be necessary to plan,
19 implement, and operate the program authorized and directed
20 to be provided by this section.

21 “(c) The Secretary shall report to the appropriate com-
22 mittees of the Congress, and to the people of the atolls of
23 Bikini, Enewetak, Rongelap, and Utirik, annually, or more
24 frequently if necessary, on the activities of the program pro-
25 vided by this section. Each such report shall include a de-

1 scription of the health status of the individuals examined and
2 treated under the program, an evaluation of the program by
3 the scientific advisory committee, and any recommendations
4 for improvement of the condition of such individuals. The first
5 such report shall be submitted not later than one year after
6 this section becomes law.”.

7 SEC. 104. Except in cases in which the Federal pro-
8 gram is terminated with respect to all recipients under the
9 program, Federal programs shall not cease to apply to the
10 Trust Territory of the Pacific Islands, either before or after
11 the termination of the trusteeship, without the express ap-
12 proval of Congress.

13 TITLE II—NORTHERN MARIANA ISLANDS

14 SEC. 201. The salary and expenses of the government
15 comptroller for the Northern Mariana Islands shall be paid
16 from funds authorized to be appropriated to the Department
17 of the Interior.

18 SEC. 202. There are hereby authorized to be appropri-
19 ated to the Secretary of the Interior \$24,400,000 plus or
20 minus such amounts, if any, as may be justified by reason of
21 ordinary fluctuations in construction costs from October 1979
22 price levels as indicated by engineering cost indexes applica-
23 ble to the types of construction involved, for a grant to the
24 Commonwealth of the Northern Mariana Islands to provide
25 for health care services. No grant may be made by the Secre-

1 tary of the Interior pursuant to this section without the prior
2 approval of the Secretary of Health, Education, and Welfare.

3 SEC. 203. (a) The Secretary of the Treasury shall ad-
4 minister and enforce the provisions of sections 601 and 603
5 of the Covenant To Establish a Commonwealth of the North-
6 ern Mariana Islands in Political Union with the United States
7 of America (Public Law 94-241; 90 Stat. 263, 269), without
8 cost to the government of the Northern Mariana Islands. The
9 administration and enforcement of section 603 shall begin on
10 January 1, 1980, and the administration and enforcement of
11 section 601 shall begin on January 1, 1982.

12 (b) Section 3(d) of the Act entitled "An Act to authorize
13 appropriations for certain insular areas of the United States,
14 and for other purposes" (Public Law 95-348; 92 Stat. 487)
15 is amended by striking out "601, 603, or 604" and inserting
16 in lieu thereof "604".

17 (c) The Secretary of the Treasury shall take such steps
18 as are necessary to ensure that the proceeds of the local ter-
19 ritorial income tax are covered into the treasury of the
20 Northern Mariana Islands forthwith.

21 (d) The Secretary of the Treasury shall hire and train
22 residents of the Northern Mariana Islands to carry out the
23 administration and enforcement duties required of him under
24 subsections (a) and (b).

1 SEC. 204. Notwithstanding the provisions of section
2 1003 of the Covenant To Establish a Commonwealth of the
3 Northern Mariana Islands in Political Union with the United
4 States of America, approved March 24, 1976 (90 Stat. 263),
5 the provisions of section 601 of such Covenant shall not take
6 effect until January 1, 1982.

7 SEC. 205. Subsection (g) of section 5 of the Act entitled
8 "An Act to authorize appropriations for certain insular areas
9 of the United States, and for other purposes", approved
10 August 18, 1978 (92 Stat. 492), is amended by changing
11 "not to exceed \$3,000,000" to "such sums as may be neces-
12 sary, but not to exceed \$3,000,000 for development,".

13 TITLE III—GUAM

14 SEC. 301. (a) Section 30 of the Guam Organic Act (48
15 U.S.C. 1421h) is amended—

16 (1) by inserting "(a)" after "SEC. 30."; and

17 (2) by inserting at the end thereof the following
18 new subsection:

19 "(b)(1) The Secretary of the Treasury shall administer
20 and enforce the collection of all customs duties derived from
21 Guam and the Guam territorial income tax, without cost to
22 the government of Guam. Such administration and enforce-
23 ment shall begin on January 1, 1980.

24 "(2) The Secretary of the Treasury shall, upon the re-
25 quest of the Governor of Guam, administer and enforce the

1 collection of any tax the proceeds of which are covered into
2 the treasury of Guam under this section (other than customs
3 duties and the Guam territorial income tax to which para-
4 graph (1) applies), and any tax imposed by local law, without
5 cost to the government of Guam. The administration and en-
6 forcement of any such tax shall continue until such time as
7 the Governor of Guam, acting pursuant to legislation enacted
8 by the legislature of Guam, requests the Secretary to discon-
9 tinue the administration and enforcement of such tax.

10 “(3) The Secretary of the Treasury shall hire and train
11 residents of Guam to carry out the administration and en-
12 forcement duties required of him under paragraphs (1) and
13 (2).”.

14 (b) Section 31(c) of the Guam Organic Act (48 U.S.C.
15 1421i(c)) is amended by striking out “The” and inserting in
16 lieu thereof “Except as provided in section 30(b) of this Act,
17 the”.

18 (c) The first sentence of section 31(d)(2) of the Guam
19 Organic Act (48 U.S.C. 1421i(d)(2)) is amended by striking
20 out “The” and inserting in lieu thereof “Except as provided
21 in section 30(b) of this Act, the”.

22 SEC. 302. The Act of November 4, 1963 (77 Stat. 302),
23 to provide for the rehabilitation of Guam, and for other pur-
24 poses, is hereby amended as follows:

1 (1) in the first sentence of section 3, delete the
2 comma after "United States" and delete the words
3 "with interest as set forth below," and

4 (2) after paragraph (c) of section 3, delete the last
5 paragraph before section 4 and insert in lieu thereof:
6 "All amounts heretofore withheld from sums collected
7 pursuant to section 30 of the said Organic Act as interest on
8 the amounts made available to the government of Guam pur-
9 suant to this Act shall be credited as reimbursement pay-
10 ments by Guam on the principal amount advanced by the
11 United States under this Act."

12 SEC. 303. Section 11 of the Organic Act of Guam (64
13 Stat. 387; 48 U.S.C. 1423a), as amended, is hereby amended
14 by deleting the three sentences which begin with "The Sec-
15 retary, with the concurrence of the Secretary of the Treas-
16 ury," and end with the words "Section 30 of this Act (48
17 U.S.C. 1421h).", and substituting therefor the following lan-
18 guage: "The Secretary, upon finding that the Guam Power
19 Authority is unable to refinance the above-mentioned indebt-
20 edness by December 31, 1980, shall extend the guarantee
21 provision of this section until December 31, 2010. Such
22 guaranteed bonds or other obligations shall, while outstand-
23 ing, include a provision for semiannual payments of interest
24 only until December 31, 1980, and thereafter include a pro-
25 vision for quarterly payments of principal. If the Secretary

1 determines, before December 31, 1980, that the Guam
2 Power Authority will not meet its obligation to pay interest,
3 the Secretary shall request the Secretary of the Treasury to
4 deduct such payments from sums collected and paid to the
5 government of Guam pursuant to section 30 of this Act (48
6 U.S.C. 1421h). Should the guarantees be extended beyond
7 December 1, 1980, (1) the Secretary of the Treasury shall
8 automatically deduct (and pay to the Federal Financing
9 Bank) such payment of principal from sums collected and
10 paid to the government of Guam pursuant to section 30 of
11 this Act, and (2) Guam Power Authority payments of princi-
12 pal and interest shall be paid to the government of Guam.”.

13 TITLE IV—VIRGIN ISLANDS

14 SEC. 401. Subsection (f) of section 2 of the Act entitled
15 “An Act to authorize the government of the Virgin Islands
16 to issue bonds in anticipation of revenue receipts and to au-
17 thorize the guarantee of such bonds by the United States
18 under specified conditions, and for other purposes” (90 Stat.
19 1193; Public Law 94-392) is amended by striking out
20 “1979” and inserting in lieu thereof “1989”.

21 SEC. 402. Section 28 of the Revised Organic Act of the
22 Virgin Islands (48 U.S.C. 1642 et seq.) is amended by
23 adding at the end thereof the following new subsection:

24 “(e)(1) The Secretary of the Treasury shall administer
25 and enforce the collection of all customs duties derived from

1 the Virgin Islands and the United States income tax the pro-
2 ceeds of which are covered into the treasury of the Virgin
3 Islands under this section, without cost to the government of
4 the Virgin Islands. Such administration and enforcement
5 shall begin on January 1, 1980.

6 “(2) The Secretary of the Treasury shall, upon the re-
7 quest of the Governor of the Virgin Islands, administer and
8 enforce the collection of any tax the proceeds of which are
9 covered into the treasury of the Virgin Islands under this
10 section (other than customs duties and the United States
11 income tax to which paragraph (1) applies), without cost to
12 the government of the Virgin Islands. The administration and
13 enforcement of any such tax shall continue until such time as
14 the Governor of the Virgin Islands, acting pursuant to legis-
15 lation enacted by the legislature of the Virgin Islands, re-
16 quests the Secretary to discontinue the administration and
17 enforcement of such tax.

18 “(3) The Secretary of the Treasury shall take such steps
19 as are necessary to ensure that the proceeds of the United
20 States income tax in force in the Virgin Islands are covered
21 into the treasury of the Virgin Islands forthwith.

22 “(4) The Secretary of the Treasury shall hire and train
23 residents of the Virgin Islands to carry out the administration
24 and enforcement duties required of him under paragraphs (1)
25 and (2).”.

1 SEC. 403. Subsection (b) of section 31 of the Revised
2 Organic Act of the Virgin Islands (48 U.S.C. 1545(b)) as
3 amended, is further amended by numbering the existing para-
4 graph "(1)" and by the addition thereto of the following new
5 paragraph:

6 “(2) Subject to valid existing rights, title to all property
7 in the Virgin Islands which may have been acquired by the
8 United States from Denmark under the Convention entered
9 into August 16, 1916, not reserved or retained by the United
10 States in accordance with the provisions of Public Law
11 93-435 (88 Stat. 1210) and parcels 2 and 22 (Estate Upper
12 Bethlehem, Saint Croix, United States Virgin Islands) and
13 parcels 2A and 23 (Fredensborg and Upper Bethlehem, Saint
14 Croix, United States Virgin Islands) and parcel 24 (Estate
15 Body Slob and Upper Bethlehem, Saint Croix, United States
16 Virgin Islands) are hereby transferred to the Virgin Islands
17 government.”.

18 SEC. 404. No extension, renewal, or renegotiation of
19 the lease of real property on Water Island in the Virgin Is-
20 lands to which the United States is a party shall be made
21 before 1992 without the express approval of the Committee
22 on Interior and Insular Affairs of the House of Representa-
23 tives and the Committee on Energy and Natural Resources
24 of the Senate.

1 SEC. 405. (a) Subsection 28(a) of the Revised Organic
2 Act of the Virgin Islands, as amended by subsection 4(c)(3) of
3 the Act of August 18, 1978 (92 Stat. 487, 491) is amended
4 by inserting after the phrase "and naturalization fees collect-
5 ed in the Virgin Islands," the phrase "less the cost of collect-
6 ing, except any costs for preclearance operations which shall
7 not be deducted, of all of said duties, taxes, and fees from
8 August 18, 1978, until January 1, 1982,".

9 (b) Section 4(c)(2) of the Act of August 18, 1978, is
10 amended by inserting the phrase "less the cost of collecting
11 all of said duties, taxes, and fees, occurring before January 1,
12 1982," after the phrase "the amount of duties, taxes, and
13 fees".

14 TITLE V—AMERICAN SAMOA

15 SEC. 501. The salary and expenses of the government
16 comptroller for American Samoa shall be paid from funds to
17 be appropriated to the Department of the Interior.

18 SEC. 502. The Secretary of the Treasury shall, upon
19 the request of the Governor of American Samoa, administer
20 and enforce the collection of all customs duties derived from
21 American Samoa, without cost to the government of Ameri-
22 can Samoa. The Secretary of the Treasury, in consultation
23 with the Governor of American Samoa, shall make every
24 effort to employ and train the residents of American Samoa
25 to carry out the provisions of this section. The administration

1 and enforcement of this section shall commence January 1,
2 1980.

3 TITLE VI—MISCELLANEOUS

4 SEC. 601. Title V of the Act entitled "An Act to au-
5 thorize certain appropriations for the territories of the United
6 States, to amend certain Acts relating thereto, and for other
7 purposes" (91 Stat. 1160) shall be applied with respect to
8 the Department of the Interior by substituting "shall" for
9 "may" in the second place it appears in subsection (a) and in
10 the last sentence of subsection (d).

11 SEC. 602. (a) Any amount authorized to be appropriated
12 for a fiscal year by this Act or an amendment made by this
13 Act but not appropriated for such fiscal year is authorized to
14 be appropriated in succeeding fiscal years.

15 (b) Any amount appropriated pursuant to this Act or an
16 amendment made by this Act for a fiscal year but not ex-
17 pended during such fiscal year shall remain available for ex-
18 penditure in succeeding fiscal years.

19 SEC. 603. To the extent practicable, services, facilities,
20 and equipment of agencies and instrumentalities of the
21 United States Government may be made available, on a re-
22 imburseable basis, to the governments of the territories and
23 possessions of the United States and the Trust Territory of
24 the Pacific Islands. Reimbursements may be credited to the
25 appropriation or fund of the agency or instrumentality

1 through which the services, facilities, and equipment are pro-
2 vided. If otherwise authorized by law, such services, facili-
3 ties, and equipment may be made available without reim-
4 bursement.

5 SEC. 604. Authorizations of moneys to be appropriated
6 under this Act shall be effective on October 1, 1979.

7 SEC. 605. Any new borrowing authority provided in
8 this Act or authority to make payments under this Act shall
9 be effective only to the extent or in such amounts as are
10 provided in advance in appropriation Acts.

Passed the House of Representatives May 7, 1979.

Attest: EDMUND L. HENSHAW, JR.,
Clerk.