

96TH CONGRESS
1ST SESSION

H. R. 3756

To authorize appropriations for certain insular areas of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 1979

Mr. PHILLIP BURTON (for himself, Mr. UDALL, Mr. CLAUSEN, Mr. KASTENMEIER, Mr. BINGHAM, Mr. SEIBERLING, Mr. LAGOMARSINO, Mr. WON PAT, Mr. MILLER of California, Mr. FLORIO, Mr. MARKEY, Mr. COBBADA, Mr. MURPHY of Pennsylvania, Mr. RAHALL, Mr. VENTO, Mr. HOWARD, Mr. EVANS of the Virgin Islands, and Mr. WILLIAMS of Montana) introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

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

1 1980, \$112,000,000;" the following: "for fiscal years after
2 fiscal year 1980, such sums as may be necessary;"

3 SEC. 102. There is hereby authorized to be appropriated
4 to the Secretary of the Interior an amount equal to 50 per
5 centum of such sums as may be necessary to satisfy all adju-
6 dicated claims and final awards made before the date of the
7 enactment of this Act by the Micronesian Claims Commission
8 under title I of the Micronesian Claims Act of 1971 (85 Stat.
9 96; 50 U.S.C. App. 2018 et seq.), to be used by the Secre-
10 tary for the payment of such awards.

11 SEC. 103. (a) The Act entitled "An Act to authorize
12 certain appropriations for the territories of the United States,
13 to amend certain Acts relating thereto, and for other pur-
14 poses" (91 Stat. 1159; Public Law 95-134) is amended by
15 adding the following section immediately following section
16 105 thereof:

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

1 which may have been the result of such nuclear weapons
2 testing program, for the people of the atolls of Bikini,
3 Enewetak, Rongelap, and Utirik and for their descendants.

4 Such program shall include but shall not be limited to—

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

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

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

21 “(4) an education and information program to
22 enable the people of such atolls to more fully under-
23 stand nuclear radiation and its effects, to the end that
24 unrealistic fears will be minimized and measures to dis-

1 cover, treat, or reduce human exposure to radiation at
2 such atolls will be maximally effective.

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

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

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

23 “(c) The Secretary shall report to the appropriate com-
24 mittees of the Congress, and to the people of the atolls of
25 Bikini, Enewetak, Rongelap, and Utirik, annually, or more

1 frequently if necessary, on the activities of the program pro-
2 vided by this section. Each such report shall include a de-
3 scription of the health status of the individuals examined and
4 treated under the program, an evaluation of the program by
5 the scientific advisory committee, and any recommendations
6 for improvement of the condition of such individuals. The first
7 such report shall be submitted not later than one year after
8 this section becomes law.”.

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

15 TITLE II—NORTHERN MARIANA ISLANDS

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

20 SEC. 202. There are hereby authorized to be appropri-
21 ated to the Secretary of the Interior \$24,400,000 plus or
22 minus such amounts, if any, as may be justified by reason of
23 ordinary fluctuations in construction costs from October 1979
24 price levels as indicated by engineering cost indexes applica-
25 ble to the types of construction involved, for a grant to the

1 Commonwealth of the Northern Mariana Islands to provide
2 for health care services. No grant may be made by the Secre-
3 tary of the Interior pursuant to this section without the prior
4 approval of the Secretary of Health, Education, and Welfare.

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

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

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

23 (d) The Secretary of the Treasury shall hire and train
24 residents of the Northern Mariana Islands to carry out the

1 administration and enforcement duties required of him under
2 subsections (a) and (b).

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

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

15 TITLE III—GUAM

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

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

19 (2) by inserting at the end thereof the following
20 new subsection:

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

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

12 “(3) the Secretary of the Treasury shall hire and train
13 residents of Guam to carry out the administration and en-
14 forcement duties required of him under paragraphs (1) and
15 (2).”.

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

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

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

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

7 (2) after paragraph (c) of section 3, delete the last
8 paragraph before section 4 and insert in lieu thereof:

9 "All amounts heretofore withheld from sums collected
10 pursuant to section 30 of the said Organic Act as interest on
11 the amounts made available to the government of Guam pur-
12 suant to this Act shall be credited as reimbursement pay-
13 ments by Guam on the principal amount advanced by the
14 United States under this Act."

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

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

16 TITLE IV—VIRGIN ISLANDS

17 SEC. 401. Subsection (f) of section 2 of the Act entitled
18 “An Act to authorize the government of the Virgin Islands
19 to issue bonds in anticipation of revenue receipts and to au-
20 thorize the guarantee of such bonds by the United States
21 under specified conditions, and for other purposes” (90 Stat.
22 1193; Public Law 94-392) is amended by striking out
23 “1979” and inserting in lieu thereof “1989”.

24 SEC. 402.

1 SEC. 403. Section 28 of the Revised Organic Act of the
2 Virgin Islands (48 U.S.C. 1642 et seq.) is amended by
3 adding at the end thereof the following new subsection:

4 “(e)(1) The Secretary of the Treasury shall administer
5 and enforce the collection of all customs duties derived from
6 the Virgin Islands and the United States income tax the pro-
7 ceeds of which are covered into the treasury of the Virgin
8 Islands under this section, without cost to the government of
9 the Virgin Islands. Such administration and enforcement
10 shall begin on January 1, 1980.

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

23 “(3) The Secretary of the Treasury shall take such steps
24 as are necessary to ensure that the proceeds of the United

1 States income tax in force in the Virgin Islands are covered
2 into the treasury of the Virgin Islands forthwith.

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

7 SEC. 404. Subsection (b) of section 31 of the Revised
8 Organic Act of the Virgin Islands (48 U.S.C. 1545(b)) as
9 amended, is further amended by numbering the existing para-
10 graph “(1)” and by the addition thereto of the following new
11 paragraph:

12 “(2) Subject to valid existing rights, title to all property
13 in the Virgin Islands which may have been acquired by the
14 United States from Denmark under the Convention entered
15 into August 16, 1916, not reserved or retained by the United
16 States in accordance with the provisions of Public Law
17 93-435 (88 Stat. 1210) is hereby transferred to the Virgin
18 Islands government.”.

19 **TITLE V—AMERICAN SAMOA**

20 SEC. 501. The salary and expenses of the government
21 comptroller for American Samoa shall be paid from funds to
22 be appropriated to the Department of the Interior.

23 SEC. 502. The Secretary of the Treasury shall, upon
24 the request of the Governor of American Samoa, administer
25 and enforce the collection of all customs duties derived from

1 American Samoa, without cost to the government of Ameri-
2 can Samoa. The Secretary of the Treasury, in consultation
3 with the Governor of American Samoa, shall make every
4 effort to employ and train the residents of American Samoa
5 to carry out the provisions of this section. The administration
6 and enforcement of this section shall commence January 1,
7 1980.

8 TITLE VI—MISCELLANEOUS

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

16 SEC. 602. (a) Any amount authorized to be appropriated
17 for a fiscal year by this Act or an amendment made by this
18 Act but not appropriated for such fiscal year is authorized to
19 be appropriated in succeeding fiscal years.

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

24 SEC. 603. To the extent practicable, services, facilities,
25 and equipment of agencies and instrumentalities of the

1 United States Government may be made available, on a re-
2 imburseable basis, to the governments of the territories and
3 possessions of the United States and the Trust Territory of
4 the Pacific Islands. Reimbursements may be credited to the
5 appropriation or fund of the agency or instrumentality
6 through which the services, facilities, and equipment are pro-
7 vided. If otherwise authorized by law, such services, facili-
8 ties, and equipment may be made available without reim-
9 bursement.

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

○