

104TH CONGRESS
2D SESSION

H. R. 3721

To establish the Omnibus Territories Act

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 1996

Mr. FALDOMAEGA introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Omnibus Territories Act

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 AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Omnibus Territories Act of 1996”.

6 (b) TABLE OF CONTENTS.—

TITLE I—REPEAL THE REQUIREMENT OF SEPARATE BALLOTS

TITLE II—AMERICAN SAMOA STUDY COMMISSION ACT

TITLE III—AMERICAN SAMOA ECONOMIC DEVELOPMENT ACT

TITLE IV—INSULAR AREAS CONSOLIDATION ACT

TITLE V—AMERICAN SAMOA CAPITAL INFRASTRUCTURE FUND

TITLE VI—GUAM LAND RETURN ACT

TITLE VII—AMENDMENTS TO THE REVISED ORGANIC ACT OF THE VIRGIN ISLANDS

TITLE VIII—COMMISSION ON THE ECONOMIC FUTURE OF THE VIRGIN ISLANDS

1 **TITLE I—REPEAL THE REQUIREMENT OF**
2 **SEPARATE BALLOTS**

3 **SEC. 101. REPEAL OF SEPARATE BALLOT REQUIREMENT.**

4 Section 2(a) of the Act entitled “An Act to provide
5 that the unincorporated territories of Guam and the Vir-
6 gin Islands shall each be represented in Congress by a Del-
7 egate to the House of Representatives” approved April 10,
8 1972 (48 U.S.C. 1712(a)), is amended by striking “, by
9 separate ballot and”.

10 **TITLE II—AMERICAN SAMOA STUDY**
11 **COMMISSION ACT**

12 **SEC. 201. SHORT TITLE.**

13 This title may be cited as the “American Samoa
14 Study Commission Act”.

15 **SEC. 202. CONGRESSIONAL FINDINGS.**

16 The Congress finds that—

17 (1) the islands of Tutuila and Manua, and cer-
18 tain other islands that compose American Samoa,
19 were ceded by the chiefs of the islands to the United
20 States by two treaties or deeds of cession which were
21 submitted to the United States Congress on April
22 10, 1900, and July 16, 1904;

1 (2) American Samoa’s status as an unorganized
2 and unincorporated territory of the United States,
3 and American Samoa’s political relationship to the
4 United States, are not clearly defined in any single
5 document;

6 (3) there is a need for a comprehensive study
7 and review of the historical and legal basis of Amer-
8 ican Samoa’s political relationship with the United
9 States, including—

10 (A) a comprehensive report on American
11 Samoa’s present political relationship with the
12 United States, as compared to other relation-
13 ships such as independence, commonwealth,
14 free association and covenant; and

15 (B) an examination of whether the treaties
16 or deeds of cession created trust obligations to
17 American Samoa on the part of the United
18 States;

19 (4) the economic and social needs of American
20 Samoa are substantially affected by the nature of
21 American Samoa’s political relationship with the
22 United States; and

23 (5) there is a need for a comprehensive study
24 also of Swains Island and its historical relationship
25 with the Tokelau Island Group.

1 **SEC. 203. ESTABLISHMENT.**

2 There is established a commission to be known as the
3 “American Samoa Study Commission Act”.

4 **SEC. 204. DUTIES.**

5 (a) IN GENERAL.—It shall be the duty of the Com-
6 mission—

7 (1) to study and evaluate all the factors that
8 led to American Samoa’s historical and present po-
9 litical relationship with the United States, includ-
10 ing—

11 (A) the events that led to the cession to
12 the United States of the islands that compose
13 American Samoa; and

14 (B) the constitutions, statutes, treaties,
15 and agreements that affect American Samoa’s
16 political relationship with the United States;

17 (2) to document and report on the nature of
18 American Samoa’s political relationship with the
19 United States; to document and also report on such
20 political relationships as independence, common-
21 wealth, free association and covenant; and to docu-
22 ment and report on whether the deeds of cession cre-
23 ated trust obligations to American Samoa on the
24 part of the United States;

1 (3) to report on whether a single document is
2 needed to set forth American Samoa's political rela-
3 tionship with the United States; and

4 (4) to study and evaluate the impact of Amer-
5 ican Samoa's political status and relationship with
6 the United States (as determined by the Commission
7 under paragraph (2)) on the economic and social
8 needs of American Samoa and its residents.

9 (5) to study and report on whether the 1900
10 and 1904 Instruments of Cession were indeed trea-
11 ties or deeds and how such instruments are recog-
12 nized under international law.

13 (b) CONSULTATION.—The Commission shall, to the
14 maximum extent practicable, consult with American
15 Samoans in carrying out the duties of the Commission
16 under subsection (a).

17 **SEC. 205. MEMBERSHIP.**

18 (a) NUMBER AND APPOINTMENT.—The Commission
19 shall be composed of five members appointed as follows:

20 (1) Three members appointed by the Secretary
21 of Interior, including—

22 (A) One member appointed from among
23 three individuals nominated by the legislature
24 of the Territorial government of American
25 Samoa and

1 (B) One member appointed from among
2 three individuals nominated by the Governor of
3 American Samoa.

4 (2) One member appointed by the Speaker of
5 the United States House of Representatives.

6 (3) One member appointed by the President of
7 the United States Senate.

8 (b) TERMS.—Each member shall be appointed for the
9 life of the Commission.

10 (c) BASIC PAY.—

11 (1) RATES OF PAY.—Except as provided in
12 paragraph (2), each member of the Commission
13 shall be paid, to the extent of amounts made avail-
14 able in appropriations Acts, \$150 for each day (in-
15 cluding travel time) during which the member is en-
16 gage in the actual performance of the duties of the
17 Commission.

18 (2) PROHIBITION OF COMPENSATION OF FED-
19 ERAL EMPLOYEES.—Except as provided in sub-
20 section (d), members of the Commission who are
21 full-time officers or employees of the United States
22 or the Territorial government of American Samoa
23 may not receive additional pay, allowances, or bene-
24 fits by reason of their service on the Commission.

1 (d) TRAVEL EXPENSES.—Each member shall receive
2 travel expenses, including per diem in lieu of subsistence,
3 in accordance with sections 572 and 5703 of title 5, Unit-
4 ed States Code.

5 (e) QUORUM.—Three members of the Commission
6 shall constitute a quorum, but a lesser number may hold
7 hearings.

8 (f) CHAIRPERSON; VICE CHAIRPERSON.—The Chair-
9 person and Vice Chairperson of the Commission shall be
10 elected by the members.

11 (g) MEETINGS.—

12 (1) INITIAL MEETINGS.—Not later than the ex-
13 piration date of the 90 day period beginning on the
14 date of the enactment of this Act, the Secretary of
15 the Interior shall call the initial meeting of the mem-
16 bers of the Commission.

17 (2) SUBSEQUENT MEETINGS.—The Chairperson
18 or a majority of the members of the Commission
19 shall call any meeting of the Commission that occurs
20 after the meeting called under paragraph (1).

21 **SEC. 206. STAFF AND SUPPORT SERVICES.**

22 (a) DIRECTOR.—The Commission shall have a direc-
23 tor, who shall be appointed by the Commission.

24 (b) STAFF.—Subject to rules prescribed by the Com-
25 mission, the Chairperson of the Commission may appoint

1 and fix the pay of personnel as the Chairperson considers
2 appropriate.

3 (c) APPLICABILITY OF CERTAIN CIVIL SERVICE
4 LAWS.—The Director and staff of the Commission may
5 be appointed without regard to the provisions of title 5,
6 United States Code, governing appointments in the com-
7 petitive service, and may not be paid without regard to
8 the provisions of chapter 51 and subchapter III of chapter
9 53 of such title relating to classification and General
10 Schedule pay rates, except that an individual so appointed
11 may not receive pay in excess of the maximum rate of
12 basic pay payable for GS–16 of the General Schedule.

13 (d) EXPERTS AND CONSULTANTS.—Subject to rules
14 prescribed by the Commission, the Chairperson of the
15 Commission may procure temporary and intermittent
16 services under section 3109(b) of title 5, United States
17 Code, but at rates for individuals not to exceed \$150 per
18 day.

19 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon
20 the request of the Commission, the Administrator of Gen-
21 eral Services shall provide to the Commission, on a reim-
22 bursable basis, the administrative support services nec-
23 essary for the Commission to carry out its responsibilities
24 under this Act.

1 **SEC. 207. POWERS OF COMMISSION.**

2 (a) HEARINGS.—

3 (1) IN GENERAL.—The Commission may, for
4 the purpose of carrying out this Act, hold hearings,
5 sit and act at times and locations, take testimony,
6 and receive evidence as the Commission considers
7 appropriate.

8 (2) LOCATION OF CERTAIN HEARINGS.—

9 (A) REQUIRED HEARINGS.—The Commis-
10 sion shall conduct at least 1 hearing at any lo-
11 cation on each of—

- 12 (i) Tutuila;
13 (ii) Ofu;
14 (iii) Olosega; and
15 (iv) Tau.

16 (B) OTHER HEARINGS.—The Commission
17 may conduct at least 3 separate hearings in the
18 United States at locations where significant
19 numbers of American Samoans reside.

20 (3) NOTICE.—The Commission shall provide
21 notice to the public of the hearings referred to in
22 paragraphs (1) and (2), including information re-
23 garding the date, topic and location of the meeting,
24 and shall take other actions as the Commission con-
25 siders necessary to obtain, to the maximum extent
26 practicable, public participation in the hearings.

1 (b) DELEGATION OF AUTHORITY.—Any member or
2 agent of the Commission may, if authorized by the Com-
3 mission, take any action that the Commission is author-
4 ized to take by this Act.

5 (c) OBTAINING OFFICIAL DATA.—

6 (1) IN GENERAL.—The Commission may secure
7 directly from any Federal agency information nec-
8 essary to enable it to carry out this Act. Upon the
9 request of the Chairperson of the Commission, the
10 head of the Federal Agency shall furnish the infor-
11 mation to the Commission.

12 (2) EXCEPTION.—Paragraph (1) shall not
13 apply to any information that the Commission is
14 prohibited to secure or request by another law.

15 (d) MAIL.—The Commission may use the United
16 States mail in the same manner and under the same con-
17 ditions as the other Federal agencies.

18 **SEC. 208. REPORTS.**

19 (a) DRAFT REPORT.—

20 (1) IN GENERAL.—Not later than the expira-
21 tion of the 1-year period beginning on the date of
22 the enactment of this Act, the Commission shall pre-
23 pare and publish a draft report containing the find-
24 ings, conclusions and recommendations of the Com-
25 mission.

1 (2) DISTRIBUTION.—The Commission shall dis-
2 tribute such report to appropriate Federal and
3 American Samoan agencies and shall make such re-
4 port available to members of the public upon re-
5 quest.

6 (3) SOLICITATION OF COMMENTS.—The Com-
7 mission shall solicit written comments from the Fed-
8 eral and American Samoan agencies and other per-
9 sons to which copies of such report are distributed
10 under paragraph (2).

11 (b) FINAL REPORT.—Not later than the expiration
12 of the 9-month period beginning on the date of the publi-
13 cation of the report required by subsection (a)(1), the
14 Commission shall submit to the President and the Con-
15 gress a final report, which shall include—

16 (1) a detailed statement of the findings and
17 conclusions made by the Commission after consider-
18 ation of the comments received by the Commission
19 under subsection (a)(3);

20 (2) the recommendations of the Commission for
21 legislative and administrative actions that the Com-
22 mission determines to be appropriate; and

23 (3) copies of all written comments received by
24 the Commission under subsection (a)(3).

1 **SEC. 209. DEFINITIONS.**

2 For the purpose of this Act:

3 (1) The term “American Samoan” has the
4 meaning given the term “native American Samoan”
5 in section 4 of Public Law 100–571 (16 U.S.C.
6 410qq–3).

7 (2) The term “Commission” means the Amer-
8 ican Samoa Study Commission established in section
9 3.

10 **SEC. 210. AUTHORIZATION OF APPROPRIATIONS.**

11 There is authorized to be appropriated such sums as
12 are necessary to carry out the provisions of this Act.

13 **SEC. 211. TERMINATION.**

14 The Commission shall terminate not later than the
15 expiration of the 60-day period beginning on the date on
16 which the Commission submits its final report under sec-
17 tion 8.

18 **TITLE III—AMERICAN SAMOA ECONOMIC**
19 **DEVELOPMENT ACT OF 1995**

20 **SEC. 301. SHORT TITLE.**

21 This title may be cited as the “American Samoa Eco-
22 nomic Development Act of 1996”.

23 **SEC. 302. FINDINGS.**

24 The Congress finds that—

25 (1) funding for the United States territory of
26 American Samoa has been based on the joint resolu-

1 tion entitled “Joint Resolution to provide for accept-
2 ing, ratifying, and confirming cessions of certain is-
3 sues of the Samoan group to the United States, and
4 for other purposes”, as amended (48 U.S.C. 1661),
5 with commitments being made on a yearly basis;

6 (2) American Samoa is locally self-governing
7 with a constitution of its own adoption and the di-
8 rect election of the Governor since 1977;

9 (3) the territory of American Samoa has had
10 difficulty in planning and implementing comprehen-
11 sive and sustainable infrastructure based solely on
12 annual ad hoc grants; and

13 (4) the territory of American Samoa and the
14 United States would benefit from a multi-year fund-
15 ing commitment which promotes economic develop-
16 ment and self-sufficiency, and requires compliance
17 with financial management accounting standards,
18 the establishment of semiautonomous public utility
19 authorities utilizing cost-recovery principles, and the
20 phaseout of Federal subsidies for Government oper-
21 ations.

22 **SEC. 303. AUTHORIZATION OF FUNDING.**

23 (a) IN GENERAL.—There are authorized to be appro-
24 priated to the Secretary of the Interior for the Govern-
25 ment of American Samoa \$10,000,000 for each of fiscal

1 years 1998 through 2003. Such amounts shall be used for
2 construction and repair of capital assets of American
3 Samoa.

4 (b) MULTI-YEAR AVAILABILITY OF APPROPRIA-
5 TIONS.—Amounts not expended in the year appropriated
6 shall remain available until expended.

7 TITLE IV—INSULAR AREAS

8 CONSOLIDATION ACT

9 SEC. 401. SHORT TITLE.

10 This title may be cited as the “Insular Areas Consoli-
11 dation Act of 1996”.

12 SEC. 402. ADDITIONS TO TERRITORY OF AMERICAN SAMOA.

13 (a) IN GENERAL.—The Territory of American Samoa
14 shall include Baker Island, Jarvis Island, and Howland
15 Island.

16 (b) JURISDICTION.—The islands specified in sub-
17 section (a) shall be subject to the jurisdiction of the Terri-
18 tory of American Samoa to the same extent as and in the
19 same manner that such jurisdiction applies to all other
20 areas within the territory.

21 (c) RIGHTS OF THE UNITED STATES.—The inclusion
22 of islands, appurtenant reefs, and territorial waters in the
23 Territory of American Samoa by this section shall be sub-
24 ject to existing rights of use, ownership, management, and
25 operation by the Government of the United States.

1 **SEC. 403. CONFORMING AMENDMENTS.**

2 **SEC. 404. USE OF ISLANDS, REEF, AND ATOLLS.**

3 No provision of this title shall be construed as con-
4 gressional approval, suggestion, or intent to alter, change,
5 affect, or reduce the current use of any of the islands,
6 reef, or atolls specified in section 302(a).

7 **SEC. 405. ADDITIONS CONTINGENT UPON ACCEPTANCE BY**
8 **TERRITORY OF AMERICAN SAMOA.**

9 (a) ACCEPTANCE BY TERRITORY OF AMERICAN
10 SAMOA.—Sections 302 and 303 shall not take effect un-
11 less the Governor and Legislature of American Samoa cer-
12 tify to the President that the Territory of American
13 Samoa accepts all of the islands, reefs, and atolls referred
14 to in section 302(a).

15 (b) PROCLAMATION BY PRESIDENT.—Not later than
16 30 days after receiving the last certification described in
17 subsection (a), the President shall issue a proclamation
18 of the new geographical jurisdiction of American Samoa.

19 (c) EFFECTIVE DATE.—Sections 302 and 303 shall
20 take effect upon the issuance of the proclamation de-
21 scribed in subsection (b).

22 **SEC. 406. DEFINITIONS.**

23 For purposes of this title:

24 (1) BAKER ISLAND.—The term “Baker Island”
25 means all of the islands and appurtenant reefs at
26 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 such islands and reefs.

5 (2) HOWLAND ISLAND.—The term “Howland
6 Island” means all of the island and appurtenant
7 reefs at the parallel of 0 degrees, 45 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 such islands and reef.

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

19 **TITLE V—AMERICAN SAMOA CAPITAL**
20 **INFRASTRUCTURE FUND**

21 **SEC. 501. SHORT TITLE.**

22 This title may be cited as the “American Samoa Cap-
23 ital Infrastructure Fund Act”.

1 **SEC. 502. AMENDMENT OF SUBSECTION 703(a) OF PUBLIC**
2 **LAW 94-241.**

3 The second sentence of subsection 703(a) of Public
4 Law 94-241, as amended, is hereby amended to read as
5 follows: “Funds provided under Section 702 will be consid-
6 ered to be local revenues when used as the local share re-
7 quired to obtain federal programs and services.”

8 **TITLE VI—GUAM LAND RETURN ACT**

9 **SEC. 601. SHORT TITLE.**

10 This Act may be cited as the “Guam Land Return
11 Act”.

12 **SEC. 602. OPPORTUNITY FOR GUAM TO ACQUIRE EXCESS**
13 **REAL PROPERTY IN GUAM.**

14 The Organic Act of Guam (48 U.S.C. 1421 et seq.)
15 is amended by adding at the end the following new title:

16 “SEC. xx. (a) At least 180 days before transferring
17 to any Federal agency excess real property located in
18 Guam, the Administrator of General Services shall notify
19 the government of Guam that the property is available
20 under this section.

21 “(b) The Administrator shall transfer to the govern-
22 ment of Guam all right, title, and interest of the United
23 States in and to excess real property located in Guam,
24 by quit claim deed and without reimbursement, if the gov-
25 ernment of Guam, within 180 days after receiving notifica-
26 tion under subsection (a) regarding the property, notifies

1 the Administrator that the government intends to acquire
2 the property under this section.

3 “(c) For purposes of this action, the term ‘excess real
4 property’ means excess property (as that term is defined
5 in section 3 of the Federal Property and Administrative
6 Services Act of 1949, as in effect on the date of enactment
7 of the Guam Land Return Act) that is real property.”.

8 **SEC. 603. RELEASE OF LANDS FROM CONDITION ON DIS-**
9 **POSAL BY GUAM.**

10 (a) IN GENERAL.—Section 818(b)(2) of Public Law
11 96–418 (94 Stat. 1782), relating to a condition on dis-
12 posal by Guam of lands conveyed to Guam by the United
13 States, shall have no force or effect and is repealed.

14 (b) EXECUTION OF INSTRUMENTS.—The Secretary
15 of the Navy and the Administrator of General Services
16 shall execute all instruments necessary to implement this
17 section.

18 **TITLE VII—AMENDMENTS TO THE RE-**
19 **VISIONED ORGANIC ACT OF THE VIRGIN**
20 **ISLANDS.**

21 **SEC. 701. SHORT TITLE.**

22 This Act may be cited as the “Revised Organic Act
23 of the Virgin Islands, amended”.

1 **SEC. 702. AMENDING THE DEFINITION OF “TEMPORARY AB-**
2 **SENCE”.**

3 Section 7(a) of Public Law 90–496 (82 Stat. 839),
4 as amended, is further amended by adding at the end
5 thereof “As used in this section, the term ‘temporary ab-
6 sence’ shall not be construed as being physically absent
7 from the territory while on official Government business.”.

8 **SEC. 703. AMENDING SECTION 3 OF PUBLIC LAW 94–392.**

9 Section 3 of Public Law 94–392 (90 Stat. 1195), as
10 amended, is further amended as follows:

11 (1) By inserting “hereinafter” between “obliga-
12 tions” and “issued”.

13 (2) By deleting “priority for payment” and in-
14 sserting in lieu thereof “a parity lien with every other
15 issue of bonds or other obligations hereinafter issued
16 for payment”.

17 (3) By deleting “in the order of the date of
18 issue”.

19 **SEC. 704. CERTAIN BONDS EXEMPTED FROM PROVISIONS**
20 **OF SECTION 149 OF THE INTERNAL REVENUE**
21 **CODE OF 1986, AS AMENDED.**

22 The provision of section 149(d)(3)(A)(i)(I) and
23 149(d)(2) of the Internal Revenue Code of 1986, as
24 amended, shall not apply to bonds issued—

25 (1) by an authority created by statute of the
26 Virgin Islands legislature, the proceeds of which will

1 be used to advance refund certain bonds issued by
2 such authority on July 8, 1992; or

3 (2) by an authority created by statute of the
4 Virgin Islands legislature, the proceeds of which will
5 be used to advance refund certain bonds issued by
6 such authority on November 3, 1994.

7 **SEC. 705. APPLICATION OF AMENDMENTS IN SECTIONS 703**
8 **AND 704.**

9 The amendments made by sections 703 and 704 shall
10 apply to obligations issued on or after the date of enact-
11 ment of this title.

12 **TITLE VIII. COMMISSION ON THE ECO-**
13 **NOMIC FUTURE OF THE VIRGIN IS-**
14 **LANDS**

15 **SEC. 801. ESTABLISHMENT AND MEMBERSHIP.**

16 (a) There is hereby established a Commission on the
17 Economic Future of the Virgin Islands (the “Commis-
18 sion”). The Commission shall consist of six members ap-
19 pointed by the President, two of whom shall be selected
20 from nominations made by the Governor of the Virgin Is-
21 lands. The President shall designate one of the members
22 of the Commission to be Chairman.

23 (b) In addition to the six members appointed under
24 paragraph (1), the Secretary of the Interior shall be an
25 ex-officio member of the Commission.

1 (c) Members of the Commission appointed by the
2 President shall be persons who by virtue of their back-
3 ground and experience are particularly suited to contrib-
4 ute to achievement of the purposes of the Commission.

5 (d) Members of the Commission shall serve without
6 compensation, but shall be reimbursed for travel, subsist-
7 ence and other necessary expenses incurred by them in
8 the performance of their duties.

9 (e) Any vacancy in the Commission shall be filled in
10 the same manner as the original appointment was made.

11 **SEC. 802. PURPOSE AND REPORT.**

12 (a) The purpose of the Commission is to make rec-
13 ommendations to the President and Congress on the poli-
14 cies and programs necessary to provide for a secure and
15 self-sustaining future for the local economy of the Virgin
16 Islands through 2020 and on the role of the Federal Gov-
17 ernment in providing for that future. In developing rec-
18 ommendations, the Commission shall—

19 (1) solicit information and advice from persons
20 and entities that the Commission determines have
21 expertise to assist the Commission in its work;

22 (2) examine and analyze historical data since
23 1970 on expenditures for infrastructure and serv-
24 ices;

1 (3) analyze the sources of funds for such ex-
2 penditures;

3 (4) assemble relevant demographic and eco-
4 nomic data, including trends and projects for the fu-
5 ture; and

6 (5) estimate future needs of the Virgin Islands,
7 including needs for capital improvements, edu-
8 cational needs and social, health and environmental
9 requirements.

10 (b) The recommendations of the Commission shall be
11 transmitted to the President, the Committee on Energy
12 and Natural Resources of the United States Senate and
13 the Committee on Resources of the United States House
14 of Representatives no later than December 1, 1997. The
15 recommendations shall be accompanied by a report that
16 sets forth the basis for the recommendations and includes
17 an analysis of the capability of the Virgin Islands to meet
18 projected needs based on reasonable alternative economic,
19 political and social conditions in the Caribbean, including
20 the opening in the near future of Cuba to trade, tourism
21 and development.

22 **SEC. 803. POWERS.**

23 (a) The Commission may—

1 (1) hold such hearings, sit and act at such
2 times and places, take such testimony and receive
3 such evidence as it may deem advisable;

4 (2) use the United States mail in the same
5 manner and upon the same conditions as other de-
6 partments and agencies of the United States;

7 (3) enter into contracts or agreements for stud-
8 ies and surveys with public and private organizations
9 and transfer funds to Federal agencies to carry out
10 such aspects of the Commission's functions as the
11 Commission determines can best be carried out in
12 such manner; and

13 (4) incur such necessary expenses and exercise
14 such other powers as are consistent with and reason-
15 ably required to perform its functions.

16 (b) The Secretary of the Interior shall provide such
17 office space, furnishings and equipment as may be re-
18 quired to enable the Commission to perform its functions.
19 The Secretary shall also furnish the Commission with such
20 staff, including clerical support, as the Commission may
21 require and shall provide to the Commission financial and
22 administrative services, including those relating to budget-
23 ing, accounting, financial reporting, personnel and pro-
24 curement.

1 (c) The President, upon request of the Commission,
2 may direct the head of any Federal agency or department
3 to assist the Commission and if so directed such head
4 shall—

5 (1) furnish the Commission to the extent per-
6 mitted by law and within available appropriations
7 such information as may be necessary for carrying
8 out the functions of the Commission and as may be
9 available to or procurable by such department or
10 agency; and

11 (2) detail to temporary duty with the Commis-
12 sion on a reimbursable basis such personnel within
13 his administrative jurisdiction as the Commission
14 may need or believe to be useful for carrying out its
15 functions, each such detail to be without loss of se-
16 niority, pay or other employee status.

17 **SEC. 804. CHAIRMAN.**

18 Subject to general policies that the Commission may
19 adopt, the Chairman of the Commission shall be the chief
20 executive officer of the Commission and shall exercise its
21 executive and administrative powers. The Chairman may
22 make such provisions as he may deem appropriate author-
23 izing the performance of his executive and administrative
24 functions by the staff of the Commission.

1 **SEC. 805. APPROPRIATIONS.**

2 There are authorized to be appropriated such sums
3 as may be necessary to carry out the purposes of this sec-
4 tion.

5 **SEC. 806. TERMINATION.**

6 The Commission shall terminate three months after
7 the transmission of the report and recommendations under
8 subsection (b)(2).

○