II

104TH CONGRESS

2D SESSION S. 1804 To make Technical and Other Changes to the Laws Dealing with the Territories and Freely Associated States of the United States.

IN THE SENATE OF THE UNITED STATES MAY 23, 1996 Mr. MURKOWSKI (for himself, Mr. JOHNSTON, and Mr. AKAKA) introduced

the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To make Technical and Other Changes to the Laws Dealing with the Territories and Freely Associated States of the United States.
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. MARSHALL ISLANDS AGRICULTURAL AND
4 FOOD PROGRAMS.
5 Paragraph (2) of subsection (h) of section 103 of
6 Public Law 99–239, as amended, is further amended by
7 striking the work ‘‘ten’’ and inserting in lieu thereof the

8 word ‘‘fifteen’’ and by adding at the end of subparagraph 9 (B) ‘‘Such technical assistance, programs and services

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1 shall ensure, on an ongoing basis, that the commodities
2 provided reflect the changes in the population that have

3 occurred since the effective date of the Compact.’’.

4 SEC. 2. AMERICAN MEMORIAL PARK.

5 Section 5 of Public Law 95–348 is amended by strik-

6 ing subsection (f), and renumbering subsections (g) and
7 (h) as subsections (f) and (g), respectively.
8 SEC. 3. TERRITORIAL LAND GRANT COLLEGES—TECH-
9 NICAL AMENDMENT.

10 Subsection (b) of section 1361 of Public Law 96–374

11 is amended by striking the words ‘‘August 30, 1980 (7
12 U.S.C. 327), commonly referred to as the Second’’ and

13 inserting in lieu thereof the words ‘‘July 2, 1862 (7 U.S.C. 14 305), commonly referred to as the First’’.

15 SEC. 4. AMENDMENT TO THE GUAM ORGANIC ACT.

16 The Organic Act of Guam (48 U.S.C. 1421 et seq.),
17 as amended, is further amended by adding at the end

18 thereof the following new section:
19 ‘‘SEC. 36. (a) At least 180 days before transferring

20 to any Federal agency excess real property located in
21 Guam, the Administrator of General Services shall notify
22 the government of Guam that the property is available
23 under this section.

24 ‘‘(b) The Administrator shall transfer to the govern-
25 ment of Guam all right, title, and interest of the United

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1 States in and to excess real property located in Guam,
2 by quit claim deed and without reimbursement, if the gov-

3 ernment of Guam, within 180 days after receiving notifica-4 tion under subsection (a) regarding the property, notifies
5 the Administrator that the government of Guam intends

6 to acquire the property under this section.
7 ‘‘(c) For purposes of this section, the term ‘excess

8 real property’ means excess property (as that term is de-9 fined in section 3 of the Federal Property and Administra-
10 tive Services Act of 1949, as in effect on the date of enact-

11 ment of the Guam Land Return Act) that is real prop-
12 erty.’’.
13 SEC. 5. REPEAL OF LIMITATION ON USE OF LANDS BY THE
14 GOVERNMENT OF GUAM.

15 (a) IN GENERAL.—Section 818(b)(2) of Public Law

16 96–418 (94 Stat. 1782), is repealed.
17 (b) EXECUTION OF INSTRUMENTS.—The Secretary

18 of the Navy and the Administrator General Services shall 19 execute all instruments necessary to implement this sec-

20 tion.

21 SEC. 6. CLARIFICATION OF ALLOTMENT FOR TERRITORIES.
22 Section 901(a), Part 1, title I of the Act of June 19,

23 1968 (42 U.S.C. 3791(a)), as amended, is further amend-24 ed in paragraph (2) by changing the proviso to read as
25 follows: ‘‘(2) ‘‘State’’ means any State of the United

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1 States, the District of Columbia, The Commonwealth of
2 Puerto Rico, the Virgin Islands, American Samoa, Guam,
3 and the Commonwealth of the Northern Mariana Is-
4 lands.’’

5 SEC. 7. AMENDMENTS TO THE REVISED ORGANIC ACT OF

6 THE VIRGIN ISLANDS.
7 (a) Section 7(a) of Public Law 90–496 (82 Stat.

8 839), as amended, is further amended by adding at the 9 end thereof ‘‘As used in this section, the term ‘temporary
10 absence’ shall not be construed as being physically absent

11 from the territory while on official Government busi-
12 ness.’ ’’

13 (b) Section 3 of Public Law 94–392 (90 Stat. 1195),
14 as amended, is further amended to read as follows—
15 (1) by inserting ‘‘hereinafter’’ between ‘‘obliga-

16 tions’’ and ‘‘issued’’;
17 (2) by deleting ‘‘priority for payment’’ and in-

18 serting in lieu thereof ‘‘a parity lien with every other
19 issue of bonds or other obligations hereinafter issued
20 for payment’’; and

21 (3) by deleting ‘‘in the order of the date of
22 issue’’.

23 (c) The provisions of section 149(d)(3)(A)(i)(I) and
24 149(d)(2) of the Internal Revenue Code of 1986, as

25 amended, shall not apply to bonds issued—

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

3 be used to advance refund certain bonds issued by
4 such authority on July 8, 1992; or
5 (2) by an authority created by statute of the

6 Virgin Islands legislature, the proceeds of which will
7 be used to advance refund certain bonds issued by

8 such authority on November 3, 1994.
9 (d) The amendments made by subsections (b) and (c)

10 shall apply to obligations issued on or after the date of
11 enactment of this section.
12 SEC. 8. COMMISSION ON THE ECONOMIC FUTURE OF THE
13 VIRGIN ISLANDS.

14 (a) ESTABLISHMENT AND MEMBERSHIP.—
15 (1) There is hereby established a Commission

16 on the Economic Future of the Virgin Islands (the
17 ‘‘Commission’’). The Commission shall consist of six

18 members appointed by the President, two of whom
19 shall be selected from nominations made by the Gov-

20 ernor of the Virgin Islands. The President shall des-
21 ignate one of the members of the Commission to be
22 Chairman.

23 (2) In addition to the six members appointed
24 under paragraph (1), the Secretary of the Interior

25 shall be an ex-officio member of the Commission.

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1 (3) Members of the Commission appointed by
2 the President shall be persons who by virtue of their

3 background and experience are particularly suited to
4 contribute to achievement of the purposes of the

5 Commission.
6 (4) Members of the Commission shall serve
7 without compensation, but shall be reimbursed for

8 travel, subsistence and other necessary expenses in-
9 curred by them in the performance of their duties.
10 (5) Any vacancy in the Commission shall be

11 filled in the same manner as the original appoint-
12 ment was made.
13 (b) PURPOSE AND REPORT.—

14 (1) The purpose of the Commission is to make
15 recommendations to the President and Congress on

16 the policies and programs necessary to provide for a
17 secure and self-sustaining future for the local econ-

18 omy of the Virgin Islands through 2020 and on the
19 role of the Federal Government in providing for that
20 future. In developing recommendations, the Commis-

21 sion shall—
22 (A) solicit information and advice from

23 persons and entities that the Commission deter-
24 mines have expertise to assist the Commission

25 in its work;

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1 (B) examine and analyze historical data
2 since 1970 on expenditures for infrastructure

3 and services;
4 (C) analyze the sources of funds for such

5 expenditures;
6 (D) assemble relevant demographic and
7 economic data, including trends and projects for

8 the future; and
9 (E) estimate future needs of the Virgin Is-

10 lands, including needs for capital improvements,
11 educational needs and social, health and envi-
12 ronmental requirements.
13 (2) The recommendations of the Commission

14 shall be transmitted to the President, the Committee

15 on Energy and Natural Resources of the United
16 States Senate and the Committee on Resources of
17 the United States House of Representatives no later

18 than December 1, 1997. The recommendations shall
19 be accompanied by a report that sets forth the basis

20 for the recommendations and includes an analysis of
21 the capability of the Virgin Islands to meet projected
22 needs based on reasonable alternative economic, po-

23 litical and social conditions in the Caribbean, includ-
24 ing the opening in the near future of Cuba to trade,

25 tourism and development.

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1 (c) POWERS.—
2 (1) The Commission may—

3 (A) hold such hearings, sit and act at such
4 times and places, take such testimony and re-

5 ceive such evidence as it may deem advisable;
6 (B) use the United States mail in the same
7 manner and upon the same conditions as other

8 departments and agencies of the United States;
9 (C) enter into contracts or agreements for

10 studies and surveys with public and private or-
11 ganizations and transfer funds to Federal agen-
12 cies to carry out such aspects of the Commis-
13 sion’s functions as the Commission determines

14 can best be carried out in such manner; and
15 (D) incur such necessary expenses and ex-

16 ercise such other powers as are consistent with
17 and reasonably required to perform its func-
18 tions.

19 (2) The Secretary of the Interior shall provide

20 such office space, furnishings and equipment as may
21 be required to enable the Commission to perform its
22 functions. The Secretary shall also furnish the Com-

23 mission with such staff, including clerical support,
24 as the Commission may require and shall provide to

25 the Commission financial and administrative serv-

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1 ices, including those relating to budgeting, account-
2 ing, financial reporting, personnel and procurement.

3 (3) The President, upon request of the Commis-
4 sion, may direct the head of any Federal agency or
5 department to assist the Commission and if so di-

6 rected such head shall—
7 (A) furnish the Commission to the extent

8 permitted by law and within available appro-
9 priations such information as may be necessary
10 for carrying out the functions of the Commis-

11 sion and as may be available to or procurable
12 by such department or agency; and

13 (B) detail to temporary duty with the
14 Commission on a reimbursable basis such per-

15 sonnel within his administrative jurisdiction as
16 the Commission may need or believe to be use-
17 ful for carrying out its functions, each such de-

18 tail to be without loss of seniority, pay or other
19 employee status.
20 (d) CHAIRMAN.—Subject to general policies that the

21 Commission may adopt, the Chairman of the Commission
22 shall be the chief executive officer of the Commission and

23 shall exercise its executive and administrative powers. The 24 Chairman may make such provisions as he may deem ap-

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1 propriate authorizing the performance of his executive and
2 administrative functions by the staff of the Commission.
3 (e) APPROPRIATIONS.—There are authorized to be

4 appropriated such sums as may be necessary to carry out

5 the purposes of this section.
6 (f) TERMINATION.—The Commission shall terminate
7 three months after the transmission of the report and rec-
8 ommendations under subsection (b)(2).
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