

## AMENDMENTS

2005—Subsec. (a)(5), (6). Pub. L. 109-58, §251(1), (2), added pars. (5) and (6).

Subsec. (e). Pub. L. 109-58, §251(3), amended subsec. (e) generally. Prior to amendment, subsec. (e) read as follows: “Within two years from December 24, 1980, the Secretary of Energy or any administrative official who may succeed him shall submit the comprehensive energy plan for each insular area to the Congress.”

Subsec. (g)(4). Pub. L. 109-58, §251(4), amended par. (4) generally. Prior to amendment, par. (4) read as follows: “Notwithstanding the requirements of section 1469a(d) of this title, the Secretary shall require at least 20 percent of the costs of any project under this subsection to be provided from non-Federal sources. Such cost sharing may be in the form of in-kind services, donated equipment, or any combination thereof.”

1992—Subsec. (g). Pub. L. 102-486 added subsec. (g).

1983—Subsec. (d). Pub. L. 98-213 inserted “and may implement any projects or programs contained in recommendations of the plan”.

## CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

**§ 1493. Prosecution; authorization to seek review; local or Federal appellate courts; decisions, judgments or orders**

The prosecution in a territory or Commonwealth is authorized—unless precluded by local law—to seek review or other suitable relief in the appropriate local or Federal appellate court, or, where applicable, in the Supreme Court of the United States from—

(a) a decision, judgment, or order of a trial court dismissing an indictment or information as to any one or more counts, except that no review shall lie where the constitutional prohibition against double jeopardy would further prosecution;

(b) a decision or order of a trial court suppressing or excluding evidence or requiring the return of seized property in a criminal proceeding, not made after the defendant has been put in jeopardy and before the verdict or finding on an indictment or information, if the prosecution certifies to the trial court that the appeal is not taken for purpose of delay and that the evidence is a substantial proof of a fact material in the proceeding; and

(c) an adverse decision, judgment, or order of an appellate court.

(Pub. L. 98-454, title X, §1003, Oct. 5, 1984, 98 Stat. 1746.)

## EFFECTIVE DATE

Section effective on ninetieth day following Oct. 5, 1984, see section 1005 of Pub. L. 98-454, set out as an Effective Date of 1984 Amendment note under section 1424 of this title.

**§ 1494. Purposes**

The purposes of sections 1494 to 1494c of this title are to improve enforcement of drug laws and enhance interdiction of illicit drug shipments in the Caribbean and Pacific territories and commonwealths of the United States and the Trust Territory of the Pacific Islands (or successor governments) and to assist public and private sector drug abuse and other substance

prevention and treatment programs in United States associated insular areas.

(Pub. L. 99-570, title V, §5002, Oct. 27, 1986, 100 Stat. 3207-154; Pub. L. 100-690, title IX, §9308, Nov. 18, 1988, 102 Stat. 4538.)

## AMENDMENTS

1988—Pub. L. 100-690 inserted “and the Trust Territory of the Pacific Islands (or successor governments)” after “commonwealths of the United States”, “and other substance” before “prevention”, and “associated” before “insular areas.”.

## SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-690, title IX, §9301(a), Nov. 18, 1988, 102 Stat. 4535, provided that: “This subtitle [subtitle D (§§9301-9310) of title IX of Pub. L. 100-690, enacting section 1494c of this title and amending this section and sections 1494a and 1494b of this title and section 10603 of Title 42, The Public Health and Welfare] may be cited as the ‘Insular Areas Drug Abuse Amendments of 1988.’”

## SHORT TITLE

Pub. L. 99-570, title V, §5001, Oct. 27, 1986, 100 Stat. 3207-154, provided that: “This subtitle [subtitle A (§§5001-5004) of title V of Pub. L. 99-570, enacting this section and sections 1494a and 1494b of this title] may be cited as the ‘United States Insular Areas Drug Abuse Act of 1986.’”

## TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of this title.

**§ 1494a. Annual reports to Congress**

**(a) In general**

The President shall report annually to the Congress as to—

(1) the efforts and success of Federal agencies in preventing the illegal entry into the United States of controlled substances from the insular areas of the United States outside the customs territory of the United States, the Trust Territory of the Pacific Islands, and states freely associated with the United States and the nature and extent of such illegal entry, and

(2) the efforts and success of Federal agencies in preventing the illegal entry from other nations, including states freely associated with the United States, of controlled substances into the United States territories, the Trust Territory of the Pacific Islands, and the commonwealths for use in the territories, the Trust Territory of the Pacific Islands, and commonwealths or for transshipment to the United States and the nature and extent of such illegal entry and use.

**(b) Transmission date**

The annual reports required by subsection (a) of this section shall be transmitted to the Committee on Natural Resources of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate not later than the first day of October each year.

(Pub. L. 99-570, title V, §5003, Oct. 27, 1986, 100 Stat. 3207-155; Pub. L. 100-690, title IX, §9309,