

§ 1643. Import provisions with respect to trade-marks

Section 1124 of title 15, and section 1526 of title 19, shall not apply to importations into the Virgin Islands of genuine foreign merchandise bearing a genuine foreign trade-mark, but shall remain applicable to importations of such merchandise from the Virgin Islands into the United States or its possessions; and the dealing in or possession of any such merchandise in the Virgin Islands shall not constitute a violation of any registrant's right under the Trade Mark Act [15 U.S.C. 1051 et seq.].

(July 22, 1954, ch. 558, §28(c), 68 Stat. 509.)

REFERENCES IN TEXT

The Trade Mark Act, referred to in text, probably means the Trademark Act of 1946, also popularly known as the Lanham Act, act July 5, 1946, ch. 540, 60 Stat. 427, as amended, which is classified generally to chapter 22 (§1051 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1051 of Title 15 and Tables.

CODIFICATION

Section constitutes subsec. (c) of section 28 of act July 22, 1954. Subsec. (b) of section 28 amended section 3350 of former Title 26, Internal Revenue Code, 1939, and subsecs. (a) and (d) thereof are classified to sections 1642 and 1644, respectively, of this title.

§ 1644. Import duties on articles entering United States or possessions from Virgin Islands

All articles coming into the United States from the Virgin Islands shall be subject to or exempt from duty as provided for in section 1301a¹ of title 19 and subject to internal-revenue taxes as provided for in section 7652(b) of title 26.

(July 22, 1954, ch. 558, §28(d), 68 Stat. 509; Sept. 1, 1954, ch. 1213, title IV, §402(a), 68 Stat. 1140; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095.)

REFERENCES IN TEXT

Section 1301a of title 19, referred to in text, was repealed by Pub. L. 87-456, title III, §301(a), May 24, 1962, 76 Stat. 75. See General Headnote 3(a) under section 1202 of Title 19, Customs Duties.

CODIFICATION

Section constitutes subsec. (d) of section 28 of act July 22, 1954. Subsecs. (a) and (c) of section 28 are classified to sections 1642 and 1643, respectively, of this title, and subsec. (b) thereof amended section 3350 of former Title 26, Internal Revenue Code, 1939.

AMENDMENTS

1986—Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”, which for purposes of codification was translated as “title 26” thus requiring no change in text.

1954—Act Sept. 1, 1954, subjected the Virgin Islands to the general provision for importations from insular possessions contained in section 1301a of Title 19, Customs Duties.

EFFECTIVE DATE OF 1954 AMENDMENT

Amendment by act Sept. 1, 1954, effective on and after the thirtieth day following Sept. 1, 1954, see section 601 of act Sept. 1, 1954, set out as a note under section 1421e of this title.

¹ See References in Text note below.

§ 1645. Remittance of duties, taxes, and fees to be collected in next fiscal year; authorization, prerequisites, amount, etc.

Beginning as soon as the government of the Virgin Islands enacts legislation establishing a fiscal year commencing on October 1 and ending on September 30, the Secretary of the Treasury, prior to the commencement of any fiscal year, shall remit to the government of the Virgin Islands the amount of duties, taxes, and fees which the Governor of the Virgin Islands, with the concurrence of the government comptroller of the Virgin Islands, has estimated will be collected in or derived from the Virgin Islands under the Revised Organic Act of the Virgin Islands [48 U.S.C. 1541 et seq.] during the next fiscal year, except for those sums covered directly upon collection into the treasury of the Virgin Islands. There shall be deducted from or added to the amounts so remitted, as may be appropriate, at the beginning of the fiscal year, the difference between the amount of duties, taxes, and fees actually collected during the prior fiscal year and the amount of such duties, taxes, and fees as estimated and remitted at the beginning of that prior fiscal year, including any deductions which may be required as a result of the operation of sections 1574a to 1574d¹ of this title.

(Pub. L. 95-348, §4(c)(2), Aug. 18, 1978, 92 Stat. 490.)

REFERENCES IN TEXT

The Revised Organic Act of the Virgin Islands, referred to in text, is act July 22, 1954, ch. 558, 68 Stat. 497, as amended, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1541 of this title and Tables.

Section 1574d of this title, referred to in text, was repealed by Pub. L. 97-357, title III, §308(g), Oct. 19, 1982, 96 Stat. 1710.

CODIFICATION

Section was not enacted as part of the Revised Organic Act of the Virgin Islands which comprises this chapter.

CHAPTER 13—EASTERN SAMOA

Sec.	
1661.	Islands of eastern Samoa.
1662.	Sovereignty of United States extended over Swains Island.
1662a.	Amendment of constitution of American Samoa.
1663.	Acknowledgment of deeds.
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1665.	Omitted.
1666.	Extension of scientific, technical, and other assistance; grant-in-aid program restriction; limitations on expenditures.
1667.	Repealed.
1668.	Reporting duties of Governor and transfer of functions from government comptroller for American Samoa to Inspector General, Department of the Interior.
1669.	Administration and enforcement of collection of customs duties; employment and training of residents.
1670.	Industrial development bonds.

¹ See References in Text note below.

§ 1661. Islands of eastern Samoa**(a) Ceded to and accepted by United States**

The cessions by certain chiefs of the islands of Tutuila and Manua and certain other islands of the Samoan group lying between the thirteenth and fifteenth degrees of latitude south of the Equator and between the one hundred and sixty-seventh and one hundred and seventy-first degrees of longitude west of Greenwich, herein referred to as the islands of eastern Samoa, are accepted, ratified, and confirmed, as of April 10, 1900, and July 16, 1904, respectively.

(b) Public land laws; revenue

The existing laws of the United States relative to public lands shall not apply to such lands in the said islands of eastern Samoa; but the Congress of the United States shall enact special laws for their management and disposition: *Provided*, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the said islands of eastern Samoa for educational and other public purposes.

(c) Government

Until Congress shall provide for the government of such islands, all civil, judicial, and military powers shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have power to remove said officers and fill the vacancies so occasioned.

(Feb. 20, 1929, ch. 281, 45 Stat. 1253; May 22, 1929, ch. 6, 46 Stat. 4.)

REFERENCES IN TEXT

The existing laws of the United States relative to public lands, referred to in subsec. (b), are classified generally to Title 43, Public Lands.

CODIFICATION

Subsec. (d) of this section, which provided for recommendation of legislation concerning the islands of eastern Samoa by seven commissioners as soon as reasonably practicable, was omitted from the Code.

Section was formerly classified to section 1431a of this title.

AMENDMENTS

1929—Subsec. (d). Act May 22, 1929, substituted “seven” and “three” for “six” and “two”, respectively, and inserted “or high chiefs” after “chiefs”.

AUTHORITY OF GUAM, AMERICAN SAMOA, AND THE NORTHERN MARIANA ISLANDS TO ENACT REVENUE LAWS

See section 1271 of Pub. L. 99-514, set out as a note under section 931 of Title 26, Internal Revenue Code.

SUBMERGED LANDS, CONVEYANCE TO TERRITORY

Conveyance of submerged lands to the government of American Samoa, see section 1701 et seq. of this title.

§ 1662. Sovereignty of United States extended over Swains Island

The sovereignty of the United States over American Samoa is extended over Swains Island, which is made a part of American Samoa and placed under the jurisdiction of the adminis-

trative and judicial authorities of the government established therein by the United States.

(Mar. 4, 1925, ch. 563, 43 Stat. 1357.)

CODIFICATION

Section was formerly classified to section 1431 of this title.

TRANSFER OF PERSONAL PROPERTY TO GOVERNMENT OF AMERICAN SAMOA

Pub. L. 96-597, title I, § 101, Dec. 24, 1980, 94 Stat. 3477, provided that: “Notwithstanding any other provision of law and subject to valid existing rights, all right, title, and interest of the Government of the United States in personal property situated in American Samoa shall be transferred, without reimbursement, to the American Samoa government on October 1, 1981, unless the agency of the Government of the United States having administrative responsibility for the property advises the Secretary of the Interior in writing before the date of transfer that it has a continuing requirement for such property.”

TRANSFER OF CERTAIN PROPERTY TO GOVERNMENT OF AMERICAN SAMOA

Pub. L. 87-158, Aug. 17, 1961, 75 Stat. 392, authorized the Secretary of the Navy to transfer, without reimbursement or transfer of funds, to the government of American Samoa, within ninety days after August 17, 1961, title to all property, real and personal, located in American Samoa on that date which was owned by the United States and was within the administrative supervision of the Department of the Navy on such date.

SUBMERGED LANDS, CONVEYANCE TO TERRITORY

Conveyance of submerged lands to the government of American Samoa, see section 1701 et seq. of this title.

EX. ORD. NO. 10264. TRANSFER OF ADMINISTRATION OF AMERICAN SAMOA

Ex. Ord. No. 10264, eff. June 29, 1951, 16 F.R. 6419, provided:

1. The administration of American Samoa is hereby transferred from the Secretary of the Navy to the Secretary of the Interior, such transfer to become effective on July 1, 1951.

2. The Department of the Navy and the Department of the Interior shall proceed with the plans for the transfer of administration of American Samoa as embodied in the above-mentioned memorandum of understanding between the two departments.

3. When the transfer of administration made by this order becomes effective, the Secretary of the Interior shall take such action as may be necessary and appropriate, and in harmony with applicable law, for the administration of civil government in American Samoa.

4. The executive departments and agencies of the Government are authorized and directed to cooperate with the Departments of the Navy and Interior in the effectuation of the provisions of this order.

5. The said Executive order of February 19, 1900 [Ex. Ord. 125-A], is revoked, effective July 1, 1951.

HARRY S. TRUMAN.

§ 1662a. Amendment of constitution of American Samoa

Amendments of, or modifications to, the constitution of American Samoa, as approved by the Secretary of the Interior pursuant to Executive Order 10264 as in effect January 1, 1983, may be made only by Act of Congress.

(Pub. L. 98-213, § 12, Dec. 8, 1983, 97 Stat. 1462.)

REFERENCES IN TEXT

Executive Order 10264, referred to in text, is set out under section 1662 of this title.