

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, §9309, 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) 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, Nov. 18, 1988, 102 Stat. 4539; Pub. L. 103-437, §17(a)(3), Nov. 2, 1994, 108 Stat. 4595.)

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” before “of the United States House”.

1988—Pub. L. 100-690 designated existing provisions as subsec. (a) and inserted heading, inserted “, the Trust Territory of the Pacific Islands,” before “and states” in par. (1) and after “territories” in two places in par. (2), and added subsec. (b).

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.

§ 1494b. Enforcement and administration in insular areas

(a) American Samoa

(1) With the approval of the Attorney General of the United States or his designee, law enforcement officers of the Government of American Samoa are authorized to—

(A) execute and serve warrants, subpoenas, and summons issued under the authority of the United States;

(B) make arrests without warrant; and

(C) make seizures of property to carry out the purposes of sections 1494 to 1494c of this title, the Controlled Substances Import and Export Act (21 U.S.C. 951-970), and any other applicable narcotics laws of the United States.

(2) The Attorney General and the Secretaries of Education and Health and Human Services of the United States, as appropriate, are authorized to and, upon request of the Government of American Samoa, shall—

(A) train law enforcement officers and other personnel of the Government of American Samoa, and