

**§ 1690. Loans from Trust Territory of the Pacific Islands Economic Loan Fund; restrictions; guarantees**

No loan or loan guarantee shall be made under sections 1688 to 1693 of this title to any applicant who does not satisfy the territorial administering agency that financing is otherwise unavailable on reasonable terms and conditions. No loan or loan guarantee shall exceed (1) the amount which can reasonably be expected to be repaid, (2) the minimum amount necessary to accomplish the purposes of sections 1688 to 1693 of this title, or 25 per centum of the funds appropriated pursuant to section 1688 of this title. No loan guarantee shall guarantee more than 90 per centum of the outstanding amount of any loan, and the reserves maintained to guarantee the loan shall not be less than 25 per centum of the guarantee.

(Pub. L. 92-257, § 3, Mar. 21, 1972, 86 Stat. 87.)

**§ 1691. Fiscal control and accounting procedures for plan for use of grant**

The plan provided for in section 1689 of this title shall set forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement, repayment, and accounting for such funds.

(Pub. L. 92-257, § 4, Mar. 21, 1972, 86 Stat. 88.)

**§ 1692. Comprehensive annual financial report by chief executives of governments of the Marshall Islands, Federated States of Micronesia, Palau, and Northern Mariana Islands; contents; other reports**

The chief executives of the governments of the Marshall Islands, the Federated States of Micronesia, Palau, and the Northern Mariana Islands shall prepare, publish, and submit to the Congress and the Secretary of the Interior a comprehensive annual financial report in conformance with the standards of the National Council on Governmental Accounting within one hundred and twenty days after the close of the fiscal year. The comprehensive annual financial report shall include statistical data as set forth in the standards of the National Council on Governmental Accounting relating to the physical, economic, social, and political characteristics of the government, and any other information required by the Congress. The chief executives shall also make such other reports at such other times as may be required by the Congress or under applicable Federal laws. This section is not subject to termination under section 502(a)(3) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America (90 Stat. 263, 268).

(Pub. L. 92-257, § 5, Mar. 21, 1972, 86 Stat. 88; Pub. L. 97-357, title II, § 203(a), Oct. 19, 1982, 96 Stat. 1707; Pub. L. 105-362, title IX, § 901(p), Nov. 10, 1998, 112 Stat. 3291.)

REFERENCES IN TEXT

Section 502(a)(3) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, referred to in text, is contained in section 1 of Pub. L. 94-241, set out as a note under section 1801 of this title.

AMENDMENTS

1998—Pub. L. 105-362 struck out “The chief executives shall transmit the comprehensive annual financial report to the Inspector General of the Department of the Interior who shall audit it and report his findings to the Congress.” after “required by the Congress.” and “The chief executives shall submit to the Congress, the Secretary of the Interior, the High Commissioner of the Trust Territory of the Pacific Islands, and the cognizant Federal auditors a written statement of actions taken or contemplated on Federal audit recommendations within sixty days after the issuance date of the audit report.” after “applicable Federal law.”

1982—Pub. L. 97-357 substituted provisions relating to preparation, etc., by the chief executives of the governments of the Marshall Islands, etc., of a comprehensive annual financial report to be submitted to the Congress and the Secretary of the Interior and transmitted to the Inspector General of the Interior Department, preparation of other congressionally required reports, submission of a written statement of actions taken or contemplated on Federal audit recommendations, and prohibition of termination of this section under the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States, for provisions relating to an annual report by the High Commissioner of the Trust Territory of the Pacific Islands on the administration of sections 1688 to 1693 of this title.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in the 1st sentence of this section relating to the requirement that the chief executives submit a comprehensive annual financial report to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and the 1st item on page 116 of House Document No. 103-7.

EXCEPTION TO REQUIREMENT THAT STATEMENT BE SUBMITTED TO HIGH COMMISSIONER OF TRUST TERRITORY OF THE PACIFIC ISLANDS

Pub. L. 97-357, title II, § 203(e), Oct. 19, 1982, 96 Stat. 1708, provided that: “Nothing in this section [adding section 1681b of this title, amending this section, and repealing section 1681c of this title] shall be construed as requiring the Governor of the Northern Mariana Islands to submit any statement or report to the High Commissioner of the Trust Territory of the Pacific Islands.”

**§ 1693. Audit of government; access to books, records, etc.**

The Comptroller General of the United States, or any of his duly authorized representatives, shall have access, for the purpose of audit and examination, to any relevant books, documents, papers, or records of the government of the Trust Territory of the Pacific Islands.

(Pub. L. 92-257, § 6, Mar. 21, 1972, 86 Stat. 88.)

**§§ 1694 to 1694e. Transferred**

CODIFICATION

Sections 1694 to 1694e, Pub. L. 95-157, §§ 1-6, Nov. 8, 1977, 91 Stat. 1265-1267; Pub. L. 98-454, title IX, §§ 901-904, Oct. 5, 1984, 98 Stat. 1744, 1745, which related to establishment of District Court for the Northern Mariana Islands, original and appellate jurisdiction, procedural requirements, relations between courts of United States and courts of Northern Mariana Islands, effective date, and authorization of appropriations, were transferred to sections 1821 to 1826, respectively, of this title.

**§ 1695. Federal education and health care programs; nonapplicability or nonparticipation**

Notwithstanding any other provision of law, except in cases in which the Federal program is terminated with respect to all recipients under the program, Federal programs in the fields of education and health care shall not cease to apply to the Trust Territory of the Pacific Islands or any successor government or governments, and shall continue to be available to the extent said territory or its successor or successors are eligible to participate in such programs. Participation in any applicable Federal programs in the fields of education and health care by the Trust Territory of the Pacific Islands or any successor government or governments shall not be denied, decreased or ended, either before or after the termination of the trusteeship, without the express approval of the United States Congress and shall continue at such levels as the Congress may provide in appropriation Acts.

(Pub. L. 96-205, title I, §104, Mar. 12, 1980, 94 Stat. 85; Pub. L. 96-597, title IV, §403, Dec. 24, 1980, 94 Stat. 3479.)

AMENDMENTS

1980—Pub. L. 96-597 substituted “and shall continue to be available to the extent said territory or its successor or successors are eligible to participate in such programs. Participation” for “nor shall participation”, “governments shall not be denied” for “governments be denied” and inserted “and shall continue at such levels as the Congress may provide in appropriation Acts.” after “United States Congress”.

**CHAPTER 15—CONVEYANCE OF SUBMERGED LANDS TO TERRITORIES**

Sec.

1701 to 1703. Repealed.

1704. Concurrent jurisdiction; exceptions for national defense purposes.

1705. Tidelands, submerged lands, or filled lands.

1706. Reserved rights.

1707. Payment of rents, royalties, and fees to local government.

1708. Discrimination prohibited in rights of access to, and benefits from, conveyed lands.

**§§ 1701 to 1703. Repealed. Pub. L. 93-435, § 5, Oct. 5, 1974, 88 Stat. 1212**

Section 1701, Pub. L. 88-183, §1, Nov. 20, 1963, 77 Stat. 338, related to authority of Secretary of the Interior to transfer tidelands, submerged lands, and filled lands to governments of Guam, Virgin Islands, and American Samoa with certain restrictions and conditions. See section 1705 of this title.

Section 1702, Pub. L. 88-183, §2, Nov. 20, 1963, 77 Stat. 339, related to administrative responsibility of Secretary of the Interior for tidelands, submerged lands, and filled lands in adjacent to Guam, Virgin Islands, and American Samoa. See sections 1705 to 1708 of this title.

Section 1703, Pub. L. 88-183, §3, Nov. 20, 1963, 77 Stat. 339, related to certain rights reserved for the United States for purposes of defense, navigation, flood control, commerce and international affairs. See section 1706 of this title.

**§ 1704. Concurrent jurisdiction; exceptions for national defense purposes**

(a) Except as otherwise provided by law, the governments of the Virgin Islands, Guam, and

American Samoa, shall have concurrent civil and criminal jurisdiction with the United States with regard to property owned, reserved, or controlled by the United States in the Virgin Islands, Guam, and American Samoa respectively. A judgment of conviction or acquittal on the merits under the laws of Guam, the Virgin Islands, or American Samoa shall be a bar to any prosecution under the criminal laws of the United States for the same act or acts, and a judgment of conviction or acquittal on the merits under the laws of the United States shall be a bar to any prosecution under the laws of Guam, the Virgin Islands, or American Samoa for the same act or acts.

(b) Notwithstanding the provisions of subsection (a) of this section, the President may from time to time exclude from the concurrent jurisdiction of the government of Guam persons found, acts performed, and offenses committed on the property of the United States which is under the control of the Secretary of Defense to such extent and in such circumstances as he finds required in the interest of the national defense.

(Pub. L. 88-183, §4, Nov. 20, 1963, 77 Stat. 339; Pub. L. 99-396, §3, Aug. 27, 1986, 100 Stat. 839.)

REFERENCES IN TEXT

The criminal laws of the United States, referred to in subsec. (a), are classified generally to Title 18, Crimes and Criminal Procedure.

AMENDMENTS

1986—Subsec. (a). Pub. L. 99-396 amended first sentence generally. Prior to amendment, first sentence read as follows: “Except as otherwise provided in this section, the governments of Guam, the Virgin Islands, and American Samoa, as the case may be, shall have concurrent jurisdiction with the United States over parties found, acts performed, and offenses committed on property owned, reserved, or controlled by the United States in Guam, the Virgin Islands, and American Samoa.”

**§ 1705. Tidelands, submerged lands, or filled lands**

**(a) Conveyance to Guam, the Commonwealth of the Northern Mariana Islands, Virgin Islands, and American Samoa**

Subject to valid existing rights, all right, title, and interest of the United States in lands permanently or periodically covered by tidal waters up to but not above the line of mean high tide and seaward to a line three geographical miles distant from the coastlines of the territories of Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, and American Samoa, as heretofore or hereafter modified by accretion, erosion, and reliction, and in artificially made, filled in, or reclaimed lands which were formerly permanently or periodically covered by tidal waters, are hereby conveyed to the governments of Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, and American Samoa, as the case may be, to be administered in trust for the benefit of the people thereof.

**(b) Retention of certain lands and mineral rights by United States**

There are excepted from the transfer made by subsection (a) hereof—