

and under the control of the United States. The activities of such third country forces shall be subject to the same limitations and restrictions applicable to the authority of the United States under the terms of the Compact.

(3) The Government of the United States considers “Exclusive use” areas established for the United States pursuant to Title Three of the Compact to be “within the jurisdiction of Palau,” as that term is used in section 324 of the Compact.

(i) Availability of appropriations

Notwithstanding any other provision of law, funds appropriated for the Compact of Free Association, Public Law 99-239 [48 U.S.C. 1901 et seq., 2001 et seq.], or this joint resolution, in the act of making supplemental appropriations for fiscal year 1986, shall remain available until expended.

(j) Authority to contract or make payments

(1), (2) Omitted

(3) No authority under this subsection to enter into contracts or to make payments shall be effective except to the extent and in such amounts as provided in advance in appropriations Acts. Any provision of this subsection which authorizes the enactment of new budget authority shall be effective only for fiscal years beginning after September 30, 1985.

(k) Annual report

The Departments of Energy and Interior are directed to provide the Committees on Appropriations of the House and Senate with a report by December 1 of each fiscal year detailing how funds were spent during the previous fiscal year for the special medical care and logistical support program for Rongelap and Utrik and for the agriculture and food programs for Eniwetok and Bikini as referenced in Section 103(h) of Public Law 99-239 [48 U.S.C. 1903(h)]. The report shall also specify the anticipated needs during the current and following fiscal years in order to meet the radiological health care and logistical support program for Rongelap and Utrik and the planting, agricultural maintenance, and food programs for Eniwetok and Bikini. It is the sense of the Congress that the special medical care and logistical support program for Rongelap and Utrik and for the agriculture and food programs for Eniwetok and Bikini described in section 103(h) of Public Law 99-239 represent special and continuing moral commitments of the United States which will be annually funded to the extent of the need of the populations of such atolls for such assistance.

(Pub. L. 99-658, title I, §104, Nov. 14, 1986, 100 Stat. 3675; Pub. L. 101-219, title I, §105, Dec. 12, 1989, 103 Stat. 1871; Pub. L. 110-181, div. A, title XII, §1253, Jan. 28, 2008, 122 Stat. 402.)

REFERENCES IN TEXT

The Compact, referred to in text, is the Compact of Free Association between the United States and the Government of Palau, which is contained in section 201 of Pub. L. 99-658, set out as a note under section 1931 of this title.

The Compact of Free Association with the Marshall Islands and the Compact of Free Association with the Federated States of Micronesia and the Marshall Is-

lands, referred to in subsecs. (a)(1) and (f), respectively, are contained in the Compact of Free Association, which is contained in section 201 of Pub. L. 99-239, set out as a note under section 1901 of this title.

This joint resolution and this Act, referred to in subsecs. (e), (f), and (i), is Pub. L. 99-658, Nov. 14, 1986, 100 Stat. 3672, as amended, which is classified generally to this part. Title II of this joint resolution enacted section 1934 of this title and provisions set out as a note under section 1931 of this title. Section 104 of this joint resolution, which is classified to this section, does not contain a subsec. (l). For complete classification of this Act to the Code, see Tables.

The Compact of Free Association Act of 1985 and Public Law 99-239, referred to in subsecs. (f), (g), and (i), is Pub. L. 99-239, Jan. 14, 1986, 99 Stat. 1770, as amended, which is classified principally to part A of subchapter I of this chapter and chapter 19 (§2001 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1901 of this title and Tables.

Public Law 99-177, referred to in subsec. (f), is Pub. L. 99-177, Dec. 12, 1985, 99 Stat. 1037, as amended. For complete classification of this Act to the Code, see Tables.

Public Law 99-366, referred to in subsec. (f), is Pub. L. 99-366, July 31, 1986, 100 Stat. 773. For complete classification of this Act to the Code, see Tables.

The Compact of Free Association, referred to in subsecs. (g) and (i), probably means the Compact of Free Association between the Government of the United States and the Governments of the Marshall Islands and the Federated States of Micronesia, which is contained in section 201 of Pub. L. 99-239, set out as a note under section 1901 of this title.

CODIFICATION

Section was formerly set out as a note under section 1681 of this title.

Section is comprised of section 104 of Pub. L. 99-658. Subsec. (c) of section 104 of Pub. L. 99-658 amended section 1905 of this title. Subsec. (j)(1) and (2) of section 104 of Pub. L. 99-658 amended sections 460ff-3 and 460ff-5 of Title 16, Conservation.

AMENDMENTS

2008—Subsec. (a). Pub. L. 110-181 designated existing provisions as par. (1) and added par. (2).

1989—Subsec. (e). Pub. L. 101-219 amended subsec. (e) generally. Prior to amendment, subsec. (e) read as follows: “Neither the Secretary of the Treasury nor any other officer or agent of the United States shall pay or transfer any portion of the sums and amounts payable to the Government of Palau pursuant to this joint resolution to any party other than the Government of Palau. The provisions of section 174(a) of the Compact shall apply with respect to any action based on a contract or debt related to any electrical generating plant or related facilities entered into or incurred by Palau prior to the date of enactment of this joint resolution.”

CHANGE OF NAME

Committee on Interior and Insular Affairs of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 5, One Hundred Third Congress, Jan. 5, 1993.

§ 1934. Jurisdiction

(a) Maritime and territorial jurisdiction

With respect to section 321 of the Compact of Free Association and its related agreements, the jurisdictional provisions set forth in subsection (b) of this section shall apply only to the citizens and nationals of the United States and aliens lawfully admitted to the United States for permanent residence who are in Palau.

(b) Defense sites

The defense sites of the United States established in Palau in accordance with the Compact

of Free Association and its related agreements are within the special maritime and territorial jurisdiction of the United States as set forth in section 7, title 18.

(c) Offenses

(1) Any person referred to in subsection (a) of this section who within or upon such defense sites is guilty of any act or omission which, although not made punishable by any enactment of Congress, would be punishable if committed or omitted within the jurisdiction of the territory of Guam by the laws thereof, in force at the time of such act or omission, shall be guilty of a like offense and subject to a like punishment.

(2) The District Court of Guam shall have jurisdiction to try all criminal offenses against the United States, including the laws of Guam made applicable to the defense sites in Palau by virtue of subsection (c)(1) of this section, committed by any person referred to in subsection (a) of this section.

(3) The District Court of Guam may appoint one or more magistrate judges for the defense sites in Palau. Such Magistrate Judges shall have the power and the status of Magistrate Judges appointed pursuant to chapter 43, title 28: Provided however, That such Magistrate Judges shall have the power to try persons accused of, and sentence persons convicted of, petty offenses, as defined in section 1(3),¹ title 18, including violations of regulations for the maintenance of peace, order, and health issued by the Commanding Officer on such defense sites, without being subject to the restrictions provided for in section 3401(b), title 18.

(Pub. L. 99-658, title II, §202, Nov. 14, 1986, 100 Stat. 3704; Pub. L. 101-650, title III, §321, Dec. 1, 1990, 104 Stat. 5117.)

REFERENCES IN TEXT

The Compact of Free Association, referred to in subsecs. (a) and (b), is the Compact of Free Association between the United States and the Government of Palau, which is contained in section 201 of Pub. L. 99-658, set out as a note under section 1931 of this title.

Section 1 of title 18, referred to in subsec. (c)(3), was repealed by Pub. L. 98-473, title II, §218(a)(1), Oct. 12, 1984, 98 Stat. 2027.

CODIFICATION

Section was formerly set out as a note under section 1681 of this title.

Section was enacted as part of title II of Pub. L. 99-658, not as part of title I of Pub. L. 99-658 which comprises this part.

CHANGE OF NAME

Words “magistrate judges” and “Magistrate Judges” substituted for “magistrates” and “Magistrates”, respectively, wherever appearing in subsec. (c)(3) pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

PART B—IMPLEMENTATION OF COMPACT

§ 1951. Entry into force of Compact

Notwithstanding the provisions of Section 101(d)(1)(B) of Public Law 99-658 [48 U.S.C. 1931(d)(1)(B)], entry into force of the Compact of

Free Association between the United States and Palau (set forth in title II of Public Law 99-658 and hereafter in this joint resolution referred to as the “Compact”) in accordance with subsections (a) and (d) of section 101 of Public Law 99-658 (100 Stat. 3673) [48 U.S.C. 1931(a), (d)] is hereby authorized—

(1) subject to the condition that the Compact, as approved by the Congress in Public Law 99-658, is approved by the requisite percentage of the votes cast in a referendum conducted pursuant to the Constitution of Palau, and such approval is free from any legal challenge, and

(2) upon expiration of 30 days, in which either the House of Representatives or the Senate of the United States is in session, after the President notifies the Committees on Interior and Insular Affairs and Foreign Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate of the effective date of the Compact.

(Pub. L. 101-219, title I, §101, Dec. 12, 1989, 103 Stat. 1870.)

REFERENCES IN TEXT

Public Law 99-658, referred to in text, is Pub. L. 99-658, Nov. 14, 1986, 100 Stat. 3672, as amended, which is classified generally to part A of this subchapter. Title II of Pub. L. 99-658 enacted section 1934 of this title and provisions set out as a note under section 1931 of this title. For complete classification of this Act to the Code, see Tables.

The Compact of Free Association between the United States and Palau, referred to in text, is contained in section 201 of Pub. L. 99-658, set out as a note under section 1931 of this title.

This joint resolution, referred to in text, is Pub. L. 101-219, Dec. 12, 1989, 103 Stat. 1870, which enacted this part and sections 1846 and 1972 of this title, amended sections 1615 and 1933 of this title and section 3791 of Title 42, The Public Health and Welfare, and enacted provisions set out as a note under section 1905 of Title 44, Public Printing and Documents. For complete classification of this joint resolution to the Code, see Tables.

For Oct. 1, 1994, as the effective date of the Compact, referred to in par. (2), see Proc. No. 6726, Sept. 27, 1994, 59 F.R. 49777, set out as a note under section 1931 of this title.

CODIFICATION

Section was formerly set out as a note under section 1681 of this title.

CHANGE OF NAME

Committee on Interior and Insular Affairs of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 5, One Hundred Third Congress, Jan. 5, 1993.

§ 1952. Fiscal procedures assistance

Upon request of the Government of Palau, the Secretary of the Interior shall provide assistance to the Government of Palau to develop and promulgate regulations for the effective expenditure of funds received pursuant to this joint resolution, Public Laws 99-658 [48 U.S.C. 1931 et seq.] and 99-239 [48 U.S.C. 1901 et seq., 2001 et seq.], or any other Act of Congress.

(Pub. L. 101-219, title I, §102, Dec. 12, 1989, 103 Stat. 1870.)

REFERENCES IN TEXT

This joint resolution, referred to in text, is Pub. L. 101-219, Dec. 12, 1989, 103 Stat. 1870, which enacted this

¹ See References in Text note below.