

entitled "To authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (enrolled bill H.R. 6550, Ninety-fifth Congress, first session) [Pub. L. 95-134, approved Oct. 15, 1977]."

§ 1421r. Port of Guam Improvement Enterprise Program

(a) In general

The Secretary of Transportation, acting through the Administrator of the Maritime Administration (in this section referred to as the "Administrator"), may establish a Port of Guam Improvement Enterprise Program (in this section referred to as the "Program") to provide for the planning, design, and construction of projects for the Port of Guam to improve facilities, relieve port congestion, and provide greater access to port facilities.

(b) Authorities of the Administrator

In carrying out the Program, the Administrator may—

(1) receive funds provided for the Program from Federal and non-Federal entities, including private entities;

(2) provide for coordination among appropriate governmental agencies to expedite the review process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for projects carried out under the Program;

(3) provide for coordination among appropriate governmental agencies in connection with other reviews and requirements applicable to projects carried out under the Program; and

(4) provide technical assistance to the Port Authority of Guam (and its agents) as needed for projects carried out under the Program.

(c) Port of Guam Improvement Enterprise Fund

(1) Establishment

There is established in the Treasury of the United States a separate account to be known as the "Port of Guam Improvement Enterprise Fund" (in this section referred to as the "Fund").

(2) Deposits

There shall be deposited into the Fund—

(A) amounts received by the Administrator from Federal and non-Federal sources under subsection (b)(1);

(B) amounts transferred to the Administrator under subsection (d); and

(C) amounts appropriated to carry out this section under subsection (f).

(3) Use of amounts

Amounts in the Fund shall be available to the Administrator to carry out the Program.

(4) Administrative expenses

Not to exceed 3 percent of the amounts appropriated to the Fund for a fiscal year may be used for administrative expenses of the Administrator.

(5) Availability of amounts

Amounts in the Fund shall remain available until expended.

(d) Transfers of amounts

Amounts appropriated or otherwise made available for any fiscal year for an intermodal

or marine facility comprising a component of the Program shall be transferred to and administered by the Administrator.

(e) Limitation

Nothing in this section shall be construed to authorize amounts made available under section 165 of title 23 or any other amounts made available for the construction of highways or amounts otherwise not eligible for making port improvements to be deposited into the Fund.

(f) Authorization of appropriations

There are authorized to be appropriated to the Fund such sums as may be necessary to carry out this section.

(Pub. L. 110-417, div. C, title XXXV, §3512, Oct. 14, 2008, 122 Stat. 4770; Pub. L. 111-383, div. A, title X, §1075(e)(20), Jan. 7, 2011, 124 Stat. 4375; Pub. L. 112-141, div. A, title I, §1114(b)(2)(C), July 6, 2012, 126 Stat. 468.)

Editorial Notes

REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in subsec. (b)(2), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

CODIFICATION

Section was enacted as part of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 and not as part of the Organic Act of Guam which comprises this chapter.

AMENDMENTS

2012—Subsec. (e). Pub. L. 112-141 substituted "section 165" for "section 215".

2011—Subsec. (f). Pub. L. 111-383 inserted period at end.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

SUBCHAPTER II—THE EXECUTIVE BRANCH

§ 1422. Governor and Lieutenant Governor; term of office; qualifications; powers and duties; annual report to Congress

The executive power of Guam shall be vested in an executive officer whose official title shall be the "Governor of Guam". The Governor of Guam, together with the Lieutenant Governor, shall be elected by a majority of the votes cast by the people who are qualified to vote for the members of the Legislature of Guam. The Governor and Lieutenant Governor shall be chosen jointly, by the casting by each voter of a single vote applicable to both offices. If no candidates receive a majority of the votes cast in any election, on the fourteenth day thereafter a runoff election shall be held between the candidates for Governor and Lieutenant Governor receiving the highest and second highest number of votes