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UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE SECOND SESSION OF THE
NINETY-FIFTH CONGRESS
OF THE UNITED STATES OF AMERICA

1978

AND

PROCLAMATIONS

VOLUME 92

IN THREE PARTS

PART 1

PUBLIC LAWS 95-224 THROUGH 95-472



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1980

Public Law 95-348
in Congress

An Act

authorize appropriations for certain insular areas of the United States, and for other purposes.

Aug. 18, 1978
[S. 2821]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

United States
insular areas.
Appropriation
authorizations.

GUAM

SECTION 1. (a) (1) For grants to the government of Guam for the rehabilitation, upgrading, and construction of public facilities, there are hereby authorized to be appropriated to the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") \$13,868,000 in fiscal year 1979, and \$20,000,000 thereafter, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs from October 1978 price levels as indicated by engineering cost indexes applicable to the types of construction involved.

The Secretary may place such stipulations as he deems appropriate on the use of funds appropriated pursuant to subsection (a) (1) of this section.

Grants provided pursuant to this Act and not obligated or expended by the government of Guam during any fiscal year will remain available for obligation or expenditure by such government in subsequent fiscal years for the purposes for which the funds were appropriated.

Funds provided under paragraph (a) (1) may be used by Guam to match a matching share for Federal programs and services.

Authorizations of moneys to be appropriated under this subsection shall be effective on October 1, 1978.

The Secretary is directed to prepare and transmit to the Congress not later than July 1, 1979, an analysis of the capital infrastructure needs of Guam for the 1985-1990 timeframe. The analysis shall include the nature and type of infrastructure needed, the adequacy of existing infrastructure, the estimated costs of improvement, extension, rehabilitation, or replacement of the existing infrastructure to meet the projected demands, the capability of local government to meet such costs and the options available, and shall provide a series of alternatives for Federal support for that portion of the infrastructure which cannot be financed by local government.

The government of Guam in carrying out the purposes of this section may, under Public Law 95-134, may utilize, to the extent practicable, the services and facilities of agencies and instrumentalities of the Federal Government on a reimbursable basis. Such amounts may be charged to the appropriation or fund which provided the services and facilities. Agencies and instrumentalities of the Federal Government, when practicable, make available to the government of Guam, at the request of the Secretary such services and facilities as they are authorized to render or furnish, and they may do so without reimbursement, if otherwise authorized by law.

Effective date.

Report to
Congress.
48 USC 1421
note.

91 Stat. 1159.

Duties and taxes.
48 USC 1421h.

(c) Section 30 of the Organic Act of Guam (64 Stat. 384), as amended, is further amended by adding at the end thereof the following: "Beginning as soon as the government of Guam 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 Guam the amount of duties, taxes, and fees which the governor of Guam, with the concurrence of the government comptroller of Guam, has estimated will be collected in or derived from Guam under this section during the next fiscal year, except for those sums covered directly upon collection into the treasury of Guam. The Secretary of the Treasury shall deduct from or add to the amounts so remitted 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 Public Law 94-395 (90 Stat. 1199) or Public Law 88-170, as amended (82 Stat. 863)."

91 Stat. 1162.

(d) Section 205 of the Act entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (Public Law 95-134) is amended by striking out "\$25,000,000: *Provided*" and inserting in lieu thereof "\$35,000,000: *Provided*. That \$10,000,000 of such sums is not authorized to be appropriated prior to October 1, 1978. Health care needs shall include goods and services provided to maintain and operate the Medical Center of the Marianas: *Provided further*:"

TRUST TERRITORY OF THE PACIFIC ISLANDS

89 Stat. 212.

SEC. 2. (a) There is hereby authorized to be appropriated \$15,000,000 of the Bikini people evacuated from Bikini Atoll, Trust Territory of the Pacific Islands, as a result of United States nuclear tests commencing in 1946, and their descendants. Of this \$15,000,000:

(1) \$12,000,000 is authorized for the relocation and resettlement of the Bikini people within the Marshall Islands; and

(2) to compensate the Bikini people for any radiological damage to their atoll an additional \$3,000,000 shall be held in trust with the proceeds to be distributed in accordance with the provisions thereof.

(b) None of the funds authorized pursuant to subsection (a)(2) above shall be available for payment of any attorneys fees or associated expenses.

(c) The Secretary of the Interior shall prepare and submit to Congress by July 1, 1979, a progress report on his efforts to establish a permanent location for the displaced people of Bikini Island. Such report shall review: alternative actions taken to provide the people of Bikini with temporary homes; political and social consequences of the relocation of these people on Kili Island; and the Secretary's attempt to locate, acquire, and develop a permanent location for the settlement of these people. Such report shall also suggest probable economic, social, political, and cultural consequences which may result from the permanent settlement of these people in various alternative locations and inform the Congress of additional plans adopted by the

Report to
Congress.
48 USC 1681
note.

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Secretary, together with any recommendations he may have for legislation necessary to implement those plans, to provide further assistance to the people of Bikini.

NORTHERN MARIANA ISLANDS

Sec. 3. (a) There is hereby authorized to be appropriated for expenditure after October 1, 1978, not more than \$12,000,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs from October 1978 price levels as indicated by engineering cost indexes applicable to the types of construction involved, to assist in the acquisition and construction of a powerplant for the Northern Mariana Islands together with upgrade, rehabilitation, or replacement of distribution facilities.

(b) (1) The government of the Northern Marianas in carrying out the purposes of this Act, Public Law 95-134, or Public Law 94-241, may utilize, to the extent practicable, the available services and facilities of agencies and instrumentalities of the Federal Government on a reimbursable basis. Such amounts may be credited to the appropriation or fund which provided the services and facilities. Agencies and instrumentalities of the Federal Government may, when practicable, make available to the government of the Northern Marianas, upon the request of the Secretary, such services and facilities as they are equipped to render or furnish, and they may do so without reimbursement if otherwise authorized by law.

91 Stat. 1159.
90 Stat. 263.

(2) Any funds made available to the Northern Mariana Islands under grant-in-aid programs by section 502 of the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America (Public Law 94-241), or pursuant to any other Act of Congress enacted after March 24, 1976, shall hereby authorized to remain available until expended.

Funds,
availability.

90 Stat. 268.

(3) Any amount authorized by the Covenant described in paragraph (2) or by any other Act of Congress enacted after March 24, 1976, which authorizes appropriations for the Northern Mariana Islands, but not appropriated for a fiscal year is authorized to be available for appropriation in succeeding fiscal years.

(c) Notwithstanding the provisions of the Food Stamp Act of 1977, the Secretary of Agriculture is authorized, upon the request of the Governor of the Northern Mariana Islands, acting pursuant to legislation enacted in accordance with sections 5 and 7 of article II of the Constitution of the Northern Mariana Islands, and for the period during which such legislation is effective, (1) to implement a food stamp program in part or all of the Northern Mariana Islands with such income and household standards of eligibility, deductions, and allotment values as the Secretary determines, after consultation with the Governor, to be suited to the economic and social circumstances of such islands: *Provided*, That in no event shall such income standards of eligibility exceed those in the forty-eight contiguous States, and (2) to distribute or permit a distribution of federally donated foods in any part of the Northern Mariana Islands for which the Governor has not requested that the food stamp program be implemented. This authority shall remain in effect through September 30, 1981, and shall not apply to section 403 of Public Law 95-135.

Food stamp
program.
48 USC 1681
note.
7 USC 2011
note.

91 Stat. 1166.
48 USC 1681
note.

(d) The Secretary of the Treasury is authorized and directed, upon the request of the Governor of the Northern Mariana Islands,