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 Section 1091. The National School Lunch Act, as amended, referred to in subtitle (b) is classified in chapter 17 of Title 42, The Public Health and Welfare, and the National Vocational Education Act of 1916, as amended, referred to in subtitle (c) is classified in sections 151-159, 160-169, 170-179, and 180-189 of Title 20, Education.

The Library Services Act, as amended, referred to in subtitle (c) is classified in chapter 16 of Title 20, Education. The Hospital Survey and Construction Act, as amended, referred to in subtitle (c) is classified in section 291 of Title 42, The Public Health and Welfare. Legislative History: For Legislative history and purpose of Pub.L. 85-576, see 1962 U.S. Code Cong. and Admin. News, p. 2922.

§ 1667. Repealed. Pub.L. 90-576, Title I, § 103, Oct. 10, 1968, 82 Stat. 1091

Section, Pub.L. 87-688, § 2, Sept. 25, 1962, 76 Stat. 588, extended to American Samoa the benefits of the Vocational Education Act of 1916 and authorized an annual appropriation of \$80,000 therefor.

CHAPTER 14.—TRUST TERRITORY OF THE PACIFIC ISLANDS [NEW]

Sec.	Section	Effective Date of Repeal.
1681.	Continuance of civil government for the Trust Territory of the Pacific Islands; assistance program; maximum fiscal year costs; reimbursement.	1962.
1681a.	Appointment of High Commissioner.	1962.
1681b.	Government comptroller of Guam; additional duties (New).	1962.
1681c.	General provision; general supervision of Secretary of Interior; other than executive department status; appointment of salary and expenses between Guam and Trust Territory.	1962.
1681d.	Additional function; auditing and additional reporting function.	1962.
1681e.	Decisions of comptroller general; administrative review.	1962.
1681f.	Same; judicial review.	1962.
1681g.	Official communications; witnesses and oaths.	1962.
1681h.	Annual report to Congress.	1962.
1681i.	Miscellaneous reports; Office of activities subject to review by Comptroller General of the United States.	1962.
1681j.	Collection of data; access to government records.	1962.
1681k.	Library references; War and National Defense.	1962.

§ 1681. Continuance of civil government for the Trust Territory of the Pacific Islands; assistance programs; maximum fiscal year costs; reimbursement

(a) Until Congress shall further provide for the government of the Trust Territory of the Pacific Islands, all executive, legislative, and judicial authority necessary for the civil administration of the Trust Territory shall continue to be vested in such person or persons and shall be exercised in such manner and through such agency or agencies as the President of the United States may direct or authorize.

(b) The head of any department, corporation, or other agency of the executive branch of the Government may, upon the request of the Secretary of the Interior, extend to the Trust Territory of the Pacific Islands, with or without reimbursement, scientific, technical, and other assistance under any program administered by such agency, or extend to the Trust Territory any Federal program administered by such agency. If the assistance or program will promote the welfare of the Trust Territory, not-

withstanding any provision of law under which the Trust Territory may otherwise be ineligible for the assistance or program: Provided, That the Secretary of the Interior shall not request assistance pursuant to this section in any one fiscal year in excess of \$150,000: *Provided further*, That the cost of any program extended to the Trust Territory under this subsection shall be reimbursable out of appropriations authorized and made for the government of the Trust Territory pursuant to section 2 of this Act, as amended. The provisions of this subsection shall not apply to financial assistance under a grant-in-aid program. June 30, 1954, c. 423, § 1, 68 Stat. 330, amended Aug. 22, 1964, Pub.L. 88-487, § 1, 78 Stat. 601.

References in Text: Section 2 of this Act, as amended, referred to in subtitle (b), means section 2 of Act June 30, 1954, set out as a note under this section. 1964 Amendment, Pub.L. 88-487 designating existing provisions as subtitle (b), and added subtitle (b), Act of July 30, 1964, as amended July 30, 1967, Pub.L. 87-641, 78 Stat. 171; May 10, 1967, Pub.L. 90-76, § 1, 81 Stat. 15; Oct. 21, 1968, Pub.L. 90-617, § 1, 82 Stat. 1233; Dec. 21, 1970, Pub.L. 91-578, 81 Stat. 1559; Sept. 21, 1973, Pub.L. 93-111, § 1, 87 Stat. 354. *Provided that*: There are authorized to be appropriated not to exceed \$27,000,000 for fiscal year 1974 and 1975, and for each of the fiscal years 1974 and 1975, \$10,000,000 plus such sums as are necessary, but not to exceed \$10,000,000, for each of such fiscal years, to offset reductions in, or the termination of, Federal grant-in-aid programs or other funds made available to the Trust Territory of the Pacific Islands by other Federal agencies to remain available until expended, to carry out the provisions of this Act of this section and to provide for this Act of this section necessary capital improvements and public works related to health, education, utilities, highways, transportation facilities, communications, and public buildings: Provided, That except for funds appropriated for the activities of the Peace Corps no funds appropriated by any Act shall be used for administration of the Trust Territory of the Pacific Islands except as may be specifically authorized by law.

Authorization for Fiscal Year 1969. Pub.L. 87-511, July 19, 1962, 76 Stat. 171. *Provided in part that*: "not more than \$15,000,000 is authorized to be appropriated for the fiscal year 1963."

Appointment of High Commissioner. Appointment of High Commissioner by the President by and with the advice and

consent of the Senate, see section 1081a of this title.

Similar Provisions. Similar provisions continuing the civil government for the Trust Territory of the Pacific Islands until June 30, 1954 were contained in Joint Res. Aug. 8, 1953, c. 583, § 1, 2, 67 Stat. 494.

Disaster Relief. Section 3 of Act June 30, 1954, c. 423, as added Pub.L. 90-617, § 2, Oct. 21, 1968, 82 Stat. 1233, and amended Pub.L. 91-004, Title III, § 301(5), 1970, 84 Stat. 1759, provided that: "Whereas hereby authorized to be appropriated such sums as the Secretary of the Interior may find necessary, but not to exceed \$10,000,000 for any one year, for alleviating suffering and damage resulting from hurricanes and damage resulting from hurricanes that occur in the Trust Territory of the Pacific Islands: Such sums shall be in addition to those authorized in section 2 of this Act (set out as a note under this section) and shall not be subject to the limitations imposed by section 2 of this Act. The Secretary of the Interior shall determine whether or not a major disaster has occurred in accordance with the principles and policies of section 102(f) of the Disaster Relief Act of 1970 (section 4402(f) of Title 42, The Public Health and Welfare)."

Island Trading Company of Micronesia. Section 3 of Joint Res. Aug. 8, 1953, c. 583, 67 Stat. 494, provided that: "Notwithstanding the provisions of the Interior Department Appropriation Act, 1953 (Public Law 410, 48 Stat. 445), Congress, second session, 60 Stat. 445, the Island Trading Company of Micronesia shall not have succession after December 31, 1954."

Legislative History: For legislative history and purpose of Pub.L. 85-576, see 1962 U.S. Code Cong. and Admin. News, p. 3091.

EXECUTIVE ORDER NO. 10285

Ex-Ord. No. 10285, June 20, 1951, 16 F.R. 6419, formerly set out as a note under this section, which related to transfer of administration of Trust Territory of the Pacific Islands, was superseded by Ex-Ord. No. 10221, May 8, 1952, 27 F.R. 4480, set out as a note under this section.

EXECUTIVE ORDER NO. 10291

May 8, 1952, 27 F.R. 4499

ADMINISTRATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

WHEREAS the Trust Territory of the Pacific Islands was placed under the trusteeship system established in the Charter of the United Nations by means of a trusteeship agreement approved by the Security Council of the United Nations on April 2, 1947, and by the United States Government on July 18, 1947, after due constitutional process (hereinafter referred to as the trusteeship agreement); and

WHEREAS the United States of America was designated under the terms of the trusteeship agreement as the administering authority of the Trust Territory re-

ferred to above (hereinafter referred to as the Trust Territory); and

WHEREAS the United States has heretofore assumed the obligations for the civil administration of the Trust Territory and has carried out such civil administration under the provisions of Executive Order No. 10511 of July 18, 1947, 12 Stat. 2363 of June 29, 1951, 16 Stat. 1068 of November 10, 1952, and 10470 of July 17, 1953; and

WHEREAS thereafter the Secretary of the Navy is now responsible for the civil administration of the Northern Mariana Islands except the Island of Iota and the

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Secretary of Interior is responsible for the civil administration of all of the remainder of the trust territory; and WILLIAMS it appears that the purposes of the trusteeship agreement can best be effectuated at this time by placing in the Secretary of the Interior responsibility for the civil administration of all of the trust territory.

NOW, THEREFORE, by virtue of the authority vested in me by the Act of June 30, 1951 (58 Stat. 50; 48 U.S.C. 1681) (this section) and as President of the United States, it is ordered as follows: Section 1. *Responsibility of Secretary of the Interior.* The responsibility for the administration of civil government in all of the trust territory, and all executive, legislative, and judicial authority necessary for that administration, are hereby vested in the Secretary of the Interior. Subject to such policies as the President may from time to time prescribe, and in harmony with applicable law, and, where advantageous in collaboration with other departments and agencies of the government, the Secretary of the Interior shall take such actions as may be necessary and appropriate to carry out the obligations assumed by the United States as the administering authority of the trusteeship agreement under the Charter of the United Nations: *Provided, however,* That the authority to specify parts or all of the trust territory as closed for security reasons and to determine the extent to which Articles 87 and 88 of the Charter of the United Nations shall be applicable to such closed areas, in accordance with Article 13 of the Trusteeship Agreement, shall be exercised by the President: *And provided further,* That the Secretary of the Interior shall keep the Secretary of State currently informed of activities in the trust territory affecting the foreign policy of the United States and shall consult with the Secretary of State on questions of policy concerning the trust territory which relate to the foreign policy of the United States; and that all relations between the department and agencies of the Government and appropriate organs of the United Nations with respect to the trust territory shall be conducted through the Secretary of State.

Sec. 2. *Delegation of authority.* The executive, legislative, and judicial authority provided for in section 1 of this order may be exercised through such officers or employees of the Department of the Interior or through such other persons under the jurisdiction of the Secretary of the Interior, as the Secretary may designate, and shall be exercised in such manner as the Secretary, or any person or persons acting under the authority of the Secretary, may direct or authorize.

Sec. 3. *Cooperation with Department of the Interior.* The executive departments and agencies of the Government shall cooperate with the Department of the Interior in the effectuation of the provisions of this order.

§ 1681a. Appointment of High Commissioner

Any appointment made on or after May 10, 1967 to the office of the High Commissioner of the Trust Territory of the Pacific Islands shall be made by the President by and with the advice and consent of the Senate. Publ. L. 90-16, § 2, May 10, 1967, 81 Stat. 15.

Legislative History: For legislative history and purpose of Publ. L. 90-16, see 1158, 1967 U.S. Code Cong. and Adm. News, p. 1158.

Sec. 4. *Prior orders.* To the extent not heretofore superseded or otherwise rendered inapplicable, the following are hereby superseded:

- (1) Executive Order No. 10245 of June 29, 1951.
- (2) Executive Order No. 10408 of November 10, 1952.
- (3) Executive Order No. 10470 of July 17, 1953.

Sec. 5. *Existing provisions.* (a) Existing laws, regulations, orders, appointments, or other acts promulgated, made, or taken by the Secretary of the Interior or his delegate under the authority of Executive Order No. 10245, as amended and in effect immediately prior to the effective date of this order, shall remain in effect until they are superseded in part or in whole by the provisions of this order. (b) Nothing contained in this order shall be construed as modifying the rights or obligations of the United States under the provisions of the Trusteeship Agreement or its articles or modifying the responsibility of the Secretary of State to interpret the rights and obligations of the United States arising out of that agreement. (c) The provisions of this order shall become effective on July 1, 1967.

JOHN F. KENNEDY

Authorizing Approval of Trusteeship Agreement for the Territory of the Pacific Islands, Joint Res. July 18, 1947, c. 271, 61 Stat. 307, provided:

Whereas the United States submitted to the Security Council in accordance with article 83 of the Charter of the United Nations a proposed trusteeship agreement for the Pacific Islands formerly mandated to Japan under which the United States would be prepared to administer those islands under trusteeship in accordance with the Charter of the United Nations; and

Whereas the Security Council on April 2, 1947, approved unanimously the trusteeship agreement with amendments acceptable to the United States; and

Whereas the said agreement, having been approved by the Security Council, will come into force upon approval by the Government of the United States after the constitutional process: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to approve, on behalf of the United States, the trusteeship agreement between the United States of America and the Security Council of the United Nations for the former Japanese mandated islands (to be known as the Territory of the Pacific Islands) which was approved by the Security Council at the seat of the United Nations, Lake Success, Nassau County, New York, on April 2, 1947.

§ 1681b. Government comptroller of Guam; additional duties—(General provision); general supervision of Secretary of Interior; other than executive department status; apportionment of salary and expenses between Guam and Trust Territory

(a) The government comptroller for Guam appointed pursuant to the provisions of section 1422d of this title shall, in addition to the duties imposed on him by the Organic Act of Guam, carry out, on and after September 21, 1978, the duties set forth in this section with respect to the government of the Trust Territory of the Pacific Islands. In carrying out such duties, the comptroller shall be under the general supervision of the Secretary of the Interior and shall not be a part of any executive department in the government of the Trust Territory of the Pacific Islands. The salary and expenses of the comptroller's office shall, notwithstanding the provisions of subsection (a) of section 1422d of this title, be apportioned equitably by the Secretary of the Interior between Guam and the Trust Territory of the Pacific Islands from funds available to Guam and the trust territory.

Auditing function

(b) The government comptroller shall audit all accounts and review and recommend adjudication of claims pertaining to the revenue and receipts of the government of the Trust Territory of the Pacific Islands and of funds derived from bond issues; and he shall audit, in accordance with law and administrative regulations, all expenditures of funds and property pertaining to the government of the Trust Territory of the Pacific Islands including those pertaining to trust funds held by such Government.

Reporting and additional auditing function

(c) It shall be the duty of the government comptroller to bring to the attention of the Secretary of the Interior and the High Commissioner of the Trust Territory of the Pacific Islands all failures to collect amounts due the Government, and the expenditures of funds or uses of property which are irregular or not pursuant to law. The audit activities of the government comptroller shall be directed so as to (1) improve the efficiency and economy of programs of the government of the Trust Territory of the Pacific Islands, and (2) discharge the responsibility incumbent upon the Congress to insure that the substantial Federal revenues which are covered into the treasury of such government are properly accounted for and audited.

Decisions of comptroller general; administrative review

(d) The decisions of the government comptroller shall be final except that appeal therefrom may, with the concurrence of the High Commissioner, be taken by the party aggrieved or the head of the department concerned, within one year from the date of the decision, to the Secretary of the Interior, which appeal shall be in writing and shall specifically set forth the particular action of the government comptroller to which exception is taken, with the reasons and the authorities relied upon for reversing such decision.

Same; judicial review

(e) If the High Commissioner does not concur in the taking of an appeal to the Secretary, the party aggrieved may seek relief by suit in the District Court of Guam, if the claim is otherwise within its jurisdiction. No later than thirty days following the date of the decision of the Secretary of the Interior, the party aggrieved or the High Commissioner, on behalf of the head of the department concerned, may seek relief by suit in the District Court of Guam, if the claim is otherwise within its jurisdiction.

Official communications; witnesses and oaths

(f) The government comptroller is authorized to communicate directly with any person or with any department officer or person having official relation with his office. He may summon witnesses and administer oaths.

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§ 1687. Expenditure of appropriations for Pacific Trust Territory for surface vessels.

Appropriations available for the Administration of the Trust Territory of the Pacific Islands may be expended for the purchase, charter, maintenance, and operation of surface vessels for official purposes and for commercial transportation purposes found by the Secretary to be necessary. July 1, 1954, c. 446, Title I, § 1, 68 Stat. 372; June 16, 1956, c. 147, Title I, § 1, 69 Stat. 149; June 13, 1956, c. 380, Title I, § 101, 70 Stat. 265; July 1, 1957, Pub.L. 85-77, Title I, § 1, 71 Stat. 265; June 4, 1958, Pub.L. 85-439, Title I, § 1, 72 Stat. 164; June 23, 1959, Pub.L. 86-60, Title I, § 100, 73 Stat. 101; May 13, 1960, Pub.L. 86-466, Title I, § 100, 74 Stat. 113; Aug. 3, 1961, Pub.L. 87-122, Title I, § 100, 75 Stat. 251; Aug. 9, 1962, Pub.L. 87-578, Title I, § 100, 76 Stat. 340; July 26, 1963, Pub.L. 88-79, Title I, § 100, 77 Stat. 102; July 7, 1964, Pub.L. 88-356, Title I, § 100, 78 Stat. 278; June 28, 1965, Pub.L. 89-52, Title I, § 100, 79 Stat. 179; May 31, 1966, Pub.L. 89-436, Title I, § 100, 80 Stat. 174; June 24, 1967, Pub.L. 90-28, Title I, § 100, 81 Stat. 63; July 26, 1968, Pub.L. 90-425, Title I, § 100, 82 Stat. 431; Oct. 29, 1969, Pub.L. 91-98, Title I, § 100, 83 Stat. 152; July 31, 1970, Pub.L. 91-361, Title I, § 100, 84 Stat. 673; Aug. 10, 1971, Pub.L. 92-76, Title I, § 100, 85 Stat. 233; Aug. 10, 1972, Pub.L. 92-369, Title I, § 100, 86 Stat. 513; Oct. 4, 1973, Pub.L. 93-120, Title I, § 100, 87 Stat. 434.

§ 1688. Trust Territory Economic Development Loan Fund

For the purpose of promoting economic development in the Trust Territory of the Pacific Islands, there is authorized to be appropriated to the Secretary of the Interior, for payment to the Government of the Trust Territory of the Pacific Islands as a grant in accordance with the provisions of sections 1688 to 1693 of this title, an amount which when added to the development fund established pursuant to section 3 of the Act of August 22, 1964 (78 Stat. 601), as augmented by subsequent Federal Grants, will create a total fund of \$5,000,000, which shall thereafter be known as the Trust Territory Economic Development Loan Fund. Pub.L. 92-257, § 1, Mar. 21, 1972, 86 Stat. 87.

Reference in Text. The Act of August 22, 1964 (78 Stat. 601), referred to in text, is Pub.L. 88-487, Sections 1 and 2 thereof were designated, respectively, to section 1687 of this title and section 303 of Title 41, Telegraphs, Telephones, and Radiotele-

§ 1689. Same; plan for use of grant; loans; terms

The grant authorized by section 1688 of this title shall be made only after the Government of the Trust Territory of the Pacific Islands has submitted to the Secretary of the Interior a plan for the use of the grant, and the plan has been approved by the Secretary. The plan shall provide among other things for a revolving fund to make loans or to guarantee loans to private enterprise. The term of any loan made pursuant to the plan shall not exceed twenty-five years. Pub.L. 92-257, § 2, Mar. 21, 1972, 86 Stat. 87.

Legislative History. For legislative history, see 1972 U.S. Code Cong. and Adm. News, p. 2073.

§ 1690. Same; loan 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.

Legislative History. For legislative history, see 1972 U.S. Code Cong. and Adm. News, p. 2073.

§ 1691. Same; fiscal control and accounting procedures

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.

Legislative History. For legislative history, see 1972 U.S. Code Cong. and Adm. News, p. 2073.

§ 1692. Same; annual report

The High Commissioner of the Trust Territory of the Pacific Islands shall make an annual report to the Secretary of the Interior on the administration of sections 1688 to 1693 of this title. Pub.L. 92-257, § 5, Mar. 21, 1972, 86 Stat. 88.

Legislative History. For legislative history, see 1972 U.S. Code Cong. and Adm. News, p. 2073.

§ 1693. Same; audit

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.

Legislative History. For legislative history, see 1972 U.S. Code Cong. and Adm. News, p. 2073.

CHAPTER 15.—CONVEYANCE OF SUBMERGED LANDS TO TERRITORIES [NEW]

Sec. 1701. Tidelands, submerged lands, or filled lands. Sec. 1702. Administrative responsibility of Secretary of Interior.

(a) Authorization to convey economic development purposes or compelling public need. 1703. Reserved rights. Establishment of navigational reserve areas and air-space reservation; control; navigation; food

(b) Navigation; food power production and navigational servitude and powers of regulation for purposes of regional development, navigation, national defense, and international affairs. 1704. Concurrent jurisdiction; exceptions for national defense purposes.

(c) Navigation; food power production and navigational servitude and powers of regulation for purposes of regional development, navigation, national defense, and international affairs. 1704. Concurrent jurisdiction; exceptions for national defense purposes.

(d) Terms and conditions; reservation of territorial governmental authority; conditions; notice. 1704. Concurrent jurisdiction; exceptions for national defense purposes.

(e) Rights of territorial governments; power of Secretary of Interior; notice; conditions; notice. 1704. Concurrent jurisdiction; exceptions for national defense purposes.

(f) Exception of certain minerals from conveyance. 1704. Concurrent jurisdiction; exceptions for national defense purposes.

Library references: Navigable Waters § 36(1); Territories § 11 et seq.; C.J.S. Navigable Waters § 92 et seq.; C.J.S. Territories § 11 et seq.

§ 1701. Tidelands, submerged lands, or filled lands—Authorization to convey