Approval of economic and humanitarian assistance to the people of Nicaragua would be a hopeful, constructive step in aiding the country in its time of great need. It would also signal the world that America stands for international development, the building of strong social and economic foundations in less-developed nations, without which peace and freedom cannot exist.

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Mr. ZABLOCKI. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. BRADEMAS) having assumed the chair, Mr. FOLEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6081) to amend the Foreign Assistance Act of 1961 to authorize assistance in support of peaceful and democratic processes of development in Central America, had come to no resolution thereon.

GENERAL LEAVE

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 6081, just under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

REPORT ON RESOLUTION DISMISSING ELECTION CONTEST AGAINST ANTHONY CLAUDE LEACH, JR.

Mr. NEDZI, from the Committee on House Administration, submitted a privileged report (Rept. No. 96-784) on the resolution (H. Res. 575) dismissing the election contest against ANTHONY CLAUDE LEACH, JR., which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION DISMISSING ELECTION CONTEST AGAINST THOMAS DASCHLE

Mr. NEDZI, from the Committee on House Administration, submitted a privileged report (Rept. No. 96-785) on the resolution (H. Res. 576) dismissing the election contest against THOMAS DASCHLE, which was referred to the House Calendar and ordered to be printed.

AUTHORIZING APPROPRIATIONS FOR CERTAIN INSULAR AREAS OF THE UNITED STATES

Mr. PHILLIP BURTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 3756) to authorize appropriations for certain insular areas of the United States, with a Senate amendment thereto, and concur in the Senate amendment with amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause, and insert:

TITLE I—TRUST TERRITORY OF THE PACIFIC ISLANDS

SEC. 101. Section 2 of the Act of June 30, 1954 (68 Stat. 330), is amended by inserting after "for fiscal year 1980, $112,000,000;" the following: "for fiscal years after fiscal year 1980, such sums as may be necessary, including, but not limited to, sums needed for completion of the capital improvement program, for a basic communications system, and for a feasibility study and construction of a hydroelectric project on Ponape;".

SEC. 102. 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" (91 Stat. 1159; Public Law 95-134) is amended by inserting after section 105, the following new section:

"SEC. 106. (a) In addition to any other payments or benefits provided by law to compensate inhabitants of the atolls of Bikini, Enewetak, Rongelap, and Utirik, in the Marshall Islands, for radiation exposure or other losses sustained by them as a result of the United States nuclear weapons testing program at or near their atolls during the period 1946 to 1958, the Secretary of the Interior (hereinafter in this section referred to as the 'Secretary') shall provide for the people of the atolls of Bikini, Enewetak, Rongelap, and Utirik and for the people of such other atolls as may be found to be or to have been exposed to radiation from the nuclear weapons testing program, a program of medical care and treatment and environmental research and monitoring for any injury, illness, or condition which may be the result directly or indirectly of such nuclear weapons testing program. The program shall be implemented according to a plan developed by the Secretary in consultation with the Secretaries of Defense, Energy, and Health, Education, and Welfare and with the direct involvement of representatives from the people of each of the affected atolls and from the government of the Marshall Islands. The plan shall set forth, as appropriate to the situation, condition, and needs of the individual atoll peoples:

"(1) an integrated, comprehensive health care program including primary, secondary, and tertiary care with special emphasis upon the biological effects of ionizing radiation;

"(2) a schedule for the periodic comprehensive survey and analysis of the radiological status of the atolls to and at appropriate intervals, but not less frequently than once every five years, the development of an updated radiation dose assessment, together with an estimate of the risks associated with the predicted human exposure for each such atoll; and

"(3) an education and information program to enable the people of such atolls to more fully understand nuclear radiation and its effects;

"(b)(1) The Secretary shall submit the plan to the Congress no later than January 1, 1981, together with his recommendations, if any, for further legislation. The plan shall set forth the specific agencies responsible for implementing the various elements of the plan. With respect to general health care the Secretary shall consider, and shall include in his recommendations, the feasibility of using the Public Health Service. After consultation with the Chairman of the National Academy of Sciences, the Secretary of Energy, the Secretary of Defense, and the Secretary of Health, Education, and Welfare, the Secretary shall establish a scientific advisory committee to review and evaluate the implementation of the plan and to make such recommendations for its improvement as such committee deems advisable.

"(2) At the request of the Secretary, any Federal agency shall provide such information, personnel, facilities, logistical support, or other assistance as the Secretary deems necessary to carry out the functions of this program; the costs of all such assistance shall be reimbursed to the provider thereof out of the sums appropriated pursuant to this section.

"(3) All costs associated with the development and implementation of the plan shall be assumed by the Secretary of Energy and effective October 1, 1980, there are authorized to be appropriated to the Secretary of Energy such sums as may be necessary to achieve the purposes of this section.

"(c) The Secretary shall report to the appropriate committees of the Congress, and to the people of the affected atolls annually, or more frequently if necessary, on the implementation of the plan. Each such report shall include a description of the health status of the individuals examined and treated under the plan, an evaluation by the scientific advisory committee, and any recommendations for improvement of the plan. The first such report shall be submitted not later than January 1, 1982.".

SEC. 103. Paragraph 101(a)(3) of Public Law 95-134 (91 Stat. 1159) is hereby amended by deleting all after the word "cause" and inserting in lieu thereof the following words, ", even if such an individual has been compensated under paragraph (1) of this section.".

TITLE II—NORTHERN MARIANA ISLANDS

SEC. 201. (a) The salary and expenses of the government comptroller for the Northern Mariana Islands shall be paid from funds appropriated to the Department of the Interior.

(b) Section 4 of the Act of June 30, 1954, as amended by section 2 of Public Law 93-111 (87 Stat. 354) is further amended as follows:

(1) strike the words "government of the Trust Territory of the Pacific Islands" wherever they appear and insert in lieu thereof the words "government of the Trust Territory of the Pacific Islands or the Northern Mariana Islands,";

(2) after the words "High Commissioner of the Trust Territory of the Pacific Islands" insert the words "or Governor of the Northern Mariana Islands, as the case may be,";

(3) wherever the words "High Commissioner" appear and are not followed by the words "of the Trust Territory of the Pacific Islands" insert the words "or Governor, as the case may be,"; and

(4) after the words "District Court of Guam" insert the words "or District Court of the Northern Mariana Islands, as the case may be".

SEC. 202. Effective October 1, 1980, there are hereby authorized to be appropriated to the Secretary of the Interior $24,400,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs from October 1979 price levels as indicated by engineering cost indexes applicable to the types of construction involved, for a grant to the Commonwealth of the Northern Mariana Islands to provide for health care services. No grant may be made by the Secretary of the Interior pursuant to this section without the prior approval of the Secretary of Health, Education, and Welfare.

SEC. 203. Subsection (g) of section 5 of the Act entitled "An Act to authorize appropriations for certain insular areas of the United States, and for other purposes", approved August 18, 1978 (92 Stat. 492), is amended by changing "not to exceed $3,000,000" to "such sums as may be necessary, but not to exceed $3,000,000 for development,".

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TITLE III—GUAM

SEC. 301. Subsection (c) of section 204 of Public Law 95–134 (91 Stat. 1159, 1162) is amended by deleting the second sentence of said subsection.

SEC. 302. The Act of November 4, 1963 (77 Stat. 302), to provide for the rehabilitation of Guam, and for other purposes, is hereby amended as follows:

(1) in the first sentence of section 3, delete the comma after "United States" and delete the words "with interest as set forth below," and

(2) after paragraph (c) of section 3, delete the last paragraph before section 4 and insert in lieu thereof:

"All amounts heretofore withheld from sums collected pursuant to section 30 of the said Organic Act as interest on the amounts made available to the government of Guam pursuant to this Act shall be credited as reimbursement payments by Guam on the principal amount advanced by the United States under this Act.".

SEC. 303. Section 11 of the Organic Act of Guam (64 Stat. 387; 48 U.S.C. 1423a), as amended, is hereby amended by deleting all after the words "December 31, 1980.", and substituting the following language:

"The Secretary, upon determining that the Guam Power Authority is unable to refinance on reasonable terms the obligations purchased by the Federal Financing Bank under the fifth sentence of this section by December 31, 1980, may, with the concurrence of the Secretary of the Treasury, guarantee for purchase by the Federal Financing Bank; and such bank is authorized to purchase, obligations of the Guam Power Authority issued to refinance the principal amount of the obligations guaranteed under the fifth sentence of this section. The obligations that refinance such principal amount shall mature not later than December 31, 1990, and shall bear interest at a rate determined in accordance with section 6 of the Federal Financing Bank Act (12 U.S.C. 2285). Should the Guam Power Authority fail to pay in full any installment of interest or principal when due on the bonds or other obligations guaranteed under this section, the Secretary of the Treasury, upon notice from the Secretary, shall deduct and pay to the Federal Financing Bank or the Secretary, according to their respective interests, such unpaid amounts from sums collected and payable pursuant to section 30 of this Act (48 U.S.C. 1421h). Notwithstanding any other provision of law, Acts making appropriations may provide for the withholding of any payments from the United States to the government of Guam which may be or may become due pursuant to any law and offset the amount of such withheld payments against any claim the United States may have against the government of Guam or the Guam Power Authority pursuant to this guarantee. For the purpose of this Act, under section 3466 of the Revised Statutes (31 U.S.C. 191) the term 'person' includes the government of Guam and the Guam Power Authority. The Secretary may place such stipulations as he deems appropriate on the bonds or other obligations he guarantees.".

TITLE IV—VIRGIN ISLANDS

SEC. 401. (a) Subsection (b) of section 31 of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1545(b)), as amended, is further amended by numbering the existing paragraph "(1)" and by the addition thereto of the following new paragraph:

"(2) Subject to valid existing rights, title to all property in the Virgin Islands which may have been acquired by the United States from Denmark under the Convention entered into August 16, 1916, not reserved or retained by the United States in accordance with the provisions of Public Law 93–435 (88 Stat. 1210) is hereby transferred to the Virgin Islands government.".

(b) The General Services Administration shall release from the mortgage dated January 26, 1972, given by the government of the Virgin Islands to the Administrator of the General Services Administration, approximately ten acres of such mortgaged land for construction of the proposed Saint Croix armory upon payment by the government of the Virgin Islands of the outstanding principal due on such ten acres.

SEC. 402. No extension, renewal, or renegotiation of the lease of real property on Water Island in the Virgin Islands to which the United States is a party may be entered into before 1992 unless such extension, renewal, or renegotiation is specifically approved by Act of Congress.

SEC. 403. (a) Subsection 28(a) of the Revised Organic Act of the Virgin Islands, as amended by subsection 4(c)(3) of the Act of August 18, 1978 (92 Stat. 487, 491) is amended by inserting after the phrase "and naturalization fees collected in the Virgin Islands," the phrase "less the cost of collecting, except any costs for preclearance operations which shall not be deducted, of all of said duties, taxes, and fees from August 18, 1978, until January 1, 1982,".

(b) Section 4(c)(2) of the Act of August 18, 1978, is amended by inserting the phrase "less the cost of collecting all of said duties, taxes, and fees, occurring before January 1, 1982," after the phrase "the amount of duties, taxes, and fees" wherever the latter phrase appears.

SEC. 404. Subsection (d) of section 4 of Public Law 95–348 (92 Stat. 487, 491) is hereby repealed.

TITLE V—AMERICAN SAMOA

SEC. 501. The salary and expenses of the government comptroller for American Samoa shall be paid from funds appropriated to the Department of the Interior.

SEC. 502. The Secretary of the Treasury shall, upon the request of the Governor of American Samoa, administer and enforce the collection of all customs duties derived from American Samoa, without cost to the government of American Samoa. The Secretary of the Treasury, in consultation with the Governor of American Samoa, shall make every effort to employ and train the residents of American Samoa to carry out the provisions of this section. The administration and enforcement of this section shall commence October 1, 1980.

TITLE VI—MISCELLANEOUS

SEC. 601. Title V 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" (91 Stat. 1160) shall be applied with respect to the Department of the Interior by substituting "shall" for "may" in the last sentence of subsection (d).

SEC. 602. (a) Any amount authorized to be appropriated for a fiscal year by this Act or an amendment made by this Act but not appropriated for such fiscal year is authorized to be appropriated in succeeding fiscal years.

(b) Any amount appropriated pursuant to this Act or an amendment made by this Act for a fiscal year but not expended during such fiscal year shall remain available for expenditure in succeeding fiscal years.

SEC. 603. To the extent practicable, services, facilities, and equipment of agencies and instrumentalities of the United States Government may be made available, on a reimbursable basis, to the governments of the territories and possessions of the United States and the Trust Territory of the Pacific Islands. Reimbursements may be credited to the appropriation or fund of the agency or instrumentality through which the services, facilities, and equipment are provided. If otherwise authorized by law, such services, facilities, and equipment may be made available without reimbursement.

SEC. 604. Any new borrowing authority provided in this Act or authority to make payments under this Act shall be effective only to the extent or in such amounts as are provided in advance in appropriation Acts.

SEC. 605. (a) Prior to the granting of any license, permit, or other authorization or permission by any agency or instrumentality of the United States to any person for the transportation of spent nuclear fuel or high-level radioactive waste for interim, long-term, or permanent storage to or for the storage of such fuel or waste on any territory or possession of the United States, the Secretary of the Interior is directed to transmit to the Congress a detailed report on the proposed transportation or storage plan, and no such license, permit, or other authorization or permission may be granted nor may any such transportation or storage occur unless the proposed transportation or store plan has been specifically authorized by Act of Congress: *Provided*, That the provisions of this section shall not apply to the cleanup and rehabilitation of Bikini and Enewetak Atolls.

(b) For the purpose of this section the words "territory or possession" include the Trust Territory of the Pacific Islands and any area not within the boundaries of the several States over which the United States claims or exercises sovereignty.

SEC. 606. (a) Section 8 of the Act of March 2, 1917 ("Jones Act"), as amended (48 U.S.C. 749), is amended by adding the following after the last sentence thereof: "Notwithstanding any other provision of law, as used in this section (1) 'submerged lands underlying navigable bodies of water' include lands permanently or periodically covered by tidal waters up to but not above the line of mean high tide, all lands underlying the navigable bodies of water in and around the island of Puerto Rico and the adjacent islands, and all artifically made, filled in, or reclaimed lands which formerly were lands beneath navigable bodies of water; (2) 'navigable bodies of water and submerged lands underlying the same in and around the island of Puerto Rico and the adjacent islands and waters' extend from the coastline of the island of Puerto Rico and the adjacent islands as heretofore or hereafter modified by accretion, erosion, or reliction, seaward to a distance of three marine leagues; (3) 'control' includes all right, title, and interest in and to and jurisdiction and authority over the submerged lands underlying the harbor areas and navigable streams and bodies of water in and around the island of Puerto Rico and the adjacent islands and waters, and the natural resources underlying such submerged lands and waters, and includes proprietary rights of ownership, and the rights of management, administration, leasing, use, and development of such natural resources and submerged lands beneath such waters.".

(b) Section 7 of the Act of March 2, 1917 ("Jones Act"), as amended (48 U.S.C. 747), is amended by adding the following after the last sentence thereof: "Notwithstanding any other provision of law, as used in this section 'control' includes all right, title, and interest in and to and jurisdiction and authority over the aforesaid property and includes proprietary rights of ownership, and the rights of management, administration, leasing, use, and development of such property.".

Mr. PHILLIP BURTON (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. LAGOMARSINO. Mr. Speaker, reserving the right to object, I do so in order to ask the chairman of the subcommittee if he would explain to the body what is being done here and what amendments are being proposed to the Senate amendments.

Mr. PHILLIP BURTON. Mr. Speaker, if the gentleman will yield, this is the bill that we sent to the Senate on May 7, 1979 without dissent. The Senate carefully examined our proposals and accepted most of our proposals. They deleted, however, language that we had dealing with the collection of taxes in the insular areas.

One of our amendments that we sent back to the Senate authorizes within a 2-year period the disposal of what was formerly a small one- or two-story office building in the Virgin Islands to the Virgin Islands since there has been a new Federal building built in the past few years.

Mr. Speaker, I am really not aware of any contention here in the House with reference to the subject matter before us in our amendments, and I urge their adoption.

Mr. Speaker, before us today is H.R. 3756, which is an authorization bill for insular areas of the United States. These include American Samoa, Guam, the Northern Mariana Islands, and the Virgin Islands. Additionally, the bill covers the Trust Territory of the Pacific Islands for which we assumed responsibility in 1947 under a U.N. trusteeship charter.

The House version of the bill passed the House of Representatives on May 7, 1979, without any dissenting votes. The Senate, on February 7, 1980, passed its version of the same bill. What we are taking up today is the House bill as amended by the Senate and with certain amendments thereto. What follows here is a breakdown of the major differences between the original House bill and what we have before us today:

First of all, title I, which deals with the trust territory (TT). The current authorization expires at the end of this fiscal year. Status negotiations between the United States and the TT are continuing. However, it is impossible to ascertain at this time when it is that these negotiations will be successfully concluded with each of the three political entities. When negotiations eventually cease, a referendum on any compact approved by the negotiators will have to be conducted in the TT. If the people approve the compact it will then have to come before Congress for congressional perusal and approval and finally, it will be submitted to the U.N. Trusteeship Council.

Both the House and Senate have approved language that would extend the current authorization to make certain that the trust territory and the successor entities are funded for an indefinite number of years. Additionally, the Senate has spelled out—both in the committee report and in section 101 of H.R. 3756—certain items that must be funded under this open-ended authorization.

In February of 1976 a memorandum of agreement, between the Departments of the Navy and Interior, and the High Commissioner of the Trust Territory of the Pacific Islands (TTPI), set forth a 5-year capital improvement program (CIP) for fiscal years 1976 through 1980 for the purpose of completing a basic infrastructure for the TTPI. Included in this plan were primary roads, utilities, airfields, shipping facilities, and marine resources facilities.

Because funding dropped below the originally planned level per year, the plan fell behind schedule, and costs rose because of inflation. It is this development program that the Senate Energy Committee specifically cites as one for which money to complete it is included in this authorization.

The other specifics named by the Senate are a basic communications system in the trust territory and both a feasibility study and construction of a hydroelectric project on Ponape, which is the capital of the Federated States of Micronesia. We agree with the Senate that the above items must be funded under this authorization.

This authorization would also cover any additional funding needed in future for any of the victims of the U.S. nuclear testing in the Northern Marshall Islands. These include the people of Bikini, Enetewak, Rongelap, and Utirik and those from any other atolls in the Marshalls who may in the future be found to have been exposed to nuclear fallout.

Also, in conjunction with this authorization provision, it should be noted here that the Marshall Islands was declared a disaster area last December as a result of two separate storms that struck Majuro, the government center of the Marshalls. The business district was heavily damaged and virtually all housing was destroyed, leaving some 5,500 people homeless. The housing and other structures destroyed by the storms were inadequate at best. But under current law, FEMA, the Federal Emergency Management Agency, in working to rebuild this community, can only replace what was destroyed; it cannot improve upon it. This, to us, would be unsatisfactory and we urge the administration and the appropriation committees to take advantage of this open ended authorization to approve money to supplement that being expended by FEMA to produce for the people of Majuro a decent and adequate and more storm resistant community.

Additionally, we understand there is a second level capital improvements program that the Micronesians would find of great benefit in the years ahead. What this means is that areas outside of the district centers of the TTPI have remained largely undeveloped even though most of the people live on these outer islands. There are many projects that might be funded in order to help them, particularly with their education and health, and their economic development. We expect that the Interior Department and the Appropriations Committees would take a look at the lists of potential secondary CIP projects. It seems reasonable to us to fund some of these projects.

Other items that might be funded under section 101 include operations costs for the FSM central government, capital relocation for the 3 entities and fuel oil costs. The latter is a very serious problem because of the soaring price of diesel fuel and gasoline.

All the generators in the TTPI are run with one or the other type of fuel so all of their operations are affected out there. Of course, while helping them to meet their increased oil prices, we must also pursue alternative energy sources so that the three governments will not be totally, if at all, dependent on oil in the years to come.

So, as you can see, there is no dearth of worthy projects authorized to be funded under section 101 of H.R. 3756.

In section 102 of the House version, the House once again attempted to edge the United States closer to completing payments to Micronesians for claims owed from World War II by authorizing the United States to pay at least 50 percent of the $24 million still owed these people under title I of the Micronesian Claims Act.

The Senate, however, disagreed with our provisions and it was stricken from the bill. Although we were unsuccessful in attempting to restore this provision, it does not mean that we are any less committed to paying these people this compensation long overdue. For the time being we are thwarted, but we will continue to make every effort and pursue every avenue that could bring this matter to a successful conclusion.

Section 103 of the House bill contained the comprehensive medical program for the people of the atolls of Bikini, Enewetak, Rongelap, and Utirik of the Northern Marshalls, the people who were victims of U.S. nuclear testing. While the Senate made a few changes in the language, in substance they agreed with the House version.

This section takes the program authorized by section 104(a)(4) of Public Law 95–134 and extends it to include the people of the atolls of Bikini and Enewetak who are known to have been affected by the nuclear testing program, and to the people of any other atolls in the Marshall Islands who may in the future be found to have been exposed to nuclear fall-out. All of these people and their descendants will henceforth be covered by the program.

This provision also requires the combining into a single, integrated program, the various activities which have been carried on in an uncoordinated, even haphazard way in the past. The Department of Interior has been responsible for general health care of the Micronesians. Through the Brookhaven National Laboratory-Associated Universities, Inc., the Department of Energy has supported a medical research program which has periodically examined and treated the people of Rongelap and Uterik over the past 25 years.

Through the Lawrence Livermore Laboratory, the Department of Energy has conducted radiological surveys and made

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radiation dose assessments at the atolls of Bikini and Enewetak. Through the University of Hawaii Institute of Marine Biology, the Department of Energy has maintained a modest program of basic research at Enewetak atoll since the late 1940's. No one of these activities has been integrated or coordinated with any of the others so as to produce the maximum possible benefit for the affected peoples.

Additionally, this section requires the Secretary of the Interior to take the lead in planning and implementing an integrated program which combines all of these important functions. The Secretary is expressly authorized to develop a plan for the program in consultation with the Secretary of Defense, the Secretary of Energy, and the Secretary of Health, Education, and Welfare, the three agencies which, in addition to Interior, have had the greatest involvement in Micronesia and have some special expertise and interest. The Secretary is also expressly required to involve representatives of the people of each of the atolls intended to benefit from the program. The committee wishes to give special emphasis to this latter requirement. Without the full and meaningful participation and cooperation of the people affected, both in the planning and in the implementation of the program, it will have little chance of success. The committee takes note of the dissatisfaction expressed by some of the people at Rongelap and Uterik in the past. It is this kind of dissatisfaction which can be avoided by the maximum feasible participation of the people served by the program.

In the interest of commencing implementation of the program at the earliest practicable time, a deadline of January 1, 1981, for submission of the plan to the Congress has been included, but the committee encourages the Secretary to commence development of the plan as soon as possible and to complete it earlier than the deadline. While this program is intended to be one of long-term benefit, there are immediate needs to be met, especially at Bikini atoll. The committee also notes that the people of Enewetak are scheduled to resettle their atoll in July 1980. It is the intention of the committee that once the program authorized by this section is implemented, it will absorb or replace the current activities referred to previously.

The committee firmly believes that the necessity for this kind of program arises from the U.S. nuclear weapons testing program and, hence, should be accounted for as a charge to the budget of the Department of Energy. Accordingly, while planning and implementation of the program is the responsibility of the Secretary of the Interior, funds for the program are authorized to be appropriated to the Secretary of Energy. The committee expects the two secretaries to coordinate their efforts so that this dual responsibility will not hamper planning and implementation of the program in any way.

Finally, the committee considers this provision to be an important and valuable contribution to the general well-being of the people who were adversely affected by the nuclear weapons testing program which was conducted at or near their islands between 1946 and 1958. The committee is mindful of the social, economic, and health problems which resulted from the dislocation of people, the contamination of their environment with radionuclides and the exposure of some of the people to ionizing radiation. It is also true that some of the people of these atolls will be living in an environment which contains low levels of ionizing radiation for some years to come. It is the intent of the committee that this program should contribute measurably to the health, peace of mind, and general well-being of the people in a way which monetary payments would not.

To be more specific, this section of the bill amends Public Law 95-134 by adding a new section to it, section 106. Paragraph (4) of Public Law 95-135 required the Secretary of the Interior to provide a program of medical care to the people of Rongelap and Utirik only.

Section 106(a) contains the basic charter for the radiological program for the people of the atolls of Bikini, Eniwetok, Rongelap, and Utirik, and for any other people who are later discovered to have been exposed to radioactive fallout from nuclear testing programs.

Primary responsibility for planning the program rests with the Secretary of the Interior, but it is essential that he consult with the Secretaries of Defense, Energy, Health and Welfare, and with representatives of the people of the affected atolls. He is also required to consult with the government of the Marshall Islands.

It is the intent of the committee that the Secretary of the Interior will bring together representatives of each of these agencies and groups at the earliest practicable time to commence development of the plan. All costs of planning, including travel and other expenses, are to be chargeable to the budget of the radiological program, but in the interest of expediting the program, the Secretary is encouraged to use other departmental funds for later reimbursement out of the appropriation.

Planning of the program must take into account the varying needs of individuals, groups and each of the islands and atolls. The needs and problems of the people of Eniwetok are different from those at Bikini and the people of Rongelap have problems which those at Eniwetok do not have. The committee is mindful of the fact that a program of this kind can cause more anxiety than cure, if it is not properly designed and executed.

Paragraphs (1), (2), and (3) of subsection 106(a), are the three principal elements of an integrated program to meet the needs of the various people affected. Each element of the program, however, will have to be carefully planned for each island.

Paragraph (1) of subsection (a) requires the provision of a comprehensive health care program for the members of the affected groups. Special emphasis is to be placed upon the biological effects of ionizing radiation, but since health effects associated with radiation exposure, such as thyroid anomalies, malignant tumors, and genetic defects are indistinguishable from the spontaneous occurrence of the same disorders, the only way to assure that the radiation-related problems are dealt with is to deal with all of the health problems of the affected peoples. This approach is also dictated by the hypocratic oath which forbids a doctor to treat a patient for cancer and ignore the patient's malnutrition, appendicitus, or broken leg, for example.

Paragraph (2) of subsection (a) requires the performance of periodic surveys to determine the radiological status of the affected atolls. For all of the areas of concern to this program, there are varying amounts of radionuclides in the ecosystem which constitute a hazard of some degree to the human beings, principally through the food chain. Once this information is obtained, however, it is of no practical use until a radiation dose assessment is calculated, together with an estimate of the health risks associated with the projected human exposure.

Paragraph (3) of subsection (a) requires the development and implementation of a program of education which should include basic information regarding the sources of ionizing radiation, its movement in the environment and its affects upon human beings. It will be necessary to draw heavily upon the advice and assistance of people from each of the affected islands and from other Marshallese people, to develop and implement this educational program.

It is the intent of the committee that successful operation of this program over the long term will require both basic research and the application of scientific knowledge for the direct benefit of the people. Accordingly, basic research may be undertaken and supported as part of this program so long as it bears some reasonable relation to the objectives of the overall program.

Paragraph (1) of subsection (b) requires the Secretary to submit the plan for the program to the Congress not later than January 1, 1981. The committee expects a comprehensive program design, together with cost estimates, which will achieve the intended objectives of the program. The committee also encourages the Secretary to complete the planning as early as practicable.

At the present time general health care is provided in Micronesia through the Department of the Interior. For this program, the Secretary is expressly required to consider the feasibility of having the United States Public Health Service of the Department of Health and Welfare provide medical services in this program.

The scientific advisory committee is intended to insure the maintenance of the highest professional standards for both basic research and applied science.

Paragraph (2) of subsection (b) empowers the Secretary of the Interior to call upon any other Federal agency for assistance, on a reimbursable basis, either in the planning or the implementation of the program. The Department of Defense has the best logistical support in the area, with facilities at

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Kwajalein missile range. It also has the best means of communication between the United States and Kwajalein. The Department of Energy will have at its disposal many of the people knowledgeable in the relevant disciplines and it also has access to important laboratory and other facilities. Through the Lawrence Livermore Laboratory and the Brookhaven National Laboratory, work of this kind has been done for many years and it may be wise to continue or expand those programs, as part of this one. On the other hand, it is the intention of the committee that the Secretary will have discretion to designate new or different agencies, public or private, to carry out these functions.

Paragraph (3) of subsection (b) requires that the entire cost of the program be included in the budget for the Department of Energy. This includes all costs necessary and incidental to the planning, development and implementation of the program. It is the view of the committee that the cost of this entire program is properly attributable to the nuclear weapons testing and should not be reflected in the Federal budget as a charge against the budget for the Trust Territory of the Pacific Islands or its successor governments.

Subsection (c) requires the Secretary to prepare and distribute an annual report both to the Congress and to the people of the affected atolls. A description of the health status of the individuals examined and treated under the plan is to be included, but the format of that information must protect the confidentiality of the doctor/patient relationship. It must also include a review by the scientific advisory committee and any recommendations which the committee has for improvement of the program. The first report is due on January 1, 1982.

We repeat what we said when H.R. 3756 was before the House last May: We believe we have a special moral obligation to these people and it is our intent that this provision be interpreted to provide the most possible protection to them. We also emphatically reiterate congressional intent that this provision and others affecting the TT in this bill shall remain valid and subsisting even after the termination of the trusteeship. Self evidently, the foregoing is subject to congressional action changing the law. However, it is intended to forewarn that any negotiations that disregard this determination will bear the full burden of that judgment when congressional approval is sought for the approval of such actions.

The Senate, at the request of the Interior Department, has added language amending Public Law 95-134 to allow additional compensation for certain nuclear victims in need of further assistance. We concur in this amendment.

The House-passed bill contained a section, section 104, that stated that Federal programs that applied to the trust territory would not cease to apply, either before or after the termination of the trusteeship, without the express consent of the Congress. Our concerns for the needs of the Micronesians, particularly in the fields of health and education, were aroused because of the attitude of some in the executive branch toward this policy.

The administration's previously announced policy was to end by the termination of the trusteeship all Federal programs for which the Micronesians currently qualify, without benefit of any studies to determine what was needed or not needed, without benefit of consultation with the Micronesian people, without benefit of congressional input, and most fundamentally, without the recognition of the congressional role relative to the territories as expressed in the Constitution.

The Senate Energy Committee deleted this section and in its place, put very strong language into its Senate report on H.R. 3756 (S. Report 96-1467). This language stressed the continuing responsibility of the United States to provide for the general well-being of the inhabitants of these islands and stated that the committee agreed with the House intent, but deleted the provision since it felt it only restated existing law regarding eligibility and did not get at the heart of the problem affecting participation in these programs. While we were pleased that the Senate agreed with our position and were encourage that they included such clearly supportive language in their committee report, we felt it incumbent on us to include particularly (and doubly) clear and specific language within the statute itself insofar as health and education are concerned. Consequently, we revised the House language to cover all Federal programs in the fields of education and health—the major areas of concern for all of us responsible for the future of Micronesians.

Our revised section provides that notwithstanding any other provision of law, Micronesians shall continue to be eligible and particpate in Federal health and education programs as provided for by the Congress. Our language makes it clear, we believe, that the executive branch has absolutely no authority now or in the future to deny, decrease, or end such authorized programs until or unless Congress alters or repeals such authorizations.

In the second title of the bill, which deals with the Northern Mariana Islands, the first section provides that the salary and expenses of the government comptroller for the Mariana Islands shall be paid from funds appropriated to the Interior Department. This is simply writing into law a practice that has been followed oy Interior. While the Senate language for this section is different from the House-passed language, the intent is exactly the same and we concur with the approach they took to drafting this section. It should be noted here, in speaking of the Federal comptroller, that it was never and is not now our intention to give the comptroller any authority regarding the expenditure of covenant funds by the NMI government. That, we believe, is a responsibility that solely rests with the NMI government. The covenant funds were agreed to as a result of an agreement between the sovereign peoples' own government of the Northern Mariana Islands and the U.S. Government.

Section 202 in the Senate bil is identical to the House-passed bill, with the exception of the October 1, 1980, effective date that the Senate was required to add at the request of the Senate Budget Committee. It authorizes $24.4 million for health care services for the Northern Marianas. The NMI is greatly in need of a new and modern hospital and we urge that some funding be provided as soon as it is feasible.

We might note here that if the Senate report language on H.R. 3756 that suggests that the medical center of the Marianas, which is located in Guam, might be used to meet the needs of the people of the Northern Marianas means anything more than perhaps considering that hospital as a medical referral hospital for certain types of patients, we would disagree with it. The distance between Guam and Saipan is a 20-minute flight by jet and the cost via commercial transportation today is approximately $90 round trip. This is not something that could be afforded by some 85 percent of the Northern Marianas people, so any attempt to coordinate medical services must be very carefully studied. The Northern Marianas is in need of its own modern hospital. Over and above that, if something can be carefully worked out between Guam and Saipan regarding medical referrals at Government expense, then this is something that should be considered.

Section 203 in the Senate bill is identical to that contained in the House bill.

We have added several new sections to this Northern Marianas title. They deal with taxes in the Marianas. In 1978 Public Law 95-348 was enacted. In it, we provided that the IRS could go in to collect taxes if the government requested IRS to do so. The Northern Marianas government did request such service of IRS last June. Unfortunately, the request sent to IRS was part of a resolution rather than a public law and IRS, saying it did not have the appropriate request according to the law, has yet to comply with the request of the Northern Marianas government. Therefore, to help their fledging government for which so much of this is brandnew, we have added language to the bill to cover the NMI government's original resolution. We might note here that this authority to request the IRS to go into the Northern Marianas to administer and enforce tax laws is a totally separate and distinct process from that which allows the NMI to request the Secretary of the Treasury to discontinue the administration and enforcement of such taxes. This latter process, as spelled out in Public Law 95-348, is in no way affected by this amendment.

Additionally, this section amends section 3(d) of Public Law 95-348. It provides that the Secretary of the Treasury or his designee may enter into a contract with the Commonwealth of the Northern Marianas Islands to perform such duties and responsibilities, in whole or in part, as required by section 3(d). Pres-

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ently, section 3(d) authorizes and directs the Secretary, upon request by the Governor acting pursuant to legislation, to administer and enforce taxes imposed or which may be imposed pursuant to sections 601, 603, 604 of Public Law 94-241. Additionally, the Secretary of the Treasury is authorized and directed to administer and enforce the collection of taxes imposed pursuant to sections 602 of Public Law 94-241. Costs of the contract shall be fully borne by the Secretary of the Treasury without reimbursement or other costs to the government of the Commonwealth of the Northern Marianas Islands. This section further provides that the Secretary of the Treasury is obligated to train Northern Marianas citizens, as defined in article III of Public Law 94-241, to assume ultimately the administration and enforcement duties required of the Secretary or his designee for purposes of carrying out the provisions of sections 601, 602, 603, and 604 of Public Law 94-241. Further, notwithstanding any other provision of law, the Secretary of the Treasury or his designee is authorized to the maximum extent feasible, effective until the end of the third full fiscal year following the date of enactment, to employ and train Northern Marianas citizens without regard to U.S. civil service or classification laws or other employment ceilings imposed upon the Secretary of the Treasury. Lastly, the Secretary of the Treasury or his designee shall take such steps as are necessary to insure that the proceeds of taxes collected under provisions of sections 601, 602, 603, and 604 of Public Law 94-241 are covered directly, upon collection, into the Treasury of the Commonwealth of the Northern Marianas Islands, and do not leave the islands.

The other new tax section for the NMI provides that a person, as defined by section 7701(a)(1) of the Internal Revenue Code, who resides in the Commonwealth of the Northern Marianas Islands and who is required to comply with the provisions of section 601 of 94-241, shall be exempted from the requirement of payment of the territorial income tax on income derived from sources within the Commonwealth of the Northern Marianas Islands for the taxable years beginning after December 31, 1978, and before January 1, 1981. The section further provides that nothing in the section shall be construed so as to relieve such persons from the requirement of paying the territorial income tax on income derived from sources outside of the Commonwealth of the Northern Marianas Islands.

The second part of this section (b) provides that a person, as defined by section 7701(a)(1) of the Internal Revenue Code, who resides in the Commonwealth of the Northern Marianas Islands and who is required to comply with the provisions of section 601 of Public Law 94-241 shall be exempted from the requirement of payment of the territorial income tax for the taxable year beginning after December 31, 1980, and before January 1, 1982, provided that the Secretary of the Treasury or his authorized designee is notified not later than September 30, 1980, in writing by the Governor of the Northern Marianas Islands, acting pursuant to legislation enacted in accordance with sections 5 and 7 or article II of the Constitution of the Northern Marianas Islands, has repealed sections 1, 2, 3, 4, and 5 of chapter 2 of Public Law 1-30 of the Commonwealth of the Northern Marianas Islands, or its successor, in its entirety, effective December 31, 1981.

The last part of this new section (c) clarifies the intent of the U.S. Congress when it used the term "rebate" in section 602 of Public Law 94-241 by providing that the term "rebate" does not permit the abatement of taxes. The intent of Congress in the legislative history of section 602 of Public Law 94-241 specifically provides that taxes must be collected by the government of the Northern Marianas Islands prior to any rebate to taxpayers. Further, it should be noted that the government of the Northern Marianas Islands has explicit authority to rebate any taxes received by it so it can rebate taxes which are collected by the Federal Government but transferred to the government of the Northern Marianas Islands pursuant to section 703(b) of Public Law 94-241. Such rebate, if utilized, should be in the form of a line item indicating the taxpaying person receiving the rebate and the amount of said rebate.

In title III of H.R. 3756, we have a number of items affecting Guam.

The Senate, in its section 301, amended the 1977 law which set up the procedures whereby Guamanians with land claims could file for compensation. At the urging of our respected and distinguished colleague, TONY WON PAT (the author of H.R. 3395, which the Senate incorporated into H.R. 3756), the sentence in (c) of section 204 which prohibited any interest from being paid on legitimate claims has been repealed. I support Congressman WON PAT in deleting the prohibition against awarding interest. His remarks today on the subject will become an important part of the legislative history of the Guam land claims program.

The conference report on the 1977 omnibus territories bill clearly stated that the purpose of section 204 was to provide redress for past inequities caused by our Government where, as a result of either first, duress, unfair influence, or other unconscionable actions; or second, unfair, unjust, and inequitable actions of the United States, less than fair market value had been paid to private landowners for the acquisition of property.

The conference report to that bill clearly indicated that the inclusion of the term "unconscionable actions" and the addition of the terms "unfair, unjust, and inequitable actions of the United States" was to avoid the imposition of unreasonable burdens upon claimants to prove their claims and to reflect our desire that those claims be viewed with sympathy and sensitivity, as well as reflecting the climate of the time.

In the section of that statute which defined the term "fair compensation," the statute provided a definition of this terms only in those instances which had resulted from "duress, unfair influence, or other unconscionable actions" and in reference to such claims prohibited the allowance of interest from the time of acquisition to the date of the award on such additional amounts as may be awarded pursuant to this section.

This provision prohibiting the inclusion of compensatory interest frustrated the purpose of providing complete redress to the victims of these inequities. The provision denied the right to the court to include interest to compensate claimants for the years during which they had been deprived of the use and enjoyment of the additional amounts which rightfully should previously have been paid. This provision contradicted the stated purpose of the act to provide land owners at long last with just compensation.

The present amendment, section 301 in H.R. 3756 (incorporating Representative WON PAT'S H.R. 1546), strikes the sentence containing the provision prohibiting compensatory interest and thus removes this contradiction. It allows the Guam District Court, upon finding that less than fair market value was paid as a result, either of duress, unfair influence, or other unconscionable actions, or as a result of unfair, unjust, and inequitable actions of the United States, to first determine the aditional amount necessary to bring the original payment into line with the fair market value at the time of acquisition and to add to this amount reasonable compensatory interest to determine the amount of the court's judgment. It is our intention that the inclusion of such compensatory interest will bring the results of this statute into conformity with generally accepted standards of U.S. law in determining just compensation for governmental taking of private property.

As amended, the statute affords the basis to completely compensate a claimant, not only for the original loss, but for the years the claimant has been deprived of full compensation. This result is in line with elemental concepts of fairness and justice and at last will fill the purpose of the statute to truly redress the inequities of the past.

We note here our disagreement with some language under section 301, page 12 of the Senate Report 96-467. In the last paragraph on that page, it says:

> At the urging of Congressman Won Pat, the Committee has reconsidered the prohibition in light of the requirement that the plaintiff prove actual fraud or duress on the part of the United States.

For the record, the statute (Public Law 95-134), in which the Guam land claims program is set forth, does not require that the plaintiff prove actual fraud. In fact, the statute never mentions fraud.

Since the 1977 act failed to include language to provide a specific statute of limitations for cases filed under the Guam claims program, we have added such language to section 301. All this means is that everyone who has a claim must file it by April 1, 1982, the date cited in the amendment.

Beyond April 1, 1982, however, should

the islands are favorably renegotiated or if the pending Federal suit finds that petroleum excise taxes must be returned to the Virgin Islands Treasury, territorial fiscal problems would dematerialize. Consequently, in deauthorizing Federal funds to bridge the gap, the other body has reduced the Virgin Islands' negotiating position to one of weakness. We, in the House, deplore this shortsightedness and shall continue to support the Virgin Islands' government as it seeks to restore its financial self-respect.

Lastly, I wish to draw your attention to an absurb situation in American Samoa and the Northern Marianas. Because both governments are new and the economics are still underdeveloped, a good deal of financial support stems from the Federal Government. Now, both territories are also eligible for Federal programs, many of which stipulate a matching component. As a result, American Samoa and the Northern Marianas are expending Federal funds to meet a Federal matching requirement. Accordingly, H.R. 3756 is amended to eliminate this absurdity with the waiving of all matching requirements less than $100,000.

Therefore, Mr. Speaker, as amended H.R. 3756 ameliorates many difficulties confronted by Americans living in the insular areas. Therefore, I urge it unanimous passage.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the proposed House amendments to the Senate amendment.

The Clerk read the House amendments to the Senate amendment, as follows:

In title I, after section 103, insert the following new section:

"SEC. 104. 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, nor shall 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 be denied, decreased or ended, either before or after the termination of the trusteeship, without the express approval of the U.S. Congress."

In title II, after section 203, insert the following new sections:

"SEC. 204(a) Section 3(d) of the Act entitled 'An Act to authorize appropriations for certain insular areas of the United States, and for other purposes' (Public Law 95-348; 92 Stat. 487) is amended by inserting '(1)' after '(d)' and by inserting 'or upon receipt of a resolution adopted by both houses of the legislature of the Northern Mariana Islands accompanied by a letter of request from either the Governor or the Lieutenant Governor of the Northern Mariana Islands,' after 'Constitution of the Northern Mariana Islands,' the first place it appears, and by adding at the end of '(d)' the following new paragraphs:

"(2) For purposes of carrying out any administration and enforcement required by this subsection, the Secretary of the Treasury (hereinafter in this subsection referred to as the 'Secretary'), or his delegate, at no cost to the Northern Marianas government, may (A) employ citizens of the Northern Mariana Islands (as defined by Article III of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States (approved, Public Law 94-241; 90 Stat. 265)), or (B) use the services of employees of the government of the Northern Mariana Islands, upon agreement to pay such government for the use of such services. In addition, the Secretary, or his delegate, shall make every effort to assure that citizens of the Northern Mariana Islands (as so defined) are trained to ultimately assume the administration and enforcement duties required of the Secretary or his delegate under this section. Notwithstanding any other provision of law, the Secretary or his delegate is authorized to the maximum extent feasible in administering and enforcing the requested sections of the Covenant, to employ and train Northern Mariana Islands' citizens without regard to U.S. Civil Service hiring or job classification laws or any employment ceilings imposed upon the Secretary. The preceding sentence shall not exempt such Northern Mariana Islands' citizens so hired from any other laws affecting Federal or IRS employees and shall remain in effect until the end of the third full fiscal year following the date of enactment.

"(3) As part of the administration of taxes required by this subsection, the Secretary or his delegate shall establish, at no cost to the Northern Marianas government, a taxpayers information service to provide such information and assistance to citizens of the Northern Mariana Islands (as so defined) as may be necessary for the filing of returns and the payment of such taxes."

"(b) The Secretary shall take such steps as are necessary to ensure that the proceeds of taxes collected under the provisions of sections 601, 602, 603, and 604 of the Covenant (P.L. 94-241) are covered directly upon collection into the treasury of the Commonwealth of the Northern Mariana Islands.

"SEC. 205. (a) Except as provided in subsection (c), any person, including an individual, trust, estate, partnership, association, company or corporation, which is a resident of or which is organized under the laws of the Commonwealth of the Northern Mariana Islands and which is subject to the provisions of section 601 of the Covenant to Establish the Commonwealth of the Northern Mariana Islands in Political Union with the United States (P.L. 94-241), shall be exempted from the requirements of such section with respect to income derived from sources within the Commonwealth of the Northern Mariana Islands for taxable years beginning after December 31, 1978 and before January 1, 1981. Nothing in this section shall be construed as relieving such person from the obligation to comply with the requirements of section 601 with respect to income derived from sources outside of the Commonwealth of the Northern Mariana Islands.

"(b) Except as provided in subsection (c), any person, including an individual, trust, estate, partnership, association, company or corporation, which is a resident of or which is organized under the laws of the Commonwealth of the Northern Mariana Islands and which is subject to the provisions of section 601 of the Covenant to Establish the Commonwealth of the Northern Mariana Islands (Public Law 94-341), shall be exempt from the requirements of such section with respect to income from sources within the Northern Mariana Islands for its taxable year beginning after December 31, 1980, and before January 1, 1982, provided that, the Secretary receives written notice from the Governor of the Northern Mariana Islands not later than September 30, 1980, that Sections 1, 2, 3, 4 and 5 of chapter 2 of Public Law 1-30 of the Commonwealth of the Northern Mariana Islands or its successor, have been repealed in their entirety, effective December 31, 1981.

"(c) It is the sense of Congress that the term 'rebate' as used in section 602 of Public Law 94-241 does not permit the abatement of taxes.".

In title III, change "SEC. 301." to "SEC. 301. (a)" and add the following new subsection:

"(b) Any civil action under section 204 of the Omnibus Territories Act of 1977 (91 Stat. 1162) shall be barred unless it is commenced not later than April 1, 1982."

In title IV, (a) delete all of section 403 and insert in lieu thereof the following:

"SEC. 403. (a) Subsection 28(a) of the Revised Organic Act of the Virgin Islands is amended by inserting after the words 'and naturalization fees collected in the Virgin Islands,' the following:

'(less the cost of collecting such duties, taxes and fees as may be directly attributable (as certified by the Comptroller of the Virgin Islands) to the importation of petroleum products until January 1, 1982: *Provided*, That any other retained costs not heretofore remitted pursuant to the Act of August 18, 1978, shall be immediately remitted to the Treasury of the Virgin Islands notwithstanding any other provision of law).'

(b) The paragraph entitled 'U.S. Customs Service' involving the collection of customs duties in the Virgin Islands in the Act of July 25, 1979, is hereby repealed."

(b) After section 404, insert the following new sections:

"SEC. 405. Any excise taxes levied by the Legislature of the Virgin Islands may be levied and collected as the Legislature of the Virgin Islands may direct as soon as the articles, goods, merchandise and commodities subject to said tax are brought into the Virgin Islands.

"SEC. 406. Not later than two years after the date of enactment of this Act, the Administrator of the General Services Administration shall convey, without consideration, all right, title and interest of the United States in and to the property known as the former District Court Building (including the parcel of land upon which said building is located), 48 B Norre Gade, St. Thomas, Virgin Islands, to the Government of the Virgin Islands.

"SEC. 407. Subsection (f) of section 2 of the Act entitled 'An Act to authorize the government of the Virgin Islands to issue bonds in anticipation of revenue receipts and to authorize the guarantee of such bonds by the United States under specified conditions, and for other purposes' (90 Stat. 1193; Public Law 94-392; 48 U.S.C. 1574b) is amended by striking out the last sentence and inserting in lieu thereof the following language:

'No commitment to guarantee may be issued by the Secretary, and no guaranteed but unobligated funds may be obligated by the government of the Virgin Islands after October 1, 1984. After October 1, 1984, any unobligated proceeds of bonds or other obligations issued by the government of the Virgin Islands pursuant to this section shall be repaid immediately by the government of the Virgin Islands to the lenders with the agreed upon interest. Should there be any delay in the government of the Virgin Islands' making such repayment, the Secretary shall deduct the requisite amounts from moneys under his control that would otherwise be paid to the government of the Virgin Islands under section 28(b) of the Revised Organic Act of the Virgin Islands.'."

In title VI, (a) amend section 601 to read as follows:

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"SEC. 601. Title V of the Act of Oct. 15, 1977, entitled 'An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes (91 Stat. 1159) shall be applied with respect to the Department of the Interior by substituting 'shall' for 'may' in the last sentence of subsection (d), and adding the following sentence at the end of subsection (d):

'Notwithstanding any other provision of law, in the case of American Samoa and the Northern Mariana Islands any department or agency shall waive any requirement for local matching funds under $100,000 (including in-kind contributions) required by law to be provided by American Samoa or the Northern Mariana Islands.'."

(b) after section 606, add the following new sections:

"SEC. 607. (a) The first section of the Act entitled 'An Act to place certain submerged lands within the jurisdiction of the governments of Guam, the Virgin Islands, and American Samoa, and for other purposes', approved October 5, 1974 (48 U.S.C. 1705), is amended by adding at the end thereof the following new subsection:

'(d)(1) The Secretary of the Interior shall, not later than sixty days after the date of enactment of this subsection, convey to the governments of Guam, the Virgian Islands, and American Samoa, as the case may be, all right, title, and interests of the United States in deposits of oil, gas, and other minerals in the submerged lands conveyed to the government of such territory by subsection (a) of this section.

'(2) The conveyance of mineral deposits under paragraph (1) of this subsection shall be subject to any existing lease, permit, or other interest granted by the United States prior to the date of such conveyance. All rentals, royalties, or fees which accrue after such date of conveyance in connection with any such lease, permit, or other interest shall be payable to the government of the territory to which much mineral deposits are conveyed.'.

"(b) Subsection (c) of the first section of such Act (48 U.S.C. 1705(c)) is amended by inserting 'subsection (a) or (b) of' after 'pursuant to'.

"SEC. 608. The following Acts are hereby amended as follows:

(a) in the Act of October 15, 1966 (80 Stat. 915), as amended (16 U.S.C. 470a-t):

(1) amend subsection 101(a) in paragraph (2) by deleting 'and' at the end thereof and, in paragraph (3) by deleting 'trust.' and inserting in lieu thereof 'Trust; and'.

(2) amend subsection 101(b) by deleting and after 'American Samoa,' and by changing the period at the end of the paragraph to a comma and inserting 'and the Commonwealth of the Northern Mariana Islands.'.

(3) amend subsection 212(b) by changing 'Senate Committee on Interior and Insular Affairs.' to 'Senate Committee on Energy and Natural Resources.'.

(b) in the Act of June 27, 1960 (74 Stat. 220), as amended (16 U.S.C. 469):

(1) amend subsection 5(c) by deleting 'Interior and Insular Affairs Committee of the United States Congress' and by inserting in lieu thereof 'Committee on Interior and Insular Affairs of the House of Representatives and Committee on Energy and Natural Resources of the Senate'.

(2) after section 7, add the following new section:

'SEC. 8. As used in this Act, the term "State" includes the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.'.

(c) in the Act of May 28, 1963 (77 Stat. 49; 16 U.S.C. 460 l-3) amend section 4 by deleting 'and American Samoa.' and by inserting in lieu thereof 'American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.'."

Mr. PHILLIP BURTON (during the reading). Mr. Speaker, I ask unanimous consent that the House amendments to the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, would the gentleman give us a further explanation?

I am sure there are lots of good reasons why we are rushing through this so rapidly. Is there a crisis involved here?

Mr. PHILLIP BURTON. None at all.

Mr. Speaker, if the gentleman will yield, we have had this bill before us for over 2 weeks. Our distinguished colleagues, the gentleman from California (Mr. LAGOMARSINO) and the gentleman from California (Mr. CLAUSEN), and I have conferred at inordinate length, and our bill is now in shape.

Mr. ROUSSELOT. The gentleman says the bill is in shape. How much does it cost?

Mr. PHILLIP BURTON. Not all that much.

Mr. ROUSSELOT. Mr. Speaker, could the gentleman give us a general idea?

Mr. PHILLIP BURTON. It is a little less than the cost, I believe, when we sent it over from the House last May.

Mr. ROUSSELOT. Mr. Speaker, I ask the question so we will know. I understand that sometimes we have problems with that.

Mr. PHILLIP BURTON. Mr. Speaker, we authorize the continued administration of the trust territory because the authorization is expiring. We provide—and the Senate has concurred in it—some $24 million for hospital care in the Northern Marianas.

Mr. ROUSSELOT. So the gentleman is asking for what, $23 or $25 million?

Mr. PHILLIP BURTON. Mr. Speaker, I suspect the authorization for the trust territory will be no more than what we had this current year. At least that is what the budget of the administration has provided, and this is an authorization that is needed in order to qualify for the October 1, 1980, appropriation.

Mr. ROUSSELOT. Mr. Speaker, further reserving the right to object, is the fact that we just do not know what the dollar value is?

I am sure my two colleagues, the gentleman from California (Mr. LAGOMARSINO) and the gentleman from California (Mr. CLAUSEN), have given this very careful consideration, but just for the record, I would like to know, what is it?

Mr. LAGOMARSINO. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to my colleague, the gentleman from California, who I know is very familiar with the bill.

Mr. LAGOMARSINO. Mr. Speaker, I will be glad to respond.

Section 202 authorizes $24 million for health care services for the Northern Mariana Islands.

Mr. ROUSSELOT. Mr. Speaker, the gentleman mentioned health care. That is $24 million?

Mr. LAGOMARSINO. That is $24.4 million.

Mr. ROUSSELOT. Let us go through the "laundry list" here.

Mr. LAGOMARSINO. If the gentleman wants me to do that, I will.

Mr. ROUSSELOT. I thought that somebody could tell us.

Mr. PHILLIP BURTON. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I will yield to either one of my colleagues who can answer my inquiry.

Mr. PHILLIP BURTON. Mr. Speaker, we clarify that the Comptroller services, as under current practice, for the Northern Marianas and American Samoa shall be provided by the Secretary of the Interior.

Mr. ROUSSELOT. How much did it cost last year?

Mr. PHILLIP BURTON. For the Comptrollers?

Mr. ROUSSELOT. For the whole package.

Mr. PHILLIP BURTON. Of the trust territory?

Mr. ROUSSELOT. Yes, if that is what this is.

Mr. PHILLIP BURTON. I would estimate $100 million plus or minus.

Mr. ROUSSELOT. All right. It is about $100 million plus or minus?

Mr. PHILLIP BURTON. That is about what the basic trust territory authorization or appropriation was last year. I do not believe we will have an appropriated amount in excess of what the amount was that was appropriated during this current fiscal year.

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Mr. ROUSSELOT. My colleague is confident that whatever is being authorized in this bill is less than last year?

Mr. PHILLIP BURTON. No. I do not think there will be an appropriation for the trust territory that is any more than was appropriated in this current year. That is my estimate.

Mr. ROUSSELOT. Does my colleague, the gentleman from California (Mr. LAGOMARSINO), have a better estimate?

Mr. LAGOMARSINO. No. I think the gentleman from California (Mr. PHILLIP BURTON) has explained it correctly. The appropriation for fiscal year 1980 as it left the House was $112 million.

Mr. ROUSSELOT. $112 million.

Mr. LAGOMARSINO. And last year it was $122,700,000.

Mr. ROUSSELOT. That was for 1981 or for 1980?

Mr. LAGOMARSINO. That was for 1979.

Mr. ROUSSELOT. 1979.

Mr. LAGOMARSINO. And the figure I just gave was $112 million for fiscal year 1980.

Mr. ROUSSELOT. For 1980. And is this an authorization for fiscal year 1981 or what?

Mr. LAGOMARSINO. The budget request for fiscal year 1981 for the trust territory is about $30 million less than that.

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the failure of a person to file his or her claim in a timely manner produce a result that "shocks the conscience" we would hope and anticipate that a future Congress would show compassion for any such individuals and provide compensation for them through private relief bills or some other method.

Furthermore, it is our understanding and intent that by providing this specific statute of limitations, the Justice Department will not raise any equitable defenses to the filing of claims within the limitation period based upon the dilatoriness of the filing of the claim.

The House version of H.R. 3756 contained language extending for 30 years the loan guarantee provision for the Guam Power Authority (GPA) and made other changes affecting the GPA. The Senate, at the request of GPA, has revised the section to authorize only a 10-year extension and made some other changes and we concur with these.

In 1974 a bill to place certain submerged lands within the jurisdiction of Guam, the Virgin Islands and American Samoa was enacted into law. A list of certain lands—11 in all—was excepted from the transfer of title. Included in the exceptions were deposits of oil, gas and other minerals in the submerged lands.

At the insistence of TONY WON PAT, we have agreed to add language to H.R. 3756 (incorporating the essence of his H.R. 4670) that would allow title to these oil, gas and other mineral deposits to be transferred from the U.S. Government to the government of Guam. And along with Guam, we have included the Virgin Islands (at the request of MELVIN EVANS) and American Samoa.

The Senate, in its version, confirms the jurisdiction of Puerto Rico over its submerged lands to 3 marine leagues. The House has been convinced of the equity of this proposal for several years and at the request of our colleague, Mr. CORRADA, we have concurred with the Senate on this matter.

In title IV, which affects the Virgin Islands, a number of changes have been made by the Senate.

First of all, the Senate modified the House's language in section 401. The Senate retained the language that transferred to the Virgin Islands property acquired from Denmark by the United States and which was not reserved or retained by the United States under Public Law 93-435. It revised, however, the rest of the section so that what it now does is to release from a mortgage covering 230 acres held by GSA 10 acres needed by the Virgin Islands government in order to build an armory. The release will take place when the $125,000 owed for the 10 acres is paid. We have reluctantly accepted this change.

Because of Justice Department concerns, the Senate changed the House language on Water Island to prohibit any modification of the existing lease on Water Island before 1992 without express congressional approval. We agree wholeheartedly with this change.

In 1978, the Congress enacted legislation which included a provision eliminating a deduction of the costs of collecting duties, taxes, and fees from funds which would otherwise have been paid directly to the Treasury of the Virgin Islands.

The purpose of the provision was to make some additional funds available to the Virgin Islands government to use for public purposes. After the legislation was enacted, it was learned that an existing contract relating to petroleum imports would significantly frustrate this objective. Consequently, we are told, the monies have been withheld under the terms of Public Law 96-38.

The language presented in the amendment is designed to accomplish the purpose of the 1978 act, without becoming entangled in the contractual commitment made by the Virgin Islands government. The amendment provides that the United States shall retain the funds attributable to the cost of collecting customs, duties, and fees on petroleum imports between August 18, 1978 and January 1, 1982. After January 1, 1982, there will be no deduction for these costs. In the meantime, from August 1, 1978 on, all other deductions withheld are to be remitted as intended under the act of that date.

The amendment also repeals a provision in Public Law 96-38 which was developed despite the fact that we were working at the time with the U.S. Customs people to modify our 1978 language. Our 1978 language was effectively repealed in an appropriations bill without Treasury having the courtesy to notify us before, during or after such action.

This action by the Treasury Department is but another in a series of their refusals to cooperate with this subcommittee. Their earlier refusal to provide necessary technical expertise on tax collection to the Northern Mariana Islands is one example of this. Another is their resistance to complying with the intent of the Congress as it relates to excise taxes in the Virgin Islands, a view which was upheld by a Federal district court, and is what I believe to be a not too subtle effort by Treasury to "squeeze" the Virgin Islands by dragging that government through a long and costly appellate process.

At some point our subcommittee intends to examine this pattern of indifference, if not outright antagonism, toward insular areas.

At the request of the Virgin Island government, the Senate added language that would allow any excise taxes levied by the Virgin Island legislature to be collected when imported goods are brought into the Virgin Islands, rather than 30 days after the end of the month in which they arrive. We have no objection to this, and therefore have retained this section.

The Senate, much to our regret, repealed that section in the House bill that authorized $60 million ($20 million a year for 3 years) to enable the Virgin Islands to offset any anticipated deficits they might have. We reluctantly have concluded, given the amount of controversy generated in this Congress by the 3-year authorization, to give way to the Senate in the matter. In the long run, we believe the Virgin Islands people will be better served by removing this highly controversial provision and redoubling our efforts to get full funding for other Virgin Island projects already authorized.

We have restored the section extending the guaranteed borrowing authority granted to the Virgin Islands in Public Law 94-392. The Senate had objected to the proposed 10-year extension. We have now modified our original language to provide for a 5-year extension of the law and have added a reverter clause, that is, our language now would require that all funds borrowed, but not obligated by the expiration date in 1984, will be returned to the lending institution from which they were borrowed. We urge the Senate to accept this version.

To the Senate bill, at Representative MELVIN EVANS' request, we have attached a new section which would convey title from the U.S. Government, without any cost, to the Virgin Islands government within 2 years from the date of enactment of this bill the property known as the former District Court Building located on Norre Gade. We understand that there is a great need for office space in the Virgin Islands and we would hope the acquisition of this building would solve this problem to everyone's satisfaction. Should the Government Services Administration, sometime in the next 2 years, decide it needs this building for somewhat longer than the time frame set forth in this section, it can come to Congress and present its case to the authorizing committees.

And lastly, at Representative MELVIN EVANS' request, the Virgin Islands is included in our new section authorizing the conveyance of title from the U.S. Government to the Virgin Islands government for oil, gas and mineral deposits in the submerged lands.

The Senate modified our section dealing with title V of Public Law 95-134, which is the title that authorizes all departments and agencies to consolidate grants and waive wherever possible matching funds for insular area governments. What they ended up with is language that requires the Department of Interior to waive matching requirements on Federal grant programs to the territories. We agree with them on this and have retained this section. Additionally, we have added a section that will require the waiving of all matching requirements, including inkind, under $100,000 that any departments or agencies may otherwise require of the governments of American Samoa and the Northern Marianas Islands.

Additionally, for American Samoa, the Senate has agreed with our language to authorize the Secretary of the Treasury to administer and enforce the collection of customs duties in American Samoa if the Governor requests this of the Secretary. We have also provided language to enable the Secretary to train residents of this insular area to carry out these responsibilities. In doing this, we urge

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the Secretary to make every effort to be as flexible as possible in meeting this responsibility.

Like Guam and the Virgin Islands, the mineral rights to their submerged lands are transferred within this bill to the American Samoa government. The persuasiveness of Mr. Eni Hunkin, our staff counsel and of Governor Coleman convinced us to act on this matter.

The Senate struck all sections requiring the IRS to collect customs and taxes in the Virgin Islands and Guam. We reluctantly accept (at Mr. WON PAT's instance, as it affects Guam) this decision at this time, with the understanding that much needed full discussion and debate on this subject will take place this year when the Senate committee considers Senator JOHNSTON's approach to this complex matter.

The Senate added to the House-passed version of H.R. 3756 the Matsunaga amendment, otherwise known as S. 1119, a bill that on its own had passed the Senate earlier in 1979. This new section 605 is designed to see that the Congress is kept informed regarding any plans by the U.S. Government to transport to or store spent nuclear fuel or high-level radioactive waste in any of the territories. We agree with the Senate that this language is necessary to make absolutely certain that before any such proposals are approved by the executive branch, there is full public disclosure of the proposed site, congressional hearings are held to hear all sides of the matter; and in short, that full debate is assured before any decision is made.

One of the amendments we offer here today as section 608 is only a technical amendment. What it does is update some references in three earlier laws (the Historic Preservation Act of 1966, the Archeological Data Act of 1960, and the National Outdoor Recreation Act of 1963) and extend these three acts to include any of these insular areas that had inadvertently been left out to date.

And that, we believe, covers any changes to date between the House and Senate versions. With the amendments we offer today, we think we have a very good bill in H.R. 3756, one that addresses in as broad a manner as possible the variety of problems and needs facing these insular areas today and in the foreseeable future.

We urge our colleagues in the House and in the Senate to support passage of this piece of legislation as quickly as possible so that it can be sent on without delay to the President for his signature so that implementation of the provisions therein can begin.

Mr. LAGOMARSINO. Mr. Speaker, I rise in support of H.R. 3756, as amended. On May 7, 1979 the House passed the territorial omnibus bill. Since then, it has been under deliberation by the other body. In general, I am pleased with the product; however, additional amendments and considerations are required in order to meet the current situation in America's insular areas.

Section 101 provides authorization for continuance of the government of the Trust Territory of the Pacific Islands. In extending this authorization beyond 1981—the administration's target date for termination of the U.N. Trusteeship—we demonstrate our misgivings in the current trend of Micronesia's future political status negotiations and provide the administration with more flexibility in reaching a settlement, equitable to both America and the Micronesian States.

For example, in the Trust Territory of the Pacific Islands, high waves and tidal action smashed into the Island of Majuro in the Marshall Islands on November 27 and again on December 3, 1979. In this disaster, 5,500 people—more than half of the community—were rendered temporarily homeless with near total damage to public facilities, such as water, sewer, power, and communication systems. Thanks to the gallant efforts of Defense Department personnel and the American Red Cross, there were no fatalities in spite of the tremendous property damage.

Although the President declared the island a major disaster area and reconstruction assistance is either in place or on its way, the problem of rebuilding will be with us for years to come. The situation is similar to that in Guam a few years ago when that island was hit by a devastating typhoon. Under the Federal Emergency Management Administration, only sufficient Federal funds can be allocated to restore facilities to their original condition. But therein lies the problem.

Majuro must be rebuilt in order to withstand the onslaught of future wave and tidal action. The flimsy construction that existed previously on the island explains, in part, the tremendous damage that we witness today. Therefore, I call upon the Secretary of the Interior in conjunction with the Federal Emergency Management Administration to coordinate their reconstruction efforts. Some of the Federal funds authorized to the Trust Territory of the Pacific Islands by this legislation should be matched with FEMA funds in order that a new Majuro can arise from the ruins, capable of withstanding the most severe weather conditions.

Nowhere is the energy crisis more severe than in America's offshore areas. Island people are totally dependent upon adequate transportation and communication systems for their livelihood. Unfortunately, the infrastructure, which the U.S. Government has sponsored in the off-shore areas, is totally dependent upon petroleum products for energy—gasoline to power the vehicles and outboard motors; diesel to run the electric generators and keep the fishing boats in operation; jet fuel to maintain contact with the outside world; butane to keep the family stoves lit. Consequently, the impact of the energy shortage—both the rising cost and the limited supply—has created significantly more problems than on the mainland. What I am calling for is a comprehensive survey to identify and put to use alternative sources of energy. Some of the possibilties in a tropical island environment include: hydroelectric generation, wind power, solar power, tidal action, biomass, ocean thermal energy conversion (OTEC), and the distillation of industrial alcohol from vegetable matter.

What needs to be done is to exploit these resources. In conjunction with the Department of Energy and the National Center for Appropriate Technology—an exceptionally capable agency with territorial experience—the Secretary of the Interior should survey all potentials and initiate, with no further delays, energy projects using off-the-shelf items, whenever available, to alleviate the plight of the offshore areas.

Future political status negotiations between the Americans and the Micronesians have reached a critical stage wherein today's decisions are apt to be tomorrow's law. In the January round of negotiations, the U.S. negotiating team conceded that Federal programs and services, as mutually agreed upon, in the fields of education and health will continue during the posttrusteeship period. Although this is a major concession on the part of the administration, the role of Congress in mandating Federal programs is only implicit. Accordingly, H.R. 3756 is amended to establish without question congressional authority in these areas. If Federal educational health care programs are to be altered or terminated in Micronesia, explicit congressional consent must first be acquired.

The Commonwealth of the Northern Mariana Islands is the newest addition to the American political family. Like any youngster, although eager to accommodate, this new government lacks experience, especially in administering complex legal codes such as the Internal Revenue System. Consequently, H.R. 3756 is amended to assist in income tax administration and collection in the Northern Marianas. In this regard, I would like to point out that in fairness, residents of the Northern Marianas will not be held liable for inadvertent tax irregularities preceding implemention of this legislation.

Under the terms of the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States, residents of the Northern Marianas must abide by the Internal Revenue Code in paying their territorial income tax. This amendment delays implementation of this provision until January 1, 1982, providing preparation time for the Commonwealth to become familiar with the complex nature of the IRC. In the interim, the local tax code of the Northern Marianas will continue in effect. In this regard, it is not our intent to create a tax haven in the Northern Marianas. Therefore, we once again, direct the attention of the Secretary of the Treasury to this situation and request his close surveillance of future investment patterns in the Marianas.

As for the Virgin Islands, it is unfortunate that the other body failed to recognize the dire financial situation of the territorial government. For the most part, this fiscal crisis has been caused by adherence to inappropriate federal laws and regulations and is only temporary in nature. If either the tax incentives for stimulating new industry in

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Mr. ROUSSELOT. $30 million less than $112 million?

Mr. LAGOMARSINO. Yes.

Mr. ROUSSELOT. That is certainly progress in the right direction.

Mr. BAUMAN. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, in defense of my colleague, the gentleman from California, I just wanted to say that the reason they are having trouble with this is that this is what is known as an open-ended authorization.

Mr. ROUSSELOT. Oh.

Mr. BAUMAN. There are very few amounts in the bill, and the Appropriations Committee later on will fill in the blanks. So that is why they are having a hard time answering the gentleman's questions. It could be $2 billion, but more than likely it will be less.

Mr. ROUSSELOT. Mr. Speaker, that clarifies that.

Further reserving the right to object, Mr. Speaker, I yield to my colleague, the gentleman from California (Mr. CLAUSEN). The gentleman's name has been mentioned here as having approved of this, so I am sure the gentleman is right up to speed on what this costs.

Mr. CLAUSEN. I think that the figure as presented was $112 million for fiscal year 1980 for the trust territory.

Mr. ROUSSELOT. $112 million for 1981?

Mr. CLAUSEN. For fiscal year 1980.

Mr. ROUSSELOT. The gentleman is confident that it might even be less?

Mr. CLAUSEN. Our experience has been that when it goes through the Appropriations Committee, particularly on the Senate side, it is probably less.

Mr. ROUSSELOT. Further reserving the right to object, can I ask my colleague this question: Is there any new ground being plowed of significance in this authorization?

Mr. PHILLIP BURTON. No. We lost $60 million worth of authorizations, as a matter of fact, because the Senate in effect repealed a law we passed a couple years ago.

Mr. ROUSSELOT. I appreciate my colleague has had great difficulty with the other body, as I stated when I started out asking these questions. I just thought that, for the record, that we ought to understand. I just hate to see us do too much by unanimous consent, but I realize that it is always convenient for Members at this late hour to do things by unanimous consent.

Do either of my other colleagues from California have anything to add that might be new about this bill that we have not had before, or something that is being imposed upon us by the other body? Are we trying to fight the battle to keep constraints?

Mr. LAGOMARSINO. If the gentleman will yield, as a matter of fact, the other body took out things that this House had passed unanimously. As I understand it, some of the amendments the gentleman is concerned about offering to the Senate amendments are to partially restore some of the things that were already passed by the House.

Mr. ROUSSELOT. They were already approved by the House?

Mr. LAGOMARSINO. Yes.

Mr. ROUSSELOT. I appreciate the explanation of my colleagues from California. It certainly sounds like a spiffy piece of legislation.

Mr. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to my colleague, the gentleman from California.

Mr. CLAUSEN. Mr. Speaker, I wonder if I will have an opportunity to make my statement after this is finished.

Mr. ROUSSELOT. I will be glad to yield to the gentleman for that consent. I am sure the gentleman will get it because I know the Speaker is anxious to make sure that everybody who knows anything about this has a chance to revise and extend their remarks, including the chairman of the subcommittee.

Mr. Speaker, I am satisfied that my three colleagues from California are extremely well informed on this subject and are working in the best interest of our territories, so I will withdraw my reservation of objection because I certainly do not want to hold up progress.

Mr. CLAUSEN. Mr. Speaker, I rise in support of H.R. 3756 as amended. Of particular concern to me—having been in from the start in the formulation of the Northern Mariana Commonwealth—is the difficult tax situation confronting the newest members of the American political family. By terms of the covenant (Public Law 94-241) the territorial income tax of the Northern Marianas is required by law to conform with that of Guam—or in other words "A mirror image" of the Internal Revenue Code. Considering the complexities of implementing the IRC and under the provisions of Public Law 95-348, the Governor of the Northern Marianas, in concert with the Legislature, has requested the Treasury Department to implement the territorial income tax for them.

In the interim, however, much delay and misunderstanding has been encountered. And to date, the IRS still is not collecting taxes in the Commonwealth. H.R. 3756, as amended by the House, eliminates further delay and establishes a schedule, wherein the citizens of the Northern Marianas can implement, without penalty or hardship, the territorial income tax system as specified by the covenant. I cannot overly emphasize the importance of these provisions—the foundation of good government rests upon a stable tax system.

Another aspect of interest to me is the current Micronesian political status negotiations. U.S. negotiators have been attempting to reach an agreement wherein the Micronesians will relinquish most of the congressionally mandated programs for which they are now eligible. I have no doubt that some programs should be eliminated, but that is not the point. For example, healthcare and education programs have been authorized by Congress and threfore can only be altered or terminated by Congress. We will not permit the bureaucracy to make that decision for us; and the House amended version of H.R. 3756 makes this point perfectly clear.

Mr. Speaker, this is good legislation; legislation which is urgently needed, especially in the case of the Northern Marianas. Accordingly, I urge all Members to lend their support.

● Mr. WON PAT. Mr. Speaker, after months of hard work, I am pleased to support H.R. 3756, as amended by the House.

This bill, portions of which I am proud to have cosponsored, accomplishes several major goals of the people of Guam and offers many benefits to other residents of American territories.

As usual, legislation of this magnitude represents the efforts of many persons. My colleagues on the House Interior and Insular Affairs Committee are especially deserving of my appreciation in arriving at the present form of H.R. 3756. Of particular support was Representative PHILLIP BURTON, who, as chairman of the House Subcommittee on National Parks and Insular Affairs, has stood steadfastly in support of my efforts to bring increased Federal assistance to Guam.

Further, he has been a constant innovator on behalf of the territories. Without his counsel and support, we would not be voting today on this measure. Accolades are also overdue to Representatives MORRIS UDALL, chairman of the Interior Committee, BOB LAGOMARSINO, and DON CLAUSEN for their friendship and interest in the territories. We on Guam are most fortunate to have men of such high caliber extend to us their friendship and concern for our well being. No words of appreciation would be complete without my thanks also to the staff of the Interior Committee who labored long and hard with me to arrive at the present version of H.R. 3756.

In the Senate, I extend my appreciation to Senator J. BENNETT JOHNSTON and his able staff member, Jim Beirne, for their commitment to fairness and democracy. America can hold its head high when we have men such as those I mentioned serving in the Nation's highest legislative body.

Of much interest is the provision granting Guam submerged land rights. I requested the inclusion of this for Guam because of my commitment to seeing that we receive the same treatment as it accorded the various coastal States. In 1973, when Congress adopted my bill to turn over to Guam all submerged land rights, unfortunately, mineral rights were excluded from that measure. Now, we are completing the process I started several years ago that places Guam on the level of control over its offshore areas as is enjoyed in the States. My only reservation is the limitation placed on Guam of a 3-mile limit. It is my judgment that Guam should be granted submerged mineral rights to the 3-league limit, as was the custom in the days when Spain ruled the island. I intend to pursue this issue at a later date to assure complete equity for Guam.

I am equally proud that the Senate agreed to adopt my call for interest payments to World War II landowners. This is a crucial and most sensitive issue in

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the island where many have waited over 30 years to obtain adequate compensation from the Federal Government for lands taken unfairly by U.S. military forces. It is only fair and just that they be granted interest payments since anything less would result in claimants who now are pursuing their claims before the U.S. district courts being paid in 1946 dollars. Obviously, that would be unthinkable and the payment of interest is in the best interest of this country.

Section 301 of title III of H.R. 3756, which is an act to authorize appropriations for certain insular areas of the United States and for other purposes, proposes to amend subsection (C) of section 204 of Public Law 95–134, the Guam Omnibus Act, by deleting the second sentence of the subsection. The effect of this change is to provide for the payment of interest on awards made under the act.

The existing law grants authority to the District Court of Guam to review claims of persons, their heirs, or legatees, from whom interests in land on Guam were acquired by the United States between July 21, 1944 and August 23, 1963, where the property was acquired by the United States other than through adjudication following contested judicial condemnation proceedings in the District Court of Guam.

Under these circumstances, where it is determined that less than fair market value was paid as a result of: First, duress, unfair influence, or other unconscionable actions, or second, unfair, unjust, and inequitable actions of the United States, fair compensation can be now provided to the former landowners. In other words, an award can be made in such amount as will insure that the former landowners will receive fair compensation for their properties. Land acquisitions which were effected through judicial condemnation proceedings in which the issue of compensation was adjudicated in a contested trial in the District Court of Guam, remained res judicata and are not subject to review under the present law.

The existing statute provides that fair compensation to the former landowners will be those additional amounts which are necessary to effect payment of fair market value at the time of acquisition. In other words, this is a remedial statute which provides relief for former landowners in Guam whose property was taken by unfair means or under unfair circumstances. The nature of this unfairness must be proven in court in order to authorize the award. The proposed amendment would merely permit these landowners to obtain interest on such additional compensation, from the date of its acquisition by the United States to the date of the payment of the new award. This is no more than fair because the Government has used the land over the intervening period without having paid full value for it.

I would like to emphasize that, with the exception of now allowing interest on the new awards, no changes are made in the existing statute by section 301 of H.R. 3756. On the contrary, the same tests as are now set forth in the statute will continue to apply without change. These are: Did the United States acquire property in Guam between July 21, 1944 and August 23, 1963 for less than fair market value because of: First, duress, unfair influence or other unconscionable actions; or second, unfair, unjust, and inequitable action by the United States? There is no necessity that fraud be proven, and where duress is one of the grounds for providing additional compensation, there are others such as "unfair influence or other unconscionable actions," and "unfair, unjust and inequitable actions of the United States."

Finally, I deeply regret the circumstances which led to the deletion of my proposed amendment which would have excluded Guam from several provisions of the Clean Air Act. Up to the present time I remain unconvinced that the inclusion of Guam in the Clean Air Act has any practical clean air benefits. It is with great reservation and reluctance that I acceded to the request of GPA to delete the proposed amendment. It is my sincere hope, however, that the U.S. Environmental Protection Agency will not subordinate the legitimate interests of Guam to its concern over amending the Clean Air Act. Above all else, we must think first about the economic problems facing Guam and I hope EPA will understand my desire to save my constituents millions of dollars that should not be spent to meet the Clean Air Act standards that are not relevant to Guam.

In the original language of H.R. 3756, I asked for a 30-year extension of GPA's loan guarantee. Anything less, I reasoned in my statements, would impose an unbearable financial obligation on Guam's hard-pressed power users who pay what may be one of the world's highest rates for electricity.

At the Senate hearings on H.R. 3756, GPA testified strongly in favor of a reduction of the payback period from 30 years to only 10 years. As a result the Senate deferred to GPA's request.

My concerns have been expressed to the Senate and I want to make it clear that throughout my support of GPA in their fiscal problems, my major concern has always been to seek ways to reduce power rates on Guam in any manner that is practical and consistent with prudent fiscal management.

Thank you.●

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California (Mr. PHILLIP BURTON) that the House amendments to the Senate amendment be considered as read and printed in the RECORD?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from California (Mr. PHILLIP BURTON)?

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PHILLIP BURTON. I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the legislation just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

AUTHORIZING CONVEYANCE OF LANDS IN THE CITY OF HOT SPRINGS, ARK.

Mr. PHILLIP BURTON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 1850) to authorize the conveyance of lands in the city of Hot Springs, Ark.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1850

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provisions of the Act of May 8, 1922 (42 Stat. 506), the Leo N. Levi Memorial Hospital Association is authorized to assign or convey all or any portion of or interests in and to lots one and two, in block 114 in the city of Hot Springs, Arkansas, to a nonprofit corporation organized under the laws of the State of Arkansas, its successors or assigns, for the purpose of erecting and maintaining thereon a housing facility for the elderly. Execution of such assignment or conveyance by the Leo N. Levi Memorial Hospital Association and execution of mortgages by said nonprofit corporation or its successors or assigns, in connection with the housing facility, shall not constitute a forfeiture of any rights granted to the Leo N. Levi Memorial Hospital Association by said Act of May 8, 1922. If at any time after lots one or two of block 114 are assigned or conveyed to said nonprofit corporation the property is used or permitted to be used for purposes other than housing facilities for the elderly or the purposes provided for in the Act of May 8, 1922, all the rights, privileges, and powers in such property authorized by this Act or by said Act of May 8, 1922, shall be forfeited to the United States.

Mr. PHILLIP BURTON. Mr. Speaker, the Committee on Interior and Insular Affairs amended S. 1850 to add two provisions which have previously been approved by the House this Congress.

Section 2 of the revised bill amends the Land and Water Conservation Fund Act of 1965 to permit additional acquisition funds of up to the greater of either a million dollars or 10 percent of a legislative ceiling to be appropriated in a given fiscal year, in the case of limitations enacted for national recreation areas prior to the 96th Congress. This is an extension of similar authority which already exists for all similar ceilings enacted prior to the 95th Congress. The House earlier passed an extension of this authority for all national park system and related areas. This latest version, however, would apply only to those national recreation areas whose authorizations were fixed during the 95th Congress. In the case of the Santa Monica Mountains National Recreation Area statute, which contains authorizations

NATIONAL MEDIC ALERT WEEK

The joint resolution (H.J. Res. 434) to authorize and request the President to issue a proclamation designating April 6 through 12, 1980, "National Medic Alert Week," was considered, ordered to a third reading, read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AUTHORITY TO TAKE CERTAIN ACTIONS DURING RECESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that between the time that the Senate recesses today and its reconvening on Tuesday, that the Secretary of the Senate be authorized to receive messages from the President of the United States and/or the House of Representatives, and that they may be appropriately referred; and that during the same period the Vice President of the United States, the President of the Senate pro tempore, and the Acting President pro tempore, be authorized to sign all duly enrolled bills and joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

INSULAR AREAS AUTHORIZATIONS

Mr. ROBERT C. BYRD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 3756.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 3756) entitled "An Act to authorize appropriations for certain insular areas of the United States, and for other purposes", with the following amendments:

1. Page 5, after line 2, insert:

SEC. 104. 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, nor shall 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 be denied, decreased or ended, either before or after the termination of the trusteeship, without the express approval of the United States *Congress*.

2. Page 6, after line 20, insert:

SEC. 204. (a) Section 3(d) of the Act entitled "An Act to authorize appropriations for certain insular areas of the United States, and for other purposes" (Public Law 95-348; 92 Stat. 487) is amended by inserting "(1)" after "(d)" and by inserting "or upon receipt of a resolution adopted by both houses of the legislature of the Northern Mariana Islands accompanied by a letter of request from either the Governor or the Lieutenant Governor of the Northern Mariana Islands," after "Constitution of the Northern Mariana Islands," the first place it appears, and by adding at the end of "(d)" the following new paragraphs:

"(2) For purposes of carrying out any administration and enforcement required by this subsection, the Secretary of the Treasury (hereinafter in this subsection referred to as the 'Secretary'), or his delegate, at no cost to the Northern Marianas government, may (A) employ citizens of the Northern Mariana Islands (as defined by Article III of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States (approved, Public Law 94-241; 90 Stat. 265)), or (B) use the services of employees of the government of the Northern Mariana Islands, upon agreement to pay such government for the use of such services. In addition, the Secretary, or his delegate, shall make every effort to assure that citizens of the Northern Mariana Islands (as so defined) are trained to ultimately assume the administration and enforcement duties required of the Secretary or his delegate under this section. Notwithstanding any other provision of law, the Secretary or his delegate is authorized to the maximum extent feasible in administering and enforcing the requested sections of the Covenant, to employ and train Northern Mariana Islands' citizens without regard to United States Civil Service hiring or job classification laws or any employment ceilings imposed upon the Secretary. The preceding sentence shall not exempt such Northern Mariana Islands' citizens so hired from any other laws affecting Federal or Internal Revenue Service employees and shall remain in effect until the end of the third full fiscal year following the date of enactment.

"(3) As part of the administration of taxes required by this subsection, the Secretary or his delegate shall establish, at no cost to the Northern Marianas government, a taxpayers information service to provide such information and assistance to citizens of the Northern Mariana Islands (as so defined) as may be necessary for the filing of returns and the payment of such taxes.".

(b) The Secretary shall take such steps as are necessary to ensure that the proceeds of taxes collected under the provisions of sections 601, 602, 603, and 604 of the Covenant (Public Law 94-241) are covered directly upon collection into the treasury of the Commonwealth of the Northern Mariana Islands.

SEC. 205. (a) Except as provided in subsection (c), any person, including an individual, trust, estate, partnership, association, company, or corporation, which is a resident of or which is organized under the laws of the Commonwealth of the Northern Mariana Islands and which is subject to the provisions of section 601 of the Covenant to Establish the Commonwealth of the Northern Mariana Islands in Political Union with the United States (Public Law 94-241), shall be exempted from the requirements of such section with respect to income derived from sources within the Commonwealth of the Northern Mariana Islands for taxable years beginning after December 31, 1978, and before January 1, 1981. Nothing in this section shall be construed as relieving such person from the obligation to comply with the requirements of section 601 with respect to income derived from sources outside of the Commonwealth of the Northern Mariana Islands.

(b) Except as provided in subsection (c), any person, including an individual, trust, estate, partnership, association, company, or corporation, which is a resident of or which is organized under the laws of the Commonwealth of the Northern Mariana Islands and which is subject to the provisions of section 601 of the Convenant to Establish the Commonwealth of the Northern Mariana Islands (Public Law 94-241), shall be exempt from the requirements of such section with respect to income from sources within the Northern Mariana Islands for its taxable year beginning after December 31, 1980, and before January 1, 1982: *Provided*, That the Secretary receives written notice from the Governor of the Northern Mariana Islands not later than September 30, 1980, that sections 1, 2, 3, 4, and 5 of chapter 2 of Public Law 1-30 of the Commonwealth of the Northern Mariana Islands or its successor, have been repealed in their entirety, effective December 31, 1981.

(c) It is the sense of Congress that the term "rebate" as used in section 602 of Public Law 94-241 does not permit the abatement of taxes.

3. Page 6, line 22, strike out "SEC. 301." and insert in lieu thereof: SEC. 301. (a)

4. Page 6, after line 24, insert:

(b) Any civil action under section 204 of the Omnibus Territories Act of 1977 (91 Stat. 1162) shall be barred unless it is commenced not later than April 1, 1982.

5. Page 10, strike out lines 3 through 15, and insert in lieu thereof:

SEC. 403. (a) Subsection 28(a) of the Revised Organic Act of the Virgin Islands is amended by inserting after the words "and naturalization fees collected in the Virgin Islands," the following: "(less the cost of collecting such duties, taxes and fees as may be directly attributable (as certified by the Comptroller of the Virgin Islands) to the importation of petroleum products until January 1, 1982: *Provided*, That any other retained costs not heretofore remitted pursuant to the Act of August 18, 1978, shall be immediately remitted to the Treasury of the Virgin Islands notwithstanding any other provision of law)."

(b) The paragraph entitled "U.S. Customs Service" involving the collection of customs duties in the Virgin Islands in the Act of July 25, 1979, is hereby repealed.

6. Page 10, after line 17, insert:

SEC. 405. Any excise taxes levied by the Legislature of the Virgin Islands may be levied and collected as the Legislature of the Virgin Islands may direct as soon as the articles, goods, merchandise, and commodities subject to said tax are brought into the Virgin Islands.

SEC. 406. Not later than two years after the date of enactment of this Act, the Administrator of the General Services Administration shall convey, without consideration, all right, title, and interest of the United States in and to the property known as the former District Court Building (including the parcel of land upon which said building is located), 48 B Norre Gade, St. Thomas, Virgin Islands, to the Government of the Virgin Islands.

SEC. 407. Subsection (f) of section 2 of the Act entitled "An Act to authorize the government of the Virgin Islands to issue bonds in anticipation of revenue receipts and to authorize the guarantee of such bonds by the United States under specified conditions, and for other purposes" (90 Stat. 1193; Public Law 94-392; 48 U.S.C. 1574b) is amended by striking out the last sentence and inserting in lieu thereof the following language: "No commitment to guarantee may be issued by the Secretary, and no guaranteed but unobligated funds may be obligated by the government of the Virgin Islands after October 1, 1984. After October 1, 1984, any unobligated proceeds of bonds or other obligations issued by the government of the Virgin Islands pursuant to this section shall be repaid immediately by the government of the Virgin Islands to the lenders with the agreed upon interest. Should there be any delay in the government of the Virgin Islands' making such repayment, the Secretary shall deduct the requisite amounts from moneys under his control that would otherwise be paid to the government of the Virgin

Islands under section 28(b) of the Revised Organic Act of the Virgin Islands.".

7. Page 11, strike out lines 8 through 13, and insert in lieu thereof:

SEC. 601. Title V of the Act of October 15, 1977, entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (91 Stat. 1159) shall be applied with respect to the Department of the Interior by substituting "shall" for "may" in the last sentence of subsection (d), and adding the following sentence at the end of subsection (d): "Notwithstanding any other provision of law, in the case of American Samoa and the Northern Mariana Islands any department or agency shall waive any requirement for local matching funds under $100,000 (including in-kind contributions) required by law to be provided by American Samoa or the Northern Mariana Islands.".

8. Page 14, after line 17 insert:

SEC. 607. (a) The first section of the Act entitled "An Act to place certain submerged lands within the jurisdiction of the governments of Guam, the Virgin Islands, and American Samoa, and for other purposes", approved October 5, 1974 (48 U.S.C. 1705), is amended by adding at the end thereof the following new subsection:

"(d)(1) The Secretary of the Interior shall, not later than sixty days after the date of enactment of this subsection, convey to the governments of Guam, the Virgin Islands, and American Samoa, as the case may be, all right, title, and interest of the United States in deposits of oil, gas, and other minerals in the submerged lands conveyed to the government of such territory by subsection (a) of this section.

"(2) The conveyance of mineral deposits under paragraph (1) of this subsection shall be subject to any existing lease, permit, or other interest granted by the United States prior to the date of such conveyance. All rentals, royalties, or fees which accrue after such date of conveyance in connection with any such lease, permit, or other interest shall be payable to the government of the territory to which such mineral deposits are conveyed.".

(b) Subsection (c) of the first section of such Act (48 U.S.C. 1705(c)) is amended by inserting "subsection (a) or (b) of" after "pursuant to".

SEC. 608. The following Acts are hereby amended as follows:

(a) In the Act of October 15, 1966 (80 Stat. 915), as amended (16 U.S.C. 470a-t):

(1) amend subsection 101(a) in paragraph (2) by deleting "and" at the end thereof and, in paragraph (3) by deleting "Trust." and inserting in lieu thereof "Trust; and".

(2) amend subsection 101(b) by deleting and after "American Samoa," and by changing the period at the end of the paragraph to a comma and inserting "and the Commonwealth of the Northern Mariana Islands.".

(3) amend subsection 212(b) by changing "Senate Committee on Interior and Insular Affairs." to "Senate Committee on Energy and Natural Resources.".

(b) In the Act of June 27, 1960 (74 Stat. 220), as amended (16 U.S.C. 469):

(1) amend subsection 5(c) by deleting "Interior and Insular Affairs Committee of the United States Congress" and by inserting in lieu thereof "Committee on Interior and Insular Affairs of the House of Representatives and Committee on Energy and Natural Resources of the Senate".

(2) after section 7, add the following new section:

"SEC. 8. As used in this Act, the term 'State' includes the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.".

(c) In the Act of May 28, 1963 (77 Stat. 49; 16 U.S.C. 4601-3) amend section 4 by deleting "and American Samoa." and by inserting in lieu thereof "American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.".

● Mr. JOHNSTON. Mr. President, the amendments offered by the House to the Senate amendment to H.R. 3756 are a useful and constructive compromise to the differences between the Senate and House passed versions of this legislation.

The first amendment proposed by the House would insert a new section 104 which provides that Federal programs in the fields of education and health care will continue to apply to the Trust Territory of the Pacific Islands and their successor governments until terminated by Congress. A similar provision of the original House legislation had been deleted by the Senate since, at the time the legislation was under consideration, the future status agreements with the individual governments of the Trust Territory did not contemplate the extension of Federal domestic programs to those future governments. Since that time the United States and the Micronesian Status Commissions have reached tentative agreement on the content of a Compact of Free Association. That agreement has been initialled by the government of the Marshall Islands. The agreement, in part, provides that certain Federal programs and services in education and health care will continue to be provided under free association. That provision is contained in section 221(b) of the Compact of Free Association, which was initialled on January 14, 1980. Although the joint resolution which will be necessary to approve the final text of the Compact of Free Association will, as a subsequently enacted statute, supersede this or any other provision, this amendment proposed by the House does serve to maintain the status quo with respect to health and education programs until such time as the final Compact of Free Association is presented to the Congress.

The second amendment proposed by the House would recognize that the government of the Northern Mariana Islands has requested advice and assistance from the Department of the Treasury in the administration of local taxes. This amendment would eliminate a technical problem which has arisen over the form in which the government of the Northern Marianas Islands must request such assistance. In addition, the amendment recognizes that until final termination of the trusteeship agreement covering the Trust Territory of the Pacific Islands, the residents of the Northern Marianas Islands cannot become U.S. citizens. The amendment would address the problem of Treasury administration of the local taxes and hiring of local residents, by waiving civil service hiring and job classification laws for 3 fiscal years following enactment.

The third amendment offered by the House would recognize that the residents of the Northern Marianas Islands will need extensive training before they will be fully able to administer the Federal internal revenue laws which would apply to the Northern Marianas Islands as a local territorial tax. In order to provide sufficient time for such training, this amendment suspends the application of the Federal internal revenue laws as a local territorial tax until 1981.

The next amendment notes a technical problem under the Guam land claims provision of the Omnibus Territories Act of 1977. This amendment would provide that all claims under that act must be commenced prior to April 1, 1982.

The next amendment offered by the House is technical and limits the withholding of the administrative costs of collection of custom duties on articles imported into the United States from the Virgin Islands to petroleum products. The amendment is consistent with the purpose of section 403 as previously passed by both the Senate and the House and does not represent any change in the intent of either body in enacting section 403.

The next amendment offered by the House would provide specifically that the Virgin Islands may levy excise taxes on articles as soon as they are brought into the Virgin Islands. This authority already exists and has existed so long as the Virgin Islands has been authorized to collect excise taxes. The amendment is offered only to prevent needless litigation and to confirm the already authorized powers of the Virgin Islands government. I would note that this provision has been requested by the Governor of the Virgin Islands with the support of the administration in order to clarify the existing authority and does not represent a new grant of authority whatsoever.

The next amendment offered by the House would insert a new section 406 into the legislation. This new section would direct that the Administrator of the General Services Administration shall convey the former district court building to the government of the Virgin Islands within 2 years after the date of enactment of this act. The committee understands that there is presently some uncertainty as to whether the Federal Government will continue to need the former district court building or whether sufficient other facilities are available. We believe that the former district court building should not remain vacant indefinitely, and therefore, unless the Administrator of the General Services Administration can demonstrate a need for continued ownership of the former district court building, the committee believes that it, together with other Federal surplus property, should be transferred to the administrative control of the Virgin Islands government.

The next amendment offered by the House would extend the guaranteed bonding authority for the Virgin Islands for 5 years with a provision that any funds guaranteed but not obligated at the expiration of that period would be returned to the Federal Government. Originally, the House had proposed a 10-year extension of this authority with no reverter and the Senate had deleted

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the provision altogether. The Senate action was based on the history of the present authority which has seen the Virgin Islands obtain guarantees for $31 million in obligations of which only $21 million had been drawn down, only $5 million of which had been obligated, and only $2 million of which had actually been expended as of the date of the committee hearing. The committee believes that it is an unwise practice for the Virgin Islands government to increase their long-term debt and their immediate debt service problems in advance of their actual ability to obligate funds. We do recognize, however, that there are a variety of capital projects of immediate benefit to the Virgin Islands which could be funded through this provision. In order, therefore, to provide the maximum flexibility to the Virgin Islands government, while insuring that the Virgin Islands government will not needlessly increase its debt obligations, we have agreed to a 5-year extension of the bonding authority, with the provision that any sums guaranteed but not obligated would revert to the Federal Government at the expiration of the 5 years.

The next amendment offered by the House would provide that Federal agencies shall waive any requirement for local matching funds under $100,000 from American Samoa or the Northern Mariana Islands. This provision is useful in that it recognizes the enormous administrative burdens imposed upon the government of American Samoa (which has a total population of only 30,000) and the Northern Mariana Islands (which has a total population of only 16,000) in seeking to take advantage of small programs otherwise available to the territories.

The next amendment offered by the House was proposed by Congressman WON PAT. That amendment would convey to the territories of Guam, the Virgin Islands, and American Samoa the mineral rights reserved to the Federal Government under the Territorial Submerged Lands Act. The original reservation was insisted upon by the House although it was inconsistent with the purposes of the Territorial Submerged Lands Act, which was designed to accord the territories with treatment equivalent to the coastal States of the United States.

The final amendment offered by the House would provide technical amendments to certain Federal programs to recognize that the Commonwealth of the Northern Mariana Islands will become a territory of the United States upon termination of the trusteeship agreement, and must be specifically named, together with other territories, in legislation, and would not be automatically included simply because they were a part of the trust territory previously.

One final point needs to be made with respect to this legislation. On February 14, 1980, the President transmitted a message to the Congress outlining his proposed territorial policy. A part of that policy proposed that henceforth the administration was committed to 90 per cent funding of capital improvement projects in the territories. One provision of this legislation eliminates any matching requirement imposed by the Department of the Interior on programs to the territories. Some concern had been expressed by the administration that this provision would be inconsistent with the President's proposal. I would note that the administration does not intend to offer any new authorizing legislation, but has simply adopted the 90-percent requirement as an element of its budgetary process in its submission to the Appropriations Committees. I do not believe that there is any necessary conflict between the administration's proposal and the Congress ability to render a final judgment on the appropriate level of Federal support for necessary capital projects. Both the authorizing and appropriating committees will continue to review projects on a case-by-case basis and will provide whatever level of funding is appropriate in the particular circumstances.●

● Mr. HATFIELD. Mr. President, I support the House amendments to the Omnibus Territories bill, H.R. 3756. This version of H.R. 3756 represents a good compromise which was crafted from the original House bill and the Senate-passed amendments. In its present form, the measure authorizes appropriations and provides for other legislative authority for insular areas of the United States which are under the jurisdiction of the Senate Committee on Energy and Natural Resources.

Title I deals with the Trust Territory of the Pacific Islands. The first section provides for an open end, open-year authorization for the trust territories. Although I am a member of the Interior Appropriations Subcommittee, my concern remains for this type of a provision. In the past, the authorizing committee has fulfilled a critical role in guiding the Appropriations Committee with funding levels for the trust territory as well as other insular areas. In my judgment, our efforts have assisted the Micronesians in obtaining higher levels of funding for much needed programs and projects.

These needs constantly change and should be reviewed periodically. The Senate voted to depart from the traditional practice of annual authorization due to the anticipated termination of the trusteeship in 1981, and also due to strong support by leaders from the trust territory for the open-ended authorization. The Senate agreed to this House provision, but added specific authorization for certain projects. The list of projects is not intended to be exclusive to the addition of any needed future project or program. I trust that this provision will not have any negative effect on our continuing efforts to provide adequate funding for the trust territory.

Another important provision in the first title establishes a comprehensive and integrated medical program for the people of the Marshall Islands who were exposed to U.S. nuclear testing. The United States owes a solemn responsibility to the innocent victims of our nuclear testing program. This provision extends existing programs to assure that all those directly or indirectly subjected to radiation damage are covered by this medical program.

The proposed section 407 has been a subject of concern and controversy during Senate action on H.R. 3756. The distinguished gentlemen from Alaska, Senator STEVENS, and others opposed the Senate amendment which deleted the extension of the guaranteed bonding authority granted to the Virgin Islands in Public Law 94-392. After a number of informal discussions, the provision in section 407 was agreed to. It authorizes a 5-year extension of the bonding authority to the Virgin Islands government. Under a reverter clause, all funds borrowed, but not obligated at the end of 5 years would be returned to the lending institution from which they were borrowed. It is my hope that this proposal will encourage the early obligation of funds to meet some of the capital improvement needs of the territory.

The House also has added a new section which would convey, without cost, certain U.S. property to the Virgin Islands government. Two years from the date of enactment, the former district court building would be transferred to the territory. Apparently, this unused office space is needed by the Virgin Islands government. I have been assurred by the distinguished gentlemann from Louisiana, Senator JOHNSTON, that if within the next 2 years the GSA plans to utilize this building and so informs our committee, that this transfer of title will be reexamined in light of this information. It is my understanding that the Congress has not received an official comment from GSA on plans for the future use of this facility. Notwithstanding that fact, with this assurance from the Senator, I will not object to the House amendment.

There is another House amendment which deserves special mention at this time—proposed section 607. This section, in effect, would convey from the United States to the territories certain oil, gas, and mineral deposits in submerged lands. By way of background, the general subject jurisdiction over submerged lands was raised this year during Senate markup of H.R. 3756. At the markup and later during Senate floor consideration, an amendment was adopted which would clarify or confirm the jurisdiction of Puerto Rico over its submerged lands. It was stressed in legislative history that the Senate intended to merely reaffirm existing policy relating to the jurisdiction of Puerto Rico over its submerged lands extending 3 leagues from shore.

Section 607 deals with the U.S. policy on submerged lands which was enunciated in the "Territorial Submerged Lands Act of 1974." The 1974 act conveys title of the submerged land on the coastline up to 3 miles to the territorial governments of Guam, the Virgin Islands, and American Samoa. At the same time, however, it exempts expressly from the conveyance, U.S. rights to oil, gas, and certain other mineral deposits. This exemption for oil and gas rights was insisted upon by the House during action on the 1974 act. On the other

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hand section 607, as proposed, would eliminate this exemption by requiring the United States to convey all interest in oil, gas, and mineral deposits to these territories. Although this is a reversal of earlier policy, I concur in the House amendment. The adoption of this section would accord the territories with the same rights to submerged lands as those enjoyed by the States.

The House has also agreed to the Senate amendment which is identical to S. 1119, a bill which passed the Senate last year. The purpose of this provision, section 605, is to assure that the Congress is advised of any plans by the U.S. Government to transport or store spent nuclear fuel in the territories. This provision is an outgrowth of the failure of the administration to notify the Congress of preliminary plans for an interim storage facility in the Pacific. Later, this lack of notice was compounded by actions of the executive branch which demonstrated a lack of sensitivity to the legitimate concerns of the Pacific community. Our amendment will simply guarantee for U.S. citizens and nationals in the territories that the United States will not sanction or approve a proposal for spent fuel storage without full public disclosure of the site and open consideration, discussion, and approval by the Congress.

Mr. President, H.R. 3756, as amended by the House, is a constructive step in addressing a broad range of issues affecting these insular areas. Therefore, I urge my colleagues to act quickly and favorably on final action.

Mr. ROBERT C. BYRD. Mr. President, on behalf of Mr. JOHNSTON, I ask unanimous consent that the Senate concur in the House amendments en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I have just cleared this request with the distinguished acting Republican leader: I ask unanimous consent that the Senate, for not to exceed 1 minute, go into executive session to consider the nominations on the Executive Calendar beginning with page 2, going through page 3, page 4, page 5, page 6, and page 7, including only Calendar Orders Nos. 46, 48, and 49, and the nominations placed on the Secretary's desk.

There being no objection, the Senate proceeded to the consideration of executive business.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that all of the aforementioned nominees be confirmed en bloc, that the President be immediately notified of the confirmation of the nominees, that the motion to reconsider en bloc be laid on the table.

Mr. STEVENS. There is no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF DEFENSE

Robert Harry Spiro, Jr., of Florida, to be Under Secretary of the Army.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. Charles Maurice Hall, 551-28-7043, U.S. Army to be lieutenant general.

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

Lt. Gen. Sidney Bryan Berry, 428-22-5274 (age 53), Army of the United States (major general, U.S. Army), to be lieutenant general.

The following-named officer to be assigned to a position of importance and responsibility designated by the President under the provisions of title 10, United States Code, section 3066(a), in grade as follows:

Maj. Gen. Willard Warren Scott, Jr. 258-34-4234, U.S. Army, to be lieutenant general.

The following-named officers for appointment to the Regular Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3284, 3306, and 3307:

Maj. Gen. Robert J. Lunn, 361-14-7936, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Jere W. Sharp, 260-50-2658, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. John B. Blount, 033-12-7463, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Richard H. Thompson, 120-16-1747, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Roscoe Robinson, Jr., 495-28-6662, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Alexander M. Weyand, 516-28-8461, Army of the United States (brigadier general, U.S. Army), to be major general.

Lt. Gen. Robert G. Yerks, 091-32-6760, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Donald E. Rosenblum, 089-22-1105, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Charles C. Rogers, 234-48-9912, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Paul S. Williams, Jr., 231-30-5124, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. John N. Brandenburg, 446-22-3061, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. William I. Rolya, 013-20-6527, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj Gen. Sampson H. Bass, Jr., 579-32-3138, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Clyde W. Spence, Jr., 260-32-1269, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Grayson D. Tate, Jr., 525-44-0510, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Robert W. Sennewald, 492-22-4165, Army of the United States (brigadier general, U.S. Army), to be major general.

Lt. Gen. Harold F. Hardin, Jr., 492-26-5666, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. James F. Cochran III, 267-40-5716, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Thomas D. Ayers, 420-24-5190, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Walter F. Ulmer, Jr., 007-20-4378, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. William J. Livsey, Jr., 256-44-8751, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Alan A. Nord, 503-24-3774, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Robert C. Gaskill, 224-32-2330, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Elton J. Delaune, Jr., 434-38-5898, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Robert L. Moore, 223-40-5575, Army of the United States (brigadier general, U.S. Army), to be major general.

Maj. Gen. Robert M. Elton, 287-28-3508, Army of the United States (colonel, U.S. Army), to be brigadier general.

Maj. Gen. Joseph T. Palastra, Jr., 576-28-7763, Army of the United States (colonel, U.S. Army), to be brigadier general.

Maj. Gen. Louis C. Wagner, Jr., 490-44-9352, Army of the United States (colonel, U.S. Army), to be brigadier general.

Maj. Gen. William J. Hilsman, 500-30-3135, Army of the United States (colonel, U.S. Army), to be brigadier general.

Maj. Gen. Thomas F. Healy, 019-24-4071, Army of the United States (colonel, U.S. Army), to be brigadier general.

Brig. Gen. John W. Hudachek, 483-46-4927 Army of the United States (colonel, U.S. Army), to be brigadier general.

Maj. Gen. Donald M. Babers, 525-50-5504, Army of the United States (colonel, U.S. Army), to be brigadier general.

IN THE NAVY

The following-named captains of the line of the Navy for temporary promotion to the grade of rear admiral, subject to qualification therefor as provided by law:

John C. McArthur to be rear admiral.
Harold N. Wellman to be rear admiral.
Donald P. Roane to be rear admiral.
Donald L. Felt to be rear admiral.
James E. McCardell, Jr., to be rear admiral.
John T. Parker, Jr., to be rear admiral.
Edward J. Hogan, Jr., to be rear admiral.
George W. Davis, Jr., to be rear admiral.
Verle W. Klein to be rear admiral.
John A. Baldwin, Jr., to be rear admiral.
Jonathan T. Howe to be rear admiral.
William A. Kearns, Jr., to be rear admiral.
Thomas C. Watson, Jr., to be Rear admiral.
William D. Smith to be Rear admiral.
Jackson K. Parker to be Rear admiral.
Dickinson M. Smith to be Rear admiral.
Paul E. Sutherland, Jr., to be Rear admiral.
Gerald W. MacKay to be Rear admiral.
Benjamin T. Hacker to be Rear admiral.
Allen D. Williams to be Rear admiral.
Charles J. Moore to be Rear admiral.
Clinton W. Taylor to be Rear admiral.
William C. Wyatt III to be Rear admiral.
Thomas J. Cassidy, Jr., to be Rear admiral.
Robert C. Austin to be Rear admiral.
Edward M. Peebles to be Rear admiral.
Edward H. Martin to be Rear admiral.
William F. McCauley to be Rear admiral.
Daniel L. Cooper to be Rear admiral.
Walter T. Piotti, Jr., to be Rear admiral.
Lowell R. Myers to be Rear admiral.
Fred W. Johnston, Jr., to be Rear admiral.
Peter B. Booth to be Rear admiral.
Paul F. McCarthy, Jr., to be Rear admiral.
Roger D. Johnson to be Rear admiral.
Frank B. Kelso II to be Rear admiral.
John M. Poindexter to be Rear admiral.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the

568643