

(Pub. L. 99-239, title I, § 109, Jan. 14, 1986, 99 Stat. 1798.)

#### Editorial Notes

##### REFERENCES IN TEXT

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

This joint resolution, referred to in text, is Pub. L. 99-239, Jan. 14, 1986, 99 Stat. 1770, known as the Compact of Free Association Act of 1985, which is classified principally to this part and chapter 19 (§ 2001 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1901 of this title and Tables.

##### CODIFICATION

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

### § 1910. Implementation of audit agreements

#### (a) Transmission of annual financial statement

Upon receipt of the annual financial statement described in sections 1902(c)(4) and 1903(m)(4) of this title, the President shall promptly transmit a copy of such statement to the Congress.

#### (b) Annual audits by President

(1) The President shall cause an annual audit to be conducted of the annual financial statements described in sections 1902(c)(4) and 1903(m)(4) of this title. Such audit shall be conducted in accordance with the Generally Accepted Government Auditing Standards promulgated by the Comptroller General of the United States. Such audit shall be submitted to the Congress not later than 180 days after the end of the United States fiscal year.

(2) The President shall develop and implement procedures to carry out such audits. Such procedures shall include the matters described in sections 1902(c)(2) and 1903(m)(2) of this title.

#### (c) Authority of GAO

The Comptroller General of the United States shall have the authority to conduct the audits referred to in sections 1902(c)(1) and 1903(m)(1) of this title.

(Pub. L. 99-239, title I, § 110, Jan. 14, 1986, 99 Stat. 1798.)

#### Editorial Notes

##### CODIFICATION

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

#### Statutory Notes and Related Subsidiaries

##### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (b) of this section relating to the requirement that the annual audit be submitted to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and the 13th item on page 37 of House Document No. 103-7.

### § 1911. Compensatory adjustments

#### (a) Additional programs and services

In addition to the programs and services set forth in Section 221 of the Compact, and pursuant to Section 224 of the Compact, the services and programs of the following U.S. agencies shall be made available to the Federated States of Micronesia and the Marshall Islands: The Federal Deposit Insurance Corporation, Small Business Administration, Economic Development Administration, the Rural Electrification Administration, Job Partnership Training Act, Job Corps, and the programs and services of the Department of Commerce relating to tourism and to marine resource development.

#### (b) Investment Development Funds

(1) In order to further close economic and commercial relations between the United States and the Federated States of Micronesia and the Marshall Islands, and in order to encourage the presence of the United States private sector in such areas, there are hereby created two Investment Development Funds, to be established and administered by the Federated States of Micronesia and the Marshall Islands respectively in consultation with the United States as follows:

(i) For the Investment Development Fund for the Federated States of Micronesia there is hereby authorized to be appropriated for fiscal 1986, \$20 million, backed by the full faith and credit of the United States, of which \$12 million shall be made available for obligation for the first full fiscal year after the effective date of the Compact, and of which \$8 million shall be made available for obligation for the third full fiscal year after the effective date of the Compact.

(ii) For the Investment Development Fund for the Marshall Islands there is hereby authorized to be appropriated \$10 million for fiscal 1986, backed by the full faith and credit of the United States, of which \$6 million shall be made available for obligation for the first full fiscal year after the effective date of the Compact, and of which \$4 million shall be made available for obligation for the third full fiscal year after the effective date of the Compact.

(2) The amounts specified in this subsection shall be in addition to the sums and amounts specified in Articles I and III of Title Two of the Compact, and shall be deemed to be included in the sums and amounts referred to in section 236 of the Compact.

#### (c) Board of Advisors

To provide policy guidance for the Funds established by subsection (b) of this section, the President is hereby authorized to establish a Board of Advisors, pursuant to appropriate agreements between the United States and the Federated States of Micronesia and the Marshall Islands.

#### (d) Further amounts

The governments of the Federated States of Micronesia and the Marshall Islands may submit to Congress reports concerning the overall financial and economic impacts on such areas resulting from the effect of Title IV of this joint resolution upon Title Two of the Compact.

There are hereby authorized to be appropriated for fiscal years beginning after September 30, 1990, such amounts as may be necessary, but not to exceed \$40 million for the Federated States of Micronesia and \$20 million for the Marshall Islands, as provided in appropriation acts, to further compensate the governments of such islands (in addition to the compensation provided in subsections (a) and (b) of this section) for adverse impacts, if any, on the finances and economies of such areas resulting from the effect of Title IV of this joint resolution upon Title Two of the Compact. At the end of the initial fifteen-year term of the Compact, should any portion of the total amount of funds authorized in this subsection not have been appropriated, such amount not yet appropriated may be appropriated, without regard to divisions between amounts authorized in this subsection for the Federated States of Micronesia and for the Marshall Islands, based on either or both such government's showing of such adverse impact, if any, as provided in this subsection.

(Pub. L. 99-239, title I, § 111, Jan. 14, 1986, 99 Stat. 1799.)

#### Editorial Notes

##### REFERENCES IN TEXT

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

The Job Partnership Training Act, referred to in subsec. (a), probably means the Job Training Partnership Act, Pub. L. 97-300, Oct. 13, 1982, 96 Stat. 1322, which was classified generally to chapter 19 (§1501 et seq.) of Title 29, Labor, and was repealed by Pub. L. 105-220, title I, §199(b)(2), (c)(2)(B), Aug. 7, 1998, 112 Stat. 1059, effective July 1, 2000. Pursuant to former section 2940(b) of Title 29, references to a provision of the Job Training Partnership Act, effective Aug. 7, 1998, were deemed to refer to that provision or the corresponding provision of the Workforce Investment Act of 1998, Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936, and, effective July 1, 2000, were deemed to refer to the corresponding provision of the Workforce Investment Act of 1998. The Workforce Investment Act of 1998 was repealed by Pub. L. 113-128, title V, §511(a), July 22, 2014, 128 Stat. 1705, effective July 1, 2015. Pursuant to section 3361(a) of Title 29, references to a provision of the Workforce Investment Act of 1998 are deemed to refer to the corresponding provision of the Workforce Innovation and Opportunity Act, Pub. L. 113-128, July 22, 2014, 128 Stat. 1425, effective July 1, 2015. For complete classification of the Job Training Partnership Act and the Workforce Investment Act of 1998 to the Code, see Tables. For complete classification of the Workforce Innovation and Opportunity Act to the Code, see Short Title note set out under section 3101 of Title 29 and Tables.

For Oct. 21, 1986, as the effective date of the Compact of Free Association with the Marshall Islands, and Nov. 3, 1986, as the effective date of the Compact of Free Association with the Federated States of Micronesia, referred to in subsec. (b)(1), see Proc. No. 5564, Nov. 3, 1986, 51 F.R. 40399, set out as a note under section 1801 of this title.

This joint resolution, referred to in subsec. (d), is Pub. L. 99-239, Jan. 14, 1986, 99 Stat. 1770, known as the Compact of Free Association Act of 1985. Title IV of this Act is set out as a note under section 1901 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1901 of this title and Tables.

#### CODIFICATION

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

#### § 1912. Jurisdiction

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

(b)(1) The defense sites of the United States established in the Marshall Islands or the Federated States of Micronesia in accordance with the Compact of Free Association and its related agreements are within the special maritime and territorial jurisdiction of the United States as set forth in section 7, title 18.

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

(3) The United States District Court for the District of Hawaii shall have jurisdiction to try all criminal offenses against the United States, including the laws of the State of Hawaii made applicable to the defense sites in the Marshall Islands or the Federated States of Micronesia by virtue of paragraph (2) of this subsection, committed by any person referred to in subsection (a) of this section.

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

(Pub. L. 99-239, title II, §202, Jan. 14, 1986, 99 Stat. 1835; Pub. L. 101-650, title III, §321, Dec. 1, 1990, 104 Stat. 5117.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Compact of Free Association, referred to in subsecs. (a) and (b)(1), is the Compact of Free Association between the Government of the United States and the Governments of the Marshall Islands and the Federated States of Micronesia, which is contained in section 201 of Pub. L. 99-239, set out as a note under section 1901 of this title.

Section 1 of title 18, referred to in subsec. (b)(4), was repealed by Pub. L. 98-473, title II, §218(a)(1), Oct. 12, 1984, 98 Stat. 2027.

<sup>1</sup> See References in Text note below.