

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 of Title 29, Labor, and was repealed by Pub.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 The Workforce Investment Act of 1998 was repealed by Pub.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.

## CODIFICATION

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

Section was enacted as part of title II of Pub. L. 99-239, and not as part of title I of Pub. L. 99-239 which comprises this part.

**Statutory Notes and Related Subsidiaries**

## CHANGE OF NAME

Words “magistrate judges” and “Magistrate Judges” substituted for “magistrates” and “Magistrates”, respectively, wherever appearing in subsec. (b)(4) pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

PART B—APPROVAL AND IMPLEMENTATION OF  
COMPACTS, AS AMENDED**§ 1921. Approval of U.S.-FSM Compact of Free Association and the U.S.-RMI Compact of Free Association; references to subsidiary agreements or separate agreements****(a) Federated States of Micronesia**

The Compact of Free Association, as amended with respect to the Federated States of Micronesia and signed by the United States and the Government of the Federated States of Micronesia and set forth in Title II (section 201(a)) of this joint resolution, is hereby approved, and Congress hereby consents to the subsidiary agreements and amended subsidiary agreements listed in section 462 of the U.S.-FSM Compact, including Article X of the Federal Programs and Services Agreement Between the Government of the United States and the Government of the Federated States of Micronesia, as amended under the Agreement to Amend Article X that was signed by those two Governments on June 30, 2004, which shall serve as the authority to implement the provisions thereof. Subject to the provisions of this joint resolution, the President is authorized to agree, in accordance with section 411 of the U.S.-FSM Compact, to an effective date for and thereafter to implement such U.S.-FSM Compact.

**(b) Republic of the Marshall Islands**

The Compact of Free Association, as amended with respect to the Republic of the Marshall Islands and signed by the United States and the Government of the Republic of the Marshall Islands and set forth in Title II (section 201(b)) of this joint resolution, is hereby approved, and Congress hereby consents to the subsidiary agreements and amended subsidiary agreements listed in section 462 of the U.S.-RMI Compact, including Article X of the Federal Programs and Services Agreement Between the Government of the United States and the Government of the Republic of the Marshall Islands, as amended under the Agreement to Amend Article X that was signed by those two Governments on June 18, 2004, which shall serve as the authority to implement the provisions thereof. Subject to the provisions of this joint resolution, the President is authorized to agree, in accordance with section 411 of the U.S.-RMI Compact, to an effective date for and thereafter to implement such U.S.-RMI Compact.

**(c) References to the Compact, the U.S.-FSM Compact, and the U.S.-RMI Compact; References to subsidiary agreements or separate agreements**

(1) Any reference in this joint resolution (except references in Title II) to “the Compact” shall be treated as a reference to the Compact of Free Association set forth in title II of Public Law 99-239, January 14, 1986, 99 Stat. 1770. Any reference in this joint resolution to the “U.S.-FSM Compact” shall be treated as a reference to the Compact of Free Association, as amended between the Government of the United States of America and the Government of the Federated States of Micronesia and set forth in Title II (section 201(a)) of this joint resolution. Any reference in this joint resolution to the “U.S.-RMI Compact” shall be treated as a reference to the Compact of Free Association, as amended between the Government of the United States of America and the Government of the Republic of the Marshall Islands and set forth in Title II (section 201(b)) of this joint resolution.

(2) Any reference to the term “subsidiary agreements” or “separate agreements” in this joint resolution shall be treated as a reference to agreements listed in section 462 of the U.S.-FSM Compact and the U.S.-RMI Compact, and any other agreements that the United States may from time to time enter into with either the Government of the Federated States of Micronesia or the Government of the Republic of the Marshall Islands, or with both such governments in accordance with the provisions of the U.S.-FSM Compact and the U.S.-RMI Compact.

**(d) Amendment, change, or termination in the U.S.-FSM compact and U.S.-RMI compact and certain agreements**

(1) Any amendment, change, or termination by mutual agreement or by unilateral action of the Government of the United States of all or any part of the U.S.-FSM Compact or U.S.-RMI Compact shall not enter into force until after Congress has incorporated it in an Act of Congress.

(2) The provisions of paragraph (1) shall apply—

(A) to all actions of the Government of the United States under the U.S.-FSM Compact or U.S.-RMI Compact including, but not limited to, actions taken pursuant to sections 431, 441, or 442;

(B) to any amendment, change, or termination in the Agreement Between the Government of the United States and the Government of the Federated States of Micronesia Regarding Friendship, Cooperation and Mutual Security Concluded Pursuant to Sections 321 and 323 of the Compact of Free Association referred to in section 462(a)(2) of the U.S.-FSM Compact and the Agreement Between the Government of the United States and the Government of the Marshall Islands Regarding Mutual Security Concluded Pursuant to Sections 321 and 323 of the Compact of Free Association referred to in section 462(a)(5) of the U.S.-RMI Compact;

(C) to any amendment, change, or termination of the agreements concluded pursuant to Compact section 177, and section 215(a) of the U.S.-FSM Compact and section 216(a) of