

related to the continuing availability of programs and services of the Department of Homeland Security, Federal Emergency Management Agency.

Subsec. (f)(1)(B)(ii)(II). Pub. L. 110-229, §804(1), substituted “, its territories, and the Republic of Palau” for “and its territories”.

Subsec. (f)(1)(B)(iii). Pub. L. 110-229, §804(2), which directed the substitution of “, the Republic of the Marshall Islands, or the Republic of Palau” for “, or the Republic of the Marshall Islands”, in subcl. (II) of cl. (iii), was executed by making the substitution in the concluding provisions of cl. (iii), to reflect the probable intent of Congress.

Subsec. (f)(1)(B)(ix). Pub. L. 110-229, §804(3), which directed substitution of “government, institutions, and people” for “Republic” in two places and substitution of “2009” for “2007” and “were” for “was”, could not be executed because of the prior identical amendments by Pub. L. 110-161. See 2007 Amendment note below.

Subsec. (f)(1)(C). Pub. L. 110-229, §805, inserted before period at end “, which shall also continue to be available to the citizens of the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands who legally reside in the United States (including territories and possessions)”.

2007—Subsec. (f)(1)(B)(ix). Pub. L. 110-161 substituted “government, institutions, and people” for “Republic” in two places, “2009” for “2007”, and “were” for “was”.

2006—Subsec. (f)(1)(B)(iii). Pub. L. 109-270 substituted “Carl D. Perkins Career and Technical Education Act of 2006” for “Carl D. Perkins Vocational and Technical Education Act of 1998”.

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-229, title VIII, §803(b), May 8, 2008, 122 Stat. 870, provided that: “The amendments made by subsection (a) [amending this section] shall be effective as of the date that is 180 days after the date of enactment of this Act [May 8, 2008].”

CONTINUED APPLICABILITY OF SUBSECTION (f)(1)(B)(ix)

Pub. L. 111-117, div. D, title III, §309, Dec. 16, 2009, 123 Stat. 3272, provided that: “Section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(ix)) shall be applied by substituting ‘2010’ for ‘2009’.”

§ 1921e. Construction contract assistance

(a) Assistance to U.S. firms

In order to assist the Governments of the Federated States of Micronesia and of the Republic of the Marshall Islands through private sector firms which may be awarded contracts for construction or major repair of capital infrastructure within the Federated States of Micronesia or the Republic of the Marshall Islands, the United States shall consult with the Governments of the Federated States of Micronesia and the Republic of the Marshall Islands with respect to any such contracts, and the United States shall enter into agreements with such firms whereby such firms will, consistent with applicable requirements of such Governments—

(1) to the maximum extent possible, employ citizens of the Federated States of Micronesia and the Republic of the Marshall Islands;

(2) to the extent that necessary skills are not possessed by citizens of the Federated States of Micronesia and the Republic of the Marshall Islands, provide on the job training, with particular emphasis on the development of skills relating to operation of machinery and routine and preventative maintenance of machinery and other facilities; and

(3) provide specific training or other assistance in order to enable the Government to en-

gage in long-term maintenance of infrastructure.

Assistance by such firms pursuant to this section may not exceed 20 percent of the amount of the contract and shall be made available only to such firms which meet the definition of United States firm under the nationality rule for suppliers of services of the Agency for International Development (hereafter in this section referred to as “United States firms”). There are authorized to be appropriated such sums as may be necessary for the purposes of this subsection.

(b) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to cover any additional costs incurred by the Government of the Federated States of Micronesia or the Republic of the Marshall Islands if such Governments, pursuant to an agreement entered into with the United States, apply a preference on the award of contracts to United States firms, provided that the amount of such preference does not exceed 10 percent of the amount of the lowest qualified bid from a non-United States firm for such contract.

(Pub. L. 108-188, title I, §106, Dec. 17, 2003, 117 Stat. 2755.)

§ 1921f. Prohibition

All laws governing conflicts of interest and post-employment of Federal employees shall apply to the implementation of this Act.

(Pub. L. 108-188, title I, §107, Dec. 17, 2003, 117 Stat. 2755.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 108-188, Dec. 17, 2003, 117 Stat. 2720, known as the Compact of Free Association Amendments Act of 2003, which enacted this part and provisions set out as notes under sections 1901 and 1921 of this title and amended provisions set out as a note under section 3101 of Title 5, Government Organization and Employees. For complete classification of this Act to the Code, see Short Title of 2003 Amendment note set out under section 1901 of this title and Tables.

§ 1921g. Compensatory adjustments

(a) Additional programs and services

In addition to the programs and services set forth in section 221 of the U.S.-FSM Compact and the U.S.-RMI Compact, and pursuant to section 222 of the U.S.-FSM Compact and the U.S.-RMI Compact, the services and programs of the following United States agencies shall be made available to the Federated States of Micronesia and the Republic of the Marshall Islands: the Small Business Administration, Economic Development Administration, the Rural Utilities Services (formerly Rural Electrification Administration); the programs and services of the Department of Labor under subtitle C of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2881 et seq.; relating to Job Corps); and the programs and services of the Department of Commerce relating to tourism and to marine resource development.

(b) Further amounts

(1) The joint resolution of January 14, 1986 (Public Law 99-239) provided that the govern-

ments 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 that joint resolution upon Title Two of the Compact. There were authorized to be appropriated for fiscal years beginning after September 30, 1990, such amounts as necessary, but not to exceed \$40,000,000 for the Federated States of Micronesia and \$20,000,000 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 section 111 of the joint resolution of January 14, 1986 (Public Law 99-239) [48 U.S.C. 1911(a), (b)]) for adverse impacts, if any, on the finances and economies of such areas resulting from the effect of title IV of that joint resolution upon Title Two of the Compact. The joint resolution of January 14, 1986 (Public Law 99-239) further provided that at the end of the initial fifteen-year term of the Compact, should any portion of the total amount of funds authorized in section 111 of that resolution not have been appropriated, such amount not yet appropriated may be appropriated, without regard to divisions between amounts authorized in section 111 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 that subsection.

(2) The governments of the Federated States of Micronesia and the Republic of the Marshall Islands may each submit no more than one report or request for further compensation under section 111 of the joint resolution of January 14, 1986 (Public Law 99-239) and any such report or request must be submitted by September 30, 2009. Only adverse economic effects occurring during the initial 15-year term of the Compact may be considered for compensation under section 111 of the joint resolution of January 14, 1986 (Public Law 99-239).

(Pub. L. 108-188, title I, § 108, Dec. 17, 2003, 117 Stat. 2755.)

REFERENCES IN TEXT

The Workforce Investment Act of 1998, referred to in subsec. (a), is Pub. L. 105-220, Aug. 7, 1998, 112 Stat. 936, as amended. Subtitle C of title I of the Act is classified generally to subchapter III (§2881 et seq.) of chapter 30 of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 9201 of Title 20, Education, and Tables.

The joint resolution of January 14, 1986 (Public Law 99-239), referred to in subsec. (b)(1), is Pub. L. 99-239, Jan. 14, 1986, 99 Stat. 1770, as amended, known as the Compact of Free Association Act of 1985, which is classified principally to part A of this subchapter and chapter 19 (§2001 et seq.) of this title. Title IV of the joint resolution 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.

§ 1921h. Authorization and continuing appropriation

(a) There are authorized and appropriated to the Department of the Interior, out of any funds in the Treasury not otherwise appropriated, to remain available until expended, such sums as

are necessary to carry out the purposes of sections 1921d(f)(1) and 1921d(i) of this title, sections 211, 212(b), 215, and 217 of the U.S.-FSM Compact, and sections 211, 212, 213(b), 216, and 218 of the U.S.-RMI Compact, in this and subsequent years.

(b) There are authorized to be appropriated to the Departments, agencies, and instrumentalities named in paragraphs (1) and (3) through (6) of section 221(a) of the U.S.-FSM Compact and paragraphs (1) and (3) through (5) of section 221(a) of the U.S.-RMI Compact, such sums as are necessary to carry out the purposes of sections 221(a) of the U.S.-FSM Compact and the U.S.-RMI Compact, to remain available until expended.

(Pub. L. 108-188, title I, § 109, Dec. 17, 2003, 117 Stat. 2756.)

SUBCHAPTER II—PALAU

PART A—APPROVAL OF COMPACT AND SUPPLEMENTAL PROVISIONS

§ 1931. Approval of Compact of Free Association

(a) Approval

The Compact of Free Association set forth in title II of this joint resolution between the United States and the Government of Palau is hereby approved, and Congress hereby consents to the agreements as set forth on pages 154 through 405 of House Document 99-193 of April 9, 1986 (hereafter in this joint resolution referred to as subsidiary or related agreements), as they relate to such Government. Subject to the provisions of this joint resolution, the President is authorized to agree, in accordance with section 411 of the Compact, to an effective date for and thereafter to implement such Compact, having taken into account any procedures with respect to the United Nations for termination of the Trusteeship Agreement.

(b) Reference to Compact

Any reference in this joint resolution to the "Compact" shall be treated as a reference to the Compact of Free Association set forth in title II of this joint resolution.

(c) Amendment, change, or termination of Compact and certain agreements

(1) Mutual agreement by the Government of the United States as provided in the Compact which results in amendment, change, or termination of all or any part thereof shall be affected only by Act of Congress and no unilateral action by the Government of the United States provided for in the Compact, and having such result, may be effected other than by Act of Congress.

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

(A) to all actions of the Government of the United States under the Compact including, but not limited to, actions taken pursuant to sections 431, 432, 441, or 442;

(B) to any amendment, change, or termination in any agreement that may be concluded at any time between the Government of the United States and the Government of Palau regarding friendship, cooperation and