

An additional provision of R.S. § 5574 suspending this section for 5 years from and after July 14, 1872, in relation to all persons who had complied with the provisions of that title of the Revised Statutes, was omitted as temporary.

§ 1416. Regulation of trade

The introduction of guano from such islands, rocks, or keys shall be regulated as in the coasting trade between different parts of the United States, and the same laws shall govern the vessels concerned therein.

(R.S. § 5575.)

CODIFICATION

R.S. § 5575 derived from act Aug. 18, 1856, ch. 164, § 3, 11 Stat. 120.

§ 1417. Criminal jurisdiction

All acts done, and offenses or crimes committed, on any island, rock, or key mentioned in section 1411 of this title, by persons who may land thereon, or in the waters adjacent thereto, shall be deemed committed on the high seas, on board a merchant ship or vessel belonging to the United States; and shall be punished according to the laws of the United States relating to such ships or vessels and offenses on the high seas, which laws for the purpose aforesaid are extended over such islands, rocks, and keys.

(R.S. § 5576.)

CODIFICATION

R.S. § 5576 derived from act Aug. 18, 1856, ch. 164, § 6, 11 Stat. 120.

§ 1418. Employment of land and naval forces in protection of rights

The President is authorized, at his discretion, to employ the land and naval forces of the United States to protect the rights of the discoverer or of his widow, heir, executor, administrator, or assigns.

(R.S. § 5577.)

CODIFICATION

R.S. § 5577 derived from act Aug. 18, 1856, ch. 164, § 5, 11 Stat. 120.

§ 1419. Right to abandon islands

Nothing in this chapter contained shall be construed as obliging the United States to retain possession of the islands, rocks, or keys, after the guano shall have been removed from the same.

(R.S. § 5578.)

CODIFICATION

R.S. § 5578 derived from act Aug. 18, 1856, ch. 164, § 4, 11 Stat. 120.

CHAPTER 8A—GUAM

SUBCHAPTER I—GENERAL PROVISIONS

- Sec.
- 1421. Territory included under name Guam.
- 1421a. Unincorporated territory; capital; powers of government; suits against government; type of government; supervision.
- 1421b. Bill of rights.

- Sec.
- 1421c. Certain laws continued in force; modification or repeal of laws.
- 1421d. Salaries and allowances of officers and employees.
- 1421e. Duty on articles.
- 1421f. Title to property transferred.
 - (a) Property employed by naval government of Guam.
 - (b) Other property not reserved.
 - (c) Secretary of the Interior; sale or lease.
- 1421f-1. Acknowledgement of deeds.
- 1421g. Establishment and maintenance of public bodies and offices.
 - (a) Public health services.
 - (b) Public educational system.
 - (c) Office of Public Prosecutor; Office of Public Auditor.
 - (d) Attorney General.
- 1421h. Duties, taxes, and fees; proceeds collected to constitute fund for benefit of Guam; prerequisites, amount, etc., remitted prior to commencement of next fiscal year.
- 1421i. Income tax.
 - (a) Applicability of Federal laws; separate tax.
 - (b) Guam Territorial income tax.
 - (c) Enforcement of tax.
 - (d) "Income-tax laws" defined; administration and enforcement; rules and regulations.
 - (e) Substitution of terms.
 - (f) Criminal offenses; prosecution.
 - (g) Liens.
 - (h) Jurisdiction of District Court; suits for recovery or collection of taxes; payment of judgment.
- 1421j. Authorization of appropriations.
- 1421k. Designation of naval or military reservations; closed port.
- 1421k-1 to 1421m. Repealed.
- 1421n. Applicability of Federal copyright laws.
- 1421o. Federal assistance for fire control, watershed protection, and reforestation.
- 1421p. Authorization of appropriations.
- 1421q. Applicability of Federal laws.
- 1421q-1. Applicability of laws referred to in section 502(a)(1) of Covenant to Establish a Commonwealth of the Northern Mariana Islands.

SUBCHAPTER II—THE EXECUTIVE BRANCH

- 1422. Governor and Lieutenant Governor; term of office; qualifications; powers and duties; annual report to Congress.
- 1422a. Removal of Governor, Lieutenant Governor, or member of legislature; referendum election.
- 1422b. Vacancy in office of Governor or Lieutenant Governor.
 - (a) Temporary disability or temporary absence of Governor.
 - (b) Permanent vacancy in office of Governor.
 - (c) Temporary disability or temporary absence of Lieutenant Governor.
 - (d) Permanent vacancy in office of Lieutenant Governor.
 - (e) Temporary disability or temporary absence of both Governor and Lieutenant Governor.
 - (f) Additional compensation.
- 1422c. Executive agencies and instrumentalities.
 - (a) Appointment of heads; establishment of merit system; Civil Service Commission.
 - (b) Powers and duties of officers.
 - (c) Reorganization.
 - (d) Continuation in office of incumbents.

- Sec.
1422d. Transfer of functions from government comptroller for Guam to Inspector General, Department of the Interior.
- (a) Functions, powers, and duties transferred.
 - (b) Scope of authority transferred.
 - (c) Transfer of personnel, assets, etc., of office of government comptroller for Guam to Office of Inspector General, Department of the Interior.

SUBCHAPTER III—THE LEGISLATURE

1423. Legislature of Guam.
- (a) Unicameral nature; power.
 - (b) Size of legislature; prohibition against denial of equal protection; at large and district representation.
 - (c) Reapportionment; Federal census base.
 - (d) Timing of biennial elections.
- 1423a. Power of legislature; limitation on indebtedness of Guam; bond issues; guarantees for purchase by Federal Financing Bank of Guam Power Authority bonds or other obligations; interest rates; default.
- 1423b. Selection and qualification of members; officers; rules and regulations; quorum.
- 1423c. Privileges of members.
- 1423d. Oath of office.
- 1423e. Prohibition against acceptance of salary increases or newly created offices.
- 1423f. Qualifications of members.
- 1423g. Vacancies.
- 1423h. Regular and special sessions.
- 1423i. Approval of bills.
- 1423j. Authorization of appropriations.
- 1423k. Right of petition.
- 1423l. Omitted.

SUBCHAPTER IV—THE JUDICIARY

1424. District Court of Guam; local courts; jurisdiction.
- (a) District Court of Guam; local courts.
 - (b) Jurisdiction.
 - (c) Original jurisdiction.
- 1424-1. Local courts; composition; appellate court; jurisdiction; practice and procedure; qualifications and duties of judges.
- (a) Composition; establishment of appellate court.
 - (b) Jurisdiction.
 - (c) Practice and procedure; qualifications and duties of judges.
- 1424-2. Relations between courts of United States and courts of Guam; review by United States Court of Appeals for Ninth Circuit; reports to Congress; rules.
- 1424-3. Appellate jurisdiction for District Court; procedure; review by United States Court of Appeals for Ninth Circuit; rules; appeals to appellate court.
- (a) Appellate jurisdiction of District Court.
 - (b) Appellate division of District Court; quorum; presiding judge; designation of judges; decisions.
 - (c) United States Court of Appeals for Ninth Circuit; jurisdiction; appeals; rules.
 - (d) Appeals to appellate court; effect on District Court.
- 1424-4. Criminal offenses; procedure; definitions.
- 1424a. Repealed.
- 1424b. Judge of District Court; appointment, tenure, removal, and compensation; appointment of United States attorney and marshal.
- 1424c. Review of claims respecting land on Guam.
- (a) Jurisdiction.
 - (b) Acquisitions effected through condemnation proceedings.

- Sec.
- (c) Fair compensation.
 - (d) Employment of special masters or judges.
 - (e) Awards.
 - (f) Limitation on attorney's fees; violation; penalty.
 - (g) Availability of documents, records, and writings to court.

SUBCHAPTER V—PUBLIC HOUSING AND URBAN RENEWAL

1425. Omitted.
- 1425a. Legislative authority to create authorities; appointment of members; powers of authorities.
- 1425b. Issuance of notes, bonds, and obligations.
- 1425c. Authorization of loans, conveyances, etc.
- 1425d. Ratification of prior act.
- 1425e. Additional powers.
1426. Repealed.

SUBCHAPTER VI—GUAM DEVELOPMENT FUND

1428. Authorization of appropriations.
- 1428a. Submission of plan for use of funds; contents of plan; term, interest rate, and premium charge of loan.
- 1428b. Prerequisite for loan or loan guarantee; maximum participation in available funds; reserves for loan guarantees.
- 1428c. Accounting procedures.
- 1428d. Report for inclusion in annual report by Governor.
- 1428e. Audit of books and records of agency, or agencies, administering loan funds.

CONSTITUTIONS FOR VIRGIN ISLANDS AND GUAM: ESTABLISHMENT; CONGRESSIONAL AUTHORIZATION

Authorization for the peoples of the Virgin Islands and Guam to call constitutional conventions to draft constitutions for local self-government, see Pub. L. 94-584, Oct. 21, 1976, 90 Stat. 2899, set out as a note under section 1541 of this title.

DELEGATE TO CONGRESS FROM GUAM

Provisions respecting representation in Congress by a Delegate from Guam to the House of Representatives, see section 1711 et seq. of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1425b, 1469a-1 of this title.

SUBCHAPTER I—GENERAL PROVISIONS

§ 1421. Territory included under name Guam

The territory ceded to the United States in accordance with the provisions of the Treaty of Peace between the United States and Spain, signed at Paris, December 10, 1898, and proclaimed April 11, 1899, and known as the island of Guam in the Marianas Islands, shall continue to be known as Guam.

(Aug. 1, 1950, ch. 512, § 2, 64 Stat. 384.)

EFFECTIVE DATE; CONTINUATION OF FEDERAL ADMINISTRATION

Section 34 of act Aug. 1, 1950, provided that on the 21st day of July 1950, the authority and powers conferred by this chapter would come into force, and authorized the President, for a period not to exceed one year from Aug. 1, 1950, to continue the administration of Guam in all or in some respects as provided by law, Executive order, or local regulation in force on Aug. 1, 1950. It further authorized the President in his discretion to place in operation all or some of the provisions of this chapter if practicable before the expiration of the period of one year.