

torial Enabling Act of 1950, which enacted this subchapter and sections 480 to 480b, 483a, 483b, 721 to 721b, and 910 to 910b of this title, amended sections 481 to 483 and 722 of this title, and enacted provisions set out as notes under sections 480, 481, and 722 of this title. For complete classification of this Act to the Code, see Tables.

#### AMENDMENTS

1967—Pub. L. 90-19 substituted “Secretary of Housing and Urban Development” for “Housing and Home Finance Administrators.”

1955—Act Aug. 11, 1955, included urban renewal projects, and inserted “as amended” after (Public Law 171, Eighty-first Congress), after “this Act”, and after “Housing Act of 1949” in cl. (1).

#### § 1408d. Ratification of prior acts

All legislation heretofore enacted by the legislative assembly of the Virgin Islands dealing with any part of the subject matter of this Act and not inconsistent herewith is ratified and confirmed.

(July 18, 1950, ch. 466, title III, § 305, 64 Stat. 347.)

#### REFERENCES IN TEXT

This Act, referred to in text, means act July 18, 1950, ch. 466, 64 Stat. 344, as amended, known as the Territorial Enabling Act of 1950, which enacted this subchapter and sections 480 to 480b, 483a, 483b, 721 to 721b, and 910 to 910b of this title, amended sections 481 to 483 and 722 of this title, and enacted provisions set out as notes under sections 480, 481, and 722 of this title. For complete classification of this Act to the Code, see Tables.

#### § 1408e. Additional powers

Powers granted in this Act shall be in addition to and not in derogation of any powers granted by other law to or for the benefit or assistance of any public corporate authority or municipality.

(July 18, 1950, ch. 466, title III, § 306, 64 Stat. 347.)

#### REFERENCES IN TEXT

This Act, referred to in text, means act July 18, 1950, ch. 466, 64 Stat. 344, as amended, known as the Territorial Enabling Act of 1950, which enacted this subchapter and sections 480 to 480b, 483a, 483b, 721 to 721b, and 910 to 910b of this title, amended sections 481 to 483 and 722 of this title, and enacted provisions set out as notes under sections 480, 481, and 722 of this title. For complete classification of this Act to the Code, see Tables.

#### SUBCHAPTER V—INTERNAL DEVELOPMENT

#### §§ 1409 to 1409j. Repealed. Pub. L. 97-357, title III, § 308(d), Oct. 19, 1982, 96 Stat. 1710

Section 1409, acts Dec. 20, 1944, ch. 615, § 1, 58 Stat. 827; June 30, 1949, ch. 288, title I, § 103, 63 Stat. 380; 1950 Reorg. Plan No. 15, § 1, eff. May 24, 1950, 15 F.R. 3176, 64 Stat. 1267, related to undertaking of certain useful construction projects to assist in internal development of Virgin Islands.

Section 1409a, act Dec. 20, 1944, ch. 615, § 2, 58 Stat. 828, related to availability of funds for studies, plans, etc., for projects authorized.

Section 1409b, acts Dec. 20, 1944, ch. 615, § 3, 58 Stat. 829; 1950 Reorg. Plan No. 15, § 1, eff. May 24, 1950, 15 F.R. 3176, 64 Stat. 1267; July 12, 1982, Pub. L. 97-214, § 10(b)(3), 96 Stat. 175, related to acquisition of lands for projects authorized.

Section 1409c, acts Dec. 20, 1944, ch. 615, § 4, 58 Stat. 829; June 30, 1949, ch. 288, title I, § 103, 63 Stat. 380; 1950

Reorg. Plan No. 15, § 1, eff. May 24, 1950, 15 F.R. 3167, 64 Stat. 1267, related to acceptance of funds and materials from Virgin Islands government for use in connection with projects authorized.

Section 1409d, act Dec. 20, 1944, ch. 615, § 5, 58 Stat. 829; 1950 Reorg. Plan No. 15, § 1, eff. May 24, 1950, 15 F.R. 3176, 64 Stat. 1267, required construction of projects authorized to be by contract, provided that repairs and improvements to existing structures be accomplished by employment of persons without regard to civil-service and classification laws.

Section 1409e, acts Dec. 20, 1944, ch. 615, § 6, 58 Stat. 829; June 30, 1949, ch. 288, title I, § 102, 63 Stat. 380; 1950 Reorg. Plan No. 15, § 1, eff. May 24, 1950, 15 F.R. 3176, 64 Stat. 1267, related to procurement, warehousing and distribution of property, and establishment of a revolving fund for purchase, repairs, etc., of materials and supplies.

Section 1409f, act Dec. 20, 1944, ch. 615, § 7, 58 Stat. 829, made inapplicable to projects authorized the provisions of section 5 of title 41, relating to advertising for bids in purchase of materials and services, where aggregate amount is less than \$500.

Section 1409g, act Dec. 20, 1944, ch. 615, § 8, 58 Stat. 829, related to disability and death benefits for certain employees receiving compensation from funds appropriated under this subchapter, subject to certain exceptions.

Section 1409h, act Dec. 20, 1944, ch. 615, § 9, 58 Stat. 829; 1950 Reorg. Plan No. 15, § 1, eff. May 24, 1950, 15 F.R. 3176, 64 Stat. 1267, related to consideration and settlement of claims for injury to persons and damage to property, and limitations thereon.

Section 1409i, act Dec. 20, 1944, ch. 615, § 10, 58 Stat. 830; 1950 Reorg. Plan No. 15, § 1, eff. May 24, 1950, 15 F.R. 3176, 64 Stat. 1267, related to promulgation of rules and regulations.

Section 1409j, act Dec. 20, 1944, ch. 615, § 11, 58 Stat. 830; 1950 Reorg. Plan No. 15, § 1, eff. May 24, 1950, 15 F.R. 3176, 64 Stat. 1267, related to authorization of appropriations for administrative and other expenses.

#### ESTIMATES AS NOT CONSTITUTING LIMITATIONS

Act July 31, 1953, ch. 298, title I, § 1, 67 Stat. 275, provided in part that the estimated project costs specified in this subchapter not constitute limitations on amounts that could be expended for such projects.

Similar provisions were contained in acts July 9, 1952, ch. 597, title I, § 101, 66 Stat. 459; Aug. 31, 1951, ch. 375, title I, § 101, 65 Stat. 264.

#### SUBCHAPTER VI—AGRICULTURAL PROGRAM

#### §§ 1409m to 1409o. Repealed. Pub. L. 97-357, title III, § 308(f), Oct. 19, 1982, 96 Stat. 1710

Section 1409m, act Oct. 29, 1951, ch. 603, § 1, 65 Stat. 661, related to establishment and maintenance of an agricultural research and extension service program.

Section 1409n, act Oct. 29, 1951, ch. 603, § 2, 65 Stat. 662, related to transfer of functions, property, etc., of the agricultural experiment stations in Virgin Islands from Secretary of the Interior to Secretary of Agriculture.

Section 1409o, act Oct. 29, 1951, ch. 603, § 3, 65 Stat. 662, related to authorization of appropriations and use of funds.

#### CHAPTER 8—GUANO ISLANDS

Sec.	
1411.	Guano districts; claim by United States.
1412.	Notice of discovery of guano and proofs.
1413.	Completion of proof on death of discoverer.
1414.	Exclusive privileges of discoverer.
1415.	Restrictions upon exportation.
1416.	Regulation of trade.
1417.	Criminal jurisdiction.
1418.	Employment of land and naval forces in protection of rights.
1419.	Right to abandon islands.

**§ 1411. Guano districts; claim by United States**

Whenever any citizen of the United States discovers a deposit of guano on any island, rock, or key, not within the lawful jurisdiction of any other government, and not occupied by the citizens of any other government, and takes peaceable possession thereof, and occupies the same, such island, rock, or key may, at the discretion of the President, be considered as appertaining to the United States.

(R.S. § 5570.)

## CODIFICATION

R.S. § 5570 derived from act Aug. 18, 1856, ch. 164, § 1, 11 Stat. 119.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1415, 1417 of this title.

**§ 1412. Notice of discovery of guano and proofs**

The discoverer shall, as soon as practicable, give notice verified by affidavit, to the Department of State, of such discovery, occupation, and possession, describing the island, rock, or key, and the latitude and longitude thereof, as near as may be, and showing that such possession was taken in the name of the United States; and shall furnish satisfactory evidence to the State Department that such island, rock, or key was not, at the time of the discovery thereof, or of the taking possession and occupation thereof by the claimants, in the possession or occupation of any other government or of the citizens of any other government, before the same shall be considered as appertaining to the United States.

(R.S. § 5571.)

## CODIFICATION

R.S. § 5571 derived from act Aug. 18, 1856, ch. 164, § 1, 11 Stat. 119.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1413 of this title.

**§ 1413. Completion of proof on death of discoverer**

If the discoverer dies before perfecting proof of discovery or fully complying with the provisions of section 1412 of this title, his widow, heir, executor, or administrator shall be entitled to the benefits of such discovery, upon complying with the provisions of this chapter. Nothing herein shall be held to impair any rights of discovery or any assignment by a discoverer recognized prior to April 2, 1872, by the United States.

(R.S. § 5572.)

## CODIFICATION

R.S. § 5572 derived from act Apr. 2, 1872, ch. 81, § 1, 17 Stat. 48.

**§ 1414. Exclusive privileges of discoverer**

The discoverer, or his assigns, being citizens of the United States, may be allowed, at the pleasure of Congress, the exclusive right of occupying such island, rocks, or keys, for the purpose of obtaining guano, and of selling and delivering

the same to citizens of the United States, to be used therein, and may be allowed to charge and receive for every ton thereof delivered alongside a vessel, in proper tubs, within reach of ship's tackle, a sum not exceeding \$8 per ton for the best quality, or \$4 for every ton taken while in its native place of deposit.

(R.S. § 5573.)

## CODIFICATION

R.S. § 5573 derived from act Aug. 18, 1856, ch. 164, § 2, 11 Stat. 119.

**§ 1415. Restrictions upon exportation**

No guano shall be taken from any island, rock, or key mentioned in section 1411 of this title, except for the use of the citizens of the United States or of persons resident therein. The discoverer, or his widow, heir, executor, administrator, or assigns, shall enter into bond, in such penalty and with such sureties as may be required by the President, to deliver the guano to citizens of the United States, for the purpose of being used therein, and to none others, and at the price prescribed, and to provide all necessary facilities for that purpose within a time to be fixed in the bond; and any breach of the provisions thereof shall be deemed a forfeiture of all rights accruing under and by virtue of this chapter.

(R.S. § 5574.)

## CODIFICATION

R.S. § 5574 derived from acts Aug. 18, 1856, ch. 164, § 2, 11 Stat. 119; July 28, 1866, ch. 298, § 3, 14 Stat. 328; Apr. 2, 1872, ch. 81, § 1, 17 Stat. 48.

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**

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- 1421. Territory included under name Guam.
- 1421a. Unincorporated territory; capital; powers of government; suits against government; type of government; supervision.
- 1421b. Bill of rights.
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- 1421d. Salaries and allowances of officers and employees.
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  - (a) Public health services.
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- 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.
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  - (d) "Income-tax laws" defined; administration and enforcement; rules and regulations.
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- 1421j. Authorization of appropriations.
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- 1421n. Applicability of Federal copyright laws.
- 1421o. Federal assistance for fire control, watershed protection, and reforestation.
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- 1421q. Applicability of Federal laws.
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**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.
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  - (a) Temporary disability or temporary absence of Governor.
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  - (c) Temporary disability or temporary absence of Lieutenant Governor.
  - (d) Permanent vacancy in office of Lieutenant Governor.
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- 1422c. Executive agencies and instrumentalities.
  - (a) Appointment of heads; establishment of merit system; Civil Service Commission.
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  - (d) Continuation in office of incumbents.
- 1422d. Transfer of functions from government comptroller for Guam to Inspector General, Department of the Interior.
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- 1423. Legislature of Guam.
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  - (b) Size of legislature; prohibition against denial of equal protection; at large and district representation.
  - (c) Reapportionment; Federal census base.
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- 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.
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- 1423h. Regular and special sessions.
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