

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 447

To facilitate the development of Federal policies with respect to those territories under the jurisdiction of the Secretary of the Interior.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 25 (legislative day, JANUARY 5), 1993

Mr. JOHNSTON (for himself, Mr. AKAKA, and Mr. WALLOP) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To facilitate the development of Federal policies with respect to those territories under the jurisdiction of the Secretary of the Interior.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be referred to as the “Insular Areas  
4       Policy Act”.

5       SEC. 2. DEFINITIONS.—For the purposes of this Act:

6               (1) The term “Secretary” means the Secretary  
7       of the Interior;

8               (2) The term “insular area” means the terri-  
9       tories of Guam, the Virgin Islands, American

1 Samoa, the Commonwealth of the Northern Mariana  
2 Islands, and the Trust Territory of the Pacific Is-  
3 lands (Palau) until such time as the Trust Territory  
4 of the Pacific Islands is terminated; and

5 (3) The term “Council” means the Insular  
6 Areas Policy Council as established under section 3  
7 of this Act.

8 SEC. 3. INSULAR AREAS POLICY COUNCIL.—(a) In  
9 order to coordinate the actions of the Federal Government  
10 with respect to the insular areas under the jurisdiction of  
11 the Secretary, there is hereby established an Insular Areas  
12 Policy Council.

13 (b) The Council shall be composed of the following  
14 Federal officials or their designees: the Secretaries of  
15 State, Defense, Commerce, Treasury, Labor, Health and  
16 Human Services, Agriculture, Housing and Urban Devel-  
17 opment, Education, Veterans Affairs, the Administrator  
18 of the Small Business Administration, the Administrator  
19 of the Environmental Protection Agency, the Director of  
20 the Federal Emergency Management Agency, the Attor-  
21 ney General, and the Secretary of the Interior who shall  
22 serve as Chairman of the Council. The Chairman may re-  
23 quest the participation of any other Federal agency in the  
24 work of the Council.

1 (c) The Council shall meet at such time as the Chair-  
2 man may request, but not less often than twice a year  
3 to:

4 (1) Review the activities of the Department of  
5 the Interior and other Federal agencies with respect  
6 to the insular areas;

7 (2) Identify Federal funding priorities with re-  
8 spect to the insular areas;

9 (3) Review and approve, with any modifications  
10 decided upon by the Council, the “State of the  
11 Islands” report pursuant to section 4 of this bill;

12 (4) Determine the appropriate role of the insu-  
13 lar areas in the foreign and domestic policy of the  
14 United States and the effects of such policy on those  
15 areas;

16 (5) Make such recommendations to the Presi-  
17 dent and the Congress regarding the insular areas  
18 as they determine to be appropriate; and

19 (6) Consider any other appropriate matters  
20 which Council members may suggest.

21 SEC. 4. REPORT.—(a) The President shall prepare  
22 and transmit a “State of the Islands” report (hereinafter  
23 in this section referred to as the “Report”) to the appro-  
24 priate committees of the United States House of Rep-  
25 resentatives and the Committee on Energy and Natural

1 Resources of the United States Senate not later than  
2 March 1 of each year.

3 (b) Each Federal agency with programs operating in  
4 the insular areas under the jurisdiction of the Secretary  
5 of the Interior shall report to the Secretary on such activi-  
6 ties no later than November 15 of each year. The Sec-  
7 retary of the Interior shall prepare a draft of the Report  
8 and submit such draft to the head of government of each  
9 of the insular areas for comment. The Secretary shall then  
10 submit the Report, with such changes as he deems appro-  
11 priate, to the Insular Areas Policy Council along with the  
12 comments which he has received from the insular area  
13 governments for review no later than January 15 of each  
14 year. After consideration by the Council, the Report shall  
15 be submitted to the President, with any modifications de-  
16 cided upon by the Council, for transmittal to the Congress.

17 (c) For each of the insular areas the Report shall in-  
18 clude data summarizing social, economic, and political  
19 conditions and trends through the preceding fiscal years;  
20 a statement of current policy issues, foreseeable future de-  
21 velopments, and recommended short-term and long-term  
22 policy objectives. The report shall include, but not be lim-  
23 ited to, information for each insular area on: population;  
24 immigration and emigration; public health; crime and law  
25 enforcement; public infrastructure including utilities,

1 transportation and communications; housing; income; pri-  
2 vate sector activities and development potential; employ-  
3 ment; education and training; the fiscal position of the  
4 local government; amounts and uses of Federal direct and  
5 indirect assistance including, but not limited to, tax and  
6 trade policies; the efficiency of local government; inter-  
7 national obligations or undertakings regarding the area;  
8 compliance with legislative mandates; a summary of any  
9 relevant Federal agency reports or audits; the applicability  
10 or inapplicability of Federal statutory and administrative  
11 actions and their effect; the effectiveness and delivery of  
12 Federal programs; significant differences in the treatment  
13 of the area or its residents under any Federal policy or  
14 program relative to the treatment of the States or their  
15 citizens, including the statutory basis for such treatment,  
16 the purposes therefor, and the effects thereof; and such  
17 information as is relevant to his responsibilities in the Re-  
18 public of the Marshall Islands and the Federated States  
19 of Micronesia under Public Law 99-239, and the Republic  
20 of Palau after termination of the Trust Territory of the  
21 Pacific Islands. The Report shall clearly state the policy  
22 objectives of the President with regard to each of the insu-  
23 lar areas, together with the specific proposals needed to  
24 accomplish such policy objectives.

1        SEC. 5. DUTIES OF THE SECRETARY.—The Secretary  
2 shall:

3        (a) Provide Federal agencies with such information  
4 and advice as may be necessary to structure Federal pro-  
5 grams, laws, or regulations affecting any insular area to  
6 the political, social, cultural, and economic conditions in  
7 such insular area to further the objective of such program,  
8 law, or regulation and to prevent or reduce any adverse  
9 effect upon such insular area;

10       (b) Inform the local government of any insular area  
11 of any Federal action which would significantly affect such  
12 insular area; solicit the comments and recommendations  
13 of such local government and provide those comments and  
14 recommendations together with the Secretary's analysis  
15 and advice to the head of the Department or Agency pro-  
16 posing such action; and

17       (c) In consultation with the governments of the insu-  
18 lar areas, assist in the development of the priorities for,  
19 and the levels of, Federal assistance for the next fiscal  
20 year, including recommendations with respect to the allo-  
21 cation of funds among the various agencies with respon-  
22 sibilities in any of the insular areas and on the appropriate  
23 level of activity by each such agency in order to achieve  
24 Federal policy objectives.

1        SEC. 6. USE OF FEDERAL AGENCIES.—To the maxi-  
2        mum extent practicable, the Secretary is authorized to use  
3        the personnel and services of other Federal agencies in  
4        carrying out his responsibilities with respect to the insular  
5        areas. The head of each Federal agency is directed to co-  
6        operate with the Secretary and to make such personnel  
7        and services available as the Secretary may request. The  
8        Secretary shall reimburse other Federal agencies for the  
9        cost of the use of personnel and services except for the  
10       cost of salary and base benefits, unless such costs are  
11       authorized to be provided on a non-reimbursable basis.

12       SEC. 7. AUTHORIZATION.—There are hereby author-  
13       ized to be appropriated such sums as may be necessary  
14       to carry out the purposes of this Act.

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