

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 1237

To improve the administration of programs in the insular areas, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Omnibus Territories
5 Act of 2013”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Amendments to the Consolidated Natural Resources Act.
- Sec. 4. Study of electric rates in the insular areas.
- Sec. 5. Reports on estimates of revenues.
- Sec. 6. Low-income home energy assistance program.
- Sec. 7. Guam War Claims Review Commission.
- Sec. 8. Improvements in HUD assisted programs.
- Sec. 9. Benefit to cost ratio study for projects in American Samoa.
- Sec. 10. Waiver of local matching requirements.
- Sec. 11. Fishery endorsements.

Sec. 12. Effects of Minimum Wage differentials in American Samoa.

Sec. 13. Office of National Drug Control Policy.

Sec. 14. Drivers' licenses and personal identification cards.

1 **SEC. 3. AMENDMENTS TO THE CONSOLIDATED NATURAL**
2 **RESOURCES ACT.**

3 Section 6 of the Joint Resolution entitled “A Joint
4 Resolution to approve the ‘Covenant To Establish a Com-
5 monwealth of the Northern Mariana Islands in Political
6 Union with the United States of America’, and for other
7 purposes”, approved March 24, 1976 (Public Law 94–
8 241; 90 Stat. 263, 122 Stat. 854), is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (2), by striking “Decem-
11 ber 31, 2014, except as provided in subsections
12 (b) and (d)” and inserting “December 31,
13 2019”; and

14 (B) by striking paragraph (6), and insert-
15 ing the following:

16 “(6) CERTAIN EDUCATION FUNDING.—

17 “(A) IN GENERAL.—In addition to fees
18 charged pursuant to section 286(m) of the Im-
19 migration and Nationality Act (8 U.S.C. 1356
20 (m)) to recover the full costs of providing adju-
21 dication services, the Secretary of Homeland
22 Security shall charge an annual supplemental
23 fee of \$150 per nonimmigrant worker to each
24 prospective employer who is issued a permit

1 under subsection (d) of this section during the
2 transition program. Such supplemental fee shall
3 be paid into the Treasury of the Commonwealth
4 government for the purpose of funding ongoing
5 vocational educational curricula and program
6 development by Commonwealth educational en-
7 tities.

8 “(B) PLAN FOR THE EXPENDITURE OF
9 FUNDS.—At the beginning of each fiscal year,
10 and prior to the payment of the supplemental
11 fee into the Treasury of the Commonwealth
12 government in that fiscal year, the Common-
13 wealth government must provide to the Sec-
14 retary of Labor, a plan for the expenditure of
15 funds received under this paragraph, a projec-
16 tion of the effectiveness of these expenditures in
17 the placement of United States workers into
18 jobs, and a report on the changes in employ-
19 ment of United States workers attributable to
20 prior year expenditures.

21 “(C) REPORT.—The Secretary of Labor
22 shall report to the Congress every 2 years on
23 the effectiveness of meeting the goals set out by
24 the Commonwealth government in its annual
25 plan for the expenditure of funds.”; and

1 (2) in subsection (d)—

2 (A) in the third sentence of paragraph (2),
3 by striking “not to extend beyond December 31,
4 2014, unless extended pursuant to paragraph 5
5 of this subsection” and inserting “ending on
6 December 31, 2019”;

7 (B) by striking paragraph (5); and

8 (C) by redesignating paragraph (6) as
9 paragraph (5).

10 **SEC. 4. STUDY OF ELECTRIC RATES IN THE INSULAR**
11 **AREAS.**

12 (a) DEFINITIONS.—In this section:

13 (1) COMPREHENSIVE ENERGY PLAN.—The term
14 “comprehensive energy plan” means a comprehen-
15 sive energy plan prepared and updated under sub-
16 sections (c) and (e) of section 604 of the Act entitled
17 “An Act to authorize appropriations for certain in-
18 sular areas of the United States, and for other pur-
19 poses”, approved December 24, 1980 (48 U.S.C.
20 1492).

21 (2) ENERGY ACTION PLAN.—The term “energy
22 action plan” means the plan required by subsection
23 (d).

24 (3) FREELY ASSOCIATED STATES.—The term
25 “Freely Associated States” means the Federated

1 States of Micronesia, the Republic of the Marshall
2 Islands, and the Republic of Palau.

3 (4) INSULAR AREAS.—The term “insular areas”
4 means American Samoa, the Commonwealth of the
5 Northern Mariana Islands, Puerto Rico, Guam, and
6 the Virgin Islands.

7 (5) SECRETARY.—The term “Secretary” means
8 the Secretary of the Interior.

9 (6) TEAM.—The term “team” means the team
10 established by the Secretary under subsection (b).

11 (b) ESTABLISHMENT.—Not later than 180 days after
12 the date of enactment of this Act, the Secretary shall,
13 within the Empowering Insular Communities activity, es-
14 tablish a team of technical, policy, and financial experts—

15 (1) to develop an energy action plan addressing
16 the energy needs of each of the insular areas and
17 Freely Associated States; and

18 (2) to assist each of the insular areas and Free-
19 ly Associated States in implementing such plan.

20 (c) PARTICIPATION OF REGIONAL UTILITY ORGANI-
21 ZATIONS.—In establishing the team, the Secretary shall
22 consider including regional utility organizations.

23 (d) ENERGY ACTION PLAN.—In accordance with sub-
24 section (b), the energy action plan shall include—

1 (1) recommendations, based on the comprehen-
2 sive energy plan where applicable, to—

3 (A) reduce reliance and expenditures on
4 imported fuels;

5 (B) develop indigenous fuel energy sources;
6 and

7 (C) improve performance of energy infra-
8 structure and overall energy efficiency;

9 (2) a schedule for implementation of such rec-
10 ommendations and identification and prioritization
11 of specific projects;

12 (3) a financial and engineering plan for imple-
13 menting and sustaining projects; and

14 (4) benchmarks for measuring progress toward
15 implementation.

16 (e) **REPORTS TO SECRETARY.**—Not later than 1 year
17 after the date on which the Secretary establishes the team
18 and annually thereafter, the team shall submit to the Sec-
19 retary a report detailing progress made in fulfilling its
20 charge and in implementing the energy action plan.

21 (f) **ANNUAL REPORTS TO CONGRESS.**—Not later
22 than 30 days after the date on which the Secretary re-
23 ceives a report submitted by the team under subsection
24 (e), the Secretary shall submit to the appropriate commit-
25 tees of Congress a summary of the report of the team.

1 **SEC. 5. REPORTS ON ESTIMATES OF REVENUES.**

2 The Comptroller General of the United States shall
3 submit to the appropriate committees of Congress a report
4 that—

5 (1) evaluates whether the annual estimates or
6 forecasts of revenue and expenditure of American
7 Samoa, the Commonwealth of the Northern Mariana
8 Islands, Guam, and the Virgin Islands are reason-
9 able; and

10 (2) as the Comptroller General of the United
11 States determines to be necessary, makes rec-
12 ommendations for improving the process for devel-
13 oping estimates or forecasts.

14 **SEC. 6. LOW-INCOME HOME ENERGY ASSISTANCE PRO-**
15 **GRAM.**

16 With respect to fiscal years 2014 through 2017, the
17 percentage described in section 2605(b)(2)(B)(i) of the
18 Low-Income Home Energy Assistance Act of 1981 (42
19 U.S.C. 8624(b)(2)(B)(i)) shall be 300 percent when ap-
20 plied to households located in the Virgin Islands.

21 **SEC. 7. GUAM WAR CLAIMS REVIEW COMMISSION.**

22 (a) RECOGNITION OF THE SUFFERING AND LOYALTY
23 OF THE RESIDENTS OF GUAM.—

24 (1) RECOGNITION OF THE SUFFERING OF THE
25 RESIDENTS OF GUAM.—The United States recog-
26 nizes that, as described by the Guam War Claims

1 Review Commission, the residents of Guam, on ac-
2 count of their United States nationality, suffered un-
3 speakable harm as a result of the occupation of
4 Guam by Imperial Japanese military forces during
5 World War II, by being subjected to death, rape, se-
6 vere personal injury, personal injury, forced labor,
7 forced march, or internment.

8 (2) RECOGNITION OF THE LOYALTY OF THE
9 RESIDENTS OF GUAM.—The United States forever
10 will be grateful to the residents of Guam for their
11 steadfast loyalty to the United States, as dem-
12 onstrated by the countless acts of courage they per-
13 formed despite the threat of death or great bodily
14 harm they faced at the hands of the Imperial Japa-
15 nese military forces that occupied Guam during
16 World War II.

17 (b) GUAM WORLD WAR II CLAIMS FUND.—

18 (1) ESTABLISHMENT OF FUND.—The Secretary
19 of the Treasury shall establish in the Treasury of
20 the United States a special fund (in this Act re-
21 ferred to as the “Claims Fund”) for the payment of
22 claims submitted by compensable Guam victims and
23 survivors of compensable Guam decedents in accord-
24 ance with subsections (c) and (d).

1 (2) COMPOSITION OF FUND.—The Claims Fund
2 established under paragraph (1) shall be composed
3 of amounts deposited into the Claims Fund under
4 paragraph (3) and any other amounts made avail-
5 able for the payment of claims under this Act.

6 (3) PAYMENT OF CERTAIN DUTIES, TAXES, AND
7 FEES COLLECTED FROM GUAM DEPOSITED INTO
8 FUND.—

9 (A) IN GENERAL.—Notwithstanding sec-
10 tion 30 of the Organic Act of Guam (48 U.S.C.
11 1421h), the excess of—

12 (i) any amount of duties, taxes, and
13 fees collected under such subsection after
14 fiscal year 2012, over

15 (ii) the amount of duties, taxes, and
16 fees collected under such subsection during
17 fiscal year 2012,

18 shall be deposited into the Claims Fund.

19 (B) APPLICATION.—Subparagraph (A)
20 shall not apply after the date for which the Sec-
21 retary of the Treasury determines that all pay-
22 ments required to be made under subsection (c)
23 have been made.

24 (4) LIMITATION ON PAYMENTS MADE FROM
25 FUND.—

1 (A) IN GENERAL.—No payment may be
2 made in a fiscal year under subsection (c) until
3 funds are deposited into the Claims Fund in
4 such fiscal year under paragraph (3).

5 (B) AMOUNTS.—For each fiscal year in
6 which funds are deposited into the Claims Fund
7 under paragraph (3), the total amount of pay-
8 ments made in a fiscal year under subsection
9 (c) may not exceed the amount of funds avail-
10 able in the Claims Fund for such fiscal year.

11 (5) DEDUCTIONS FROM FUND FOR ADMINIS-
12 TRATIVE EXPENSES.—The Secretary of the Treasury
13 shall deduct from any amounts deposited into the
14 Claims Fund an amount equal to 5 per cent of such
15 amounts as reimbursement to the Federal Govern-
16 ment for expenses incurred by the Foreign Claims
17 Settlement Commission and by the Department of
18 the Treasury in the administration of this Act. The
19 amounts so deducted shall be covered into the
20 Treasury as miscellaneous receipts.

21 (c) PAYMENTS FOR GUAM WORLD WAR II CLAIMS.—

22 (1) PAYMENTS FOR DEATH, PERSONAL INJURY,
23 FORCED LABOR, FORCED MARCH, AND INTERN-
24 MENT.—After the Secretary of the Treasury receives
25 the certification from the Chairman of the Foreign

1 Claims Settlement Commission as required under
2 subsection (d)(2)(H), the Secretary of the Treasury
3 shall make payments to compensable Guam victims
4 and survivors of a compensable Guam decedents as
5 follows:

6 (A) COMPENSABLE GUAM VICTIM.—Before
7 making any payments under subparagraph (B),
8 the Secretary shall make payments to compen-
9 sable Guam victims as follows:

10 (i) In the case of a victim who has
11 suffered an injury described in paragraph
12 (3)(B)(i), \$15,000.

13 (ii) In the case of a victim who is not
14 described in clause (i), but who has suf-
15 fered an injury described in paragraph
16 (3)(B)(ii), \$12,000.

17 (iii) In the case of a victim who is not
18 described in clause (i) or (ii), but who has
19 suffered an injury described in paragraph
20 (3)(B)(iii), \$10,000.

21 (B) SURVIVORS OF COMPENSABLE GUAM
22 DECEDENTS.—In the case of a compensable
23 Guam decedent, the Secretary shall pay
24 \$25,000 for distribution to survivors of the de-
25 cedent in accordance with paragraph (2). The

1 Secretary shall make payments under this para-
2 graph only after all payments are made under
3 subparagraph (A).

4 (2) DISTRIBUTION OF SURVIVOR PAYMENTS.—

5 A payment made under paragraph (1)(B) to the sur-
6 vivors of a compensable Guam decedent shall be dis-
7 tributed as follows:

8 (A) In the case of a decedent whose spouse
9 is living as of the date of the enactment of this
10 Act, but who had no living children as of such
11 date, the payment shall be made to such
12 spouse.

13 (B) In the case of a decedent whose spouse
14 is living as of the date of the enactment of this
15 Act and who had one or more living children as
16 of such date, 50 percent of the payment shall
17 be made to the spouse and 50 percent shall be
18 made to such children, to be divided among
19 such children to the greatest extent possible
20 into equal shares.

21 (C) In the case of a decedent whose spouse
22 is not living as of the date of the enactment of
23 this Act and who had one or more living chil-
24 dren as of such date, the payment shall be
25 made to such children, to be divided among

1 such children to the greatest extent possible
2 into equal shares.

3 (D) In the case of a decedent whose spouse
4 is not living as of the date of the enactment of
5 this Act and who had no living children as of
6 such date, but who—

7 (i) had a parent who is living as of
8 such date, the payment shall be made to
9 the parent; or

10 (ii) had two parents who are living as
11 of such date, the payment shall be divided
12 equally between the parents.

13 (E) In the case of a decedent whose spouse
14 is not living as of the date of the enactment of
15 this Act, who had no living children as of such
16 date, and who had no parents who are living as
17 of such date, no payment shall be made.

18 (3) DEFINITIONS.—For purposes of this Act:

19 (A) COMPENSABLE GUAM DECEDENT.—
20 The term “compensable Guam decedent” means
21 an individual determined under subsection (d)
22 to have been a resident of Guam who died as
23 a result of the attack and occupation of Guam
24 by Imperial Japanese military forces during
25 World War II, or incident to the liberation of

14

1 Guam by United States military forces, and
2 whose death would have been compensable
3 under the Guam Meritorious Claims Act of
4 1945 (Public Law 79–224) if a timely claim
5 had been filed under the terms of such Act.

6 (B) COMPENSABLE GUAM VICTIM.—The
7 term “compensable Guam victim” means an in-
8 dividual who is not deceased as of the date of
9 the enactment of this Act and who is deter-
10 mined under subsection (d) to have suffered, as
11 a result of the attack and occupation of Guam
12 by Imperial Japanese military forces during
13 World War II, or incident to the liberation of
14 Guam by United States military forces, any of
15 the following:

16 (i) Rape or severe personal injury
17 (such as loss of a limb, dismemberment, or
18 paralysis).

19 (ii) Forced labor or a personal injury
20 not under subparagraph (A) (such as dis-
21 figurement, scarring, or burns).

22 (iii) Forced march, internment, or
23 hiding to evade internment.

24 (C) DEFINITIONS OF SEVERE PERSONAL
25 INJURIES AND PERSONAL INJURIES.—Not later

1 than 180 days after the date of the enactment
2 of this Act, the Foreign Claims Settlement
3 Commission shall promulgate regulations to
4 specify the injuries that constitute a severe per-
5 sonal injury or a personal injury for purposes of
6 subparagraphs (A) and (B), respectively, of
7 paragraph (2).

8 (d) ADJUDICATION.—

9 (1) AUTHORITY OF FOREIGN CLAIMS SETTLE-
10 MENT COMMISSION.—

11 (A) IN GENERAL.—The Foreign Claims
12 Settlement Commission shall adjudicate claims
13 and determine the eligibility of individuals for
14 payments under subsection (c).

15 (B) RULES AND REGULATIONS.—Not later
16 than 180 days after the date of the enactment
17 of this Act, the Chairman of the Foreign
18 Claims Settlement Commission shall publish in
19 the Federal Register such rules and regulations
20 as may be necessary to enable the Commission
21 to carry out the functions of the Commission
22 under this Act.

23 (2) CLAIMS SUBMITTED FOR PAYMENTS.—

24 (A) SUBMITTAL OF CLAIM.—For purposes
25 of paragraph (1)(A) and subject to subpara-

graph (B), the Foreign Claims Settlement Commission may not determine an individual is eligible for a payment under subsection (c) unless the individual submits to the Commission a claim in such manner and form and containing such information as the Commission specifies.

(B) FILING PERIOD FOR CLAIMS AND NOTICE.—

(i) FILING PERIOD.—An individual filing a claim for a payment under subsection (c) shall file such claim not later than one year after the date on which the Foreign Claims Settlement Commission publishes the notice described in clause (ii).

(ii) NOTICE OF FILING PERIOD.—Not later than 180 days after the date of the enactment of this Act, the Foreign Claims Settlement Commission shall publish a notice of the deadline for filing a claim described in clause (i)—

(I) in the Federal Register; and

(II) in newspaper, radio, and television media in Guam.

1 (C) ADJUDICATORY DECISIONS.—The deci-
2 sion of the Foreign Claims Settlement Commis-
3 sion on each claim filed under this Act shall—

4 (i) be by majority vote;

5 (ii) be in writing;

6 (iii) state the reasons for the approval
7 or denial of the claim; and

8 (iv) if approved, state the amount of
9 the payment awarded and the distribution,
10 if any, to be made of the payment.

11 (D) DEDUCTIONS IN PAYMENT.—The For-
12 eign Claims Settlement Commission shall de-
13 duct, from a payment made to a compensable
14 Guam victim or survivors of a compensable
15 Guam decedent under this subsection, amounts
16 paid to such victim or survivors under the
17 Guam Meritorious Claims Act of 1945 (Public
18 Law 79–224) before the date of the enactment
19 of this Act.

20 (E) INTEREST.—No interest shall be paid
21 on payments made by the Foreign Claims Set-
22 tlement Commission under subsection (c).

23 (F) LIMITED COMPENSATION FOR PROVI-
24 SION OF REPRESENTATIONAL SERVICES.—

1 (i) LIMIT ON COMPENSATION.—Any
2 agreement under which an individual who
3 provided representational services to an in-
4 dividual who filed a claim for a payment
5 under this Act that provides for compensa-
6 tion to the individual who provided such
7 services in an amount that is more than
8 one percent of the total amount of such
9 payment shall be unlawful and void.

10 (ii) PENALTIES.—Whoever demands
11 or receives any compensation in excess of
12 the amount allowed under subparagraph
13 (A) shall be fined not more than \$5,000 or
14 imprisoned not more than one year, or
15 both.

16 (G) APPEALS AND FINALITY.—Objections
17 and appeals of decisions of the Foreign Claims
18 Settlement Commission shall be to the Commis-
19 sion, and upon rehearing, the decision in each
20 claim shall be final, and not subject to further
21 review by any court or agency.

22 (H) CERTIFICATIONS FOR PAYMENT.—
23 After a decision approving a claim becomes
24 final, the Chairman of the Foreign Claims Set-
25 tlement Commission shall certify such decision

1 to the Secretary of the Treasury for authoriza-
2 tion of a payment under subsection (c).

3 (I) TREATMENT OF AFFIDAVITS.—For
4 purposes of subsection (c) and subject to sub-
5 paragraph (B), the Foreign Claims Settlement
6 Commission shall treat a claim that is accom-
7 panied by an affidavit of an individual that at-
8 tests to all of the material facts required for es-
9 tablishing the eligibility of such individual for
10 payment under such subsection as establishing
11 a prima facie case of the eligibility of the indi-
12 vidual for such payment without the need for
13 further documentation, except as the Commis-
14 sion may otherwise require. Such material facts
15 shall include, with respect to a claim for a pay-
16 ment made under subsection (c)(1), a detailed
17 description of the injury or other circumstance
18 supporting the claim involved, including the
19 level of payment sought.

20 (J) RELEASE OF RELATED CLAIMS.—Ac-
21 ceptance of a payment under subsection (c) by
22 an individual for a claim related to a compen-
23 sable Guam decedent or a compensable Guam
24 victim shall be in full satisfaction of all claims
25 related to such decedent or victim, respectively,

1 arising under the Guam Meritorious Claims Act
2 of 1945 (Public Law 79–224), the imple-
3 menting regulations issued by the United States
4 Navy pursuant to such Act (Public Law 79–
5 224), or this Act.

6 **SEC. 8. IMPROVEMENTS IN HUD ASSISTED PROGRAMS.**

7 Section 214(a)(7) of the Housing and Community
8 Development Act of 1980 (42 U.S.C. 1436a(a)(7)) is
9 amended by striking “such alien” and all that follows
10 through the period at the end and inserting “citizen or
11 national of the United States shall be entitled to a pref-
12 erence or priority in receiving assistance before any such
13 alien who is otherwise eligible for such assistance.”.

14 **SEC. 9. BENEFIT TO COST RATIO STUDY FOR PROJECTS IN**
15 **AMERICAN SAMOA.**

16 (a) STUDY.—The Comptroller General of the United
17 States shall conduct a study regarding the use of benefit-
18 to-cost ratio formulas by Federal departments and agen-
19 cies for purposes of evaluating projects in American
20 Samoa.

21 (b) CONTENTS.—In conducting the study, the Comp-
22 troller General shall—

23 (1) assess whether the benefit-to-cost ratio for-
24 mulas described in subsection (a) take into consider-
25 ation—

1 (A) the remote locations in, and the cost of
2 transportation to and from, American Samoa;
3 and

4 (B) other significant factors that are not
5 comparable to locations within the 48 contig-
6 uous States; and

7 (2) assess, in particular, the use of benefit-to-
8 cost ratio formulas by—

9 (A) the Secretary of Transportation with
10 respect to airport traffic control tower pro-
11 grams; and

12 (B) the Secretary of the Army, acting
13 through the Corps of Engineers, with respect to
14 a harbor project or other water resources devel-
15 opment project.

16 (3) REPORT TO CONGRESS.—Not later than 1
17 year after the date of enactment of this Act, the
18 Comptroller General shall submit to Congress a re-
19 port on the results of the study.

20 **SEC. 10. WAIVER OF LOCAL MATCHING REQUIREMENTS.**

21 (a) WAIVER OF CERTAIN MATCHING REQUIRE-
22 MENTS.—Section 501 of the Act entitled “An Act to au-
23 thorize certain appropriations for the territories of the
24 United States, to amend certain Acts relating thereto, and

1 for other purposes”, approved October 15, 1977 (48
2 U.S.C. 1469a; 91 Stat. 1164) is amended—

3 (1) in the last sentence of subsection (d), by
4 striking “by law”; and

5 (2) by adding at the end the following new sub-
6 section:

7 “(e) Notwithstanding any other provision of law, in
8 the case of American Samoa, Guam, the Virgin Islands,
9 and the Northern Mariana Islands, each department or
10 agency of the United States shall waive any requirement
11 for local matching funds (including in-kind contributions)
12 that the insular area would otherwise be required to pro-
13 vide for any non-competitive grant as follows:

14 “(1) For a grant requiring matching funds (in-
15 cluding in-kind contributions) of \$500,000 or less,
16 the entire matching requirement shall be waived.

17 “(2) For a grant requiring matching funds (in-
18 cluding in-kind contributions) of more than
19 \$500,000, \$500,000 of the matching requirement
20 shall be waived.”.

21 (b) CONFORMING AMENDMENT.—Section 601 of the
22 Act entitled “An Act to authorize appropriations for cer-
23 tain insular areas of the United States, and for other pur-
24 poses”, approved March 12, 1980 (48 U.S.C. 1469a note;
25 94 Stat. 90), is amended by striking “, and adding the

1 following sentence” and all that follows through “Is-
2 lands’.”.

3 **SEC. 11. FISHERY ENDORSEMENTS.**

4 Section 12113 of title 46, United States Code, is
5 amended by adding at the end the following:

6 “(j) CERTAIN EXEMPTION.—Paragraph (3) of sub-
7 section (a) shall not apply to any vessel—

8 “(1) that offloads its catch in part or full in
9 American Samoa; and

10 “(2) that was rebuilt outside of the United
11 States before January 1, 2011.”.

12 **SEC. 12. EFFECTS OF MINIMUM WAGE DIFFERENTIALS IN**
13 **AMERICAN SAMOA.**

14 Section 8104 of the Fair Minimum Wage Act of 2007
15 (29 U.S.C. 206 note) is amended by adding at the end
16 the following:

17 “(c) EFFECTS OF MINIMUM WAGE DIFFERENTIALS
18 IN AMERICAN SAMOA.—The reports required under this
19 section shall include an analysis of the economic effects
20 on employees and employers of the differentials in min-
21 imum wage rates among industries and classifications in
22 American Samoa under section 697 of title 29, Code of
23 Federal Regulations, including the potential effects of
24 eliminating such differentials prior to the time when such
25 rates are scheduled to be equal to the minimum wage set

1 forth in section 6(a)(1) of the Fair Labor Standards Act
2 (29 U.S.C. 206(a)(1)).”.

3 **SEC. 13. OFFICE OF NATIONAL DRUG CONTROL POLICY.**

4 (a) CARIBBEAN BORDER COUNTERNARCOTICS
5 STRATEGY.—The Office of National Drug Control Policy
6 shall develop a biennial Caribbean Border Counter-
7 narcotics Strategy, that is made available to the public,
8 with emphasis on the borders of Puerto Rico and the Vir-
9 gin Islands of the United States, on terms substantially
10 equivalent to the existing Southwest Border Counter-
11 narcotics Strategy and the Northern Border Counter-
12 narcotics Strategy.

13 (b) AMENDMENT.—Section 704(b)(13)(B) of the Of-
14 fice of National Drug Control Policy Reauthorization Act
15 of 1998 (21 U.S.C. 1703(b)(13)(B)) is amended by insert-
16 ing “the borders of Puerto Rico and the Virgin Islands
17 of the United States and” after “in particular”.

18 **SEC. 14. DRIVERS’ LICENSES AND PERSONAL IDENTIFICA-**
19 **TION CARDS.**

20 (a) DEFINITION OF STATE.—Section 201(5) of the
21 REAL ID Act of 2005 (49 U.S.C. 30301 note; Public Law
22 109–13) is amended by striking “the Trust Territory of
23 the Pacific Islands,”.

25

1 (b) EVIDENCE OF LAWFUL STATUS.—Section
2 202(c)(2)(B) of the REAL ID Act of 2005 (49 U.S.C.
3 30301 note; Public Law 109–13) is amended—

4 (1) in clause (viii), by striking “or” after the
5 semicolon at the end;

6 (2) in clause (ix), by striking the period at the
7 end and inserting “; or”; and

8 (3) by adding at the end the following:

9 “(x) is a citizen of the Republic of the
10 Marshall Islands, the Federated States of
11 Micronesia, or the Republic of Palau who
12 has been admitted to the United States as
13 a nonimmigrant pursuant to a Compact of
14 Free Association between the United
15 States and the Republic or Federated
16 States.”.