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provided in advance by appropriations Acts, and there are hereby authorized to be appropriated, beginning in fiscal year 1980, such sums as may be necessary to carry out the purposes of sections 1 and 6.

Sec. 9. Section 7 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 207) is further amended by adding the following three subsections at the end thereof:

"(d) All Federal coal leases issued prior to August 4, 1976 shall be subject to a royalty of 12.5 per centum of the value of the coal as determined by regulation on all coal produced by surface mining after the date of enactment of this amendment if:

"(1) the lease was subject to readjustment prior to the enactment of this amendment;

"(2) the Secretary has not—

"(A) readjusted the lease; or

"(B) informed the lessee that the lease will not be readjusted; and

"(3) the Secretary has approved a mining plan for all or part of the lease.

"(e) Before approving a mines plan, for the lease, the Secretary shall readjust the royalty rate of all other Federal coal leases issued prior to August 4, 1976, which are or become subject to readjustment in accordance with this Act.

"(f) This amendment does not affect the Secretary's authority to readjust terms and conditions of a lease other than those involving the royalty rate."

MOTION OFFERED BY MR. KAZEN

Mr. KAZEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. KAZEN moves to strike all after the enacting clause of the Senate bill (S. 3189), and insert in lieu thereof the text of H.R. 13553, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 13553) was laid on the table.

GENERAL LEAVE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill H.R. 13553, just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

NONVOTING SAMOAN DELEGATE TO HOUSE

Mr. PHILLIP BURTON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 13702) to provide that the Territory of American Samoa be represented by a nonvoting Delegate to the U.S. House of Representatives, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California (Mr. PHILLIP BURTON)?

There was no objection.

The Clerk read the bill, as follows:

H.R. 13702

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled; That the Territory of American Samoa shall be represented in the United States Congress by a nonvoting

Delegate to the House of Representatives, elected as hereinafter provided.

Sec. 2. (a) The Delegate shall be elected by the people qualified to vote for the popularly elected officials of the Territory of American Samoa at the general Federal election of 1980, and thereafter at such general election every second year thereafter. The Delegate shall be elected at large, by separate ballot, and by a majority of the votes cast for the office of Delegate. If no candidate receives such majority, on the fourteenth day following such election a runoff election shall be held between the candidates receiving the highest and the second highest number of votes cast for the office of Delegate. In case of a permanent vacancy in the office of Delegate, by reason of death, resignation, or permanent disability, the office of Delegate shall remain vacant until a successor shall have been elected and qualified.

(b) The term of the Delegate shall commence on the third day of January following the date of the election.

Sec. 3. To be eligible for the office of Delegate a candidate shall—

(a) be at least twenty-five years of age on the date of the election;

(b) have been a United States citizen for at least seven years prior to the date of the election;

(c) be an inhabitant of the Territory of American Samoa, and

(d) not be, on the date of the election, a candidate for any other office.

Sec. 4. The legislature of American Samoa may determine the order of names on the ballot for election of Delegate, the method by which a special election to fill a vacancy in the office of Delegate shall be conducted, the method by which ties between candidates for the office of Delegate shall be resolved, and all other matters of local application pertaining to the election and the office of Delegate not otherwise expressly provided for herein.

Sec. 5. The Delegate from American Samoa shall have such privilege in the House of Representatives as may be afforded him under the Rules of the House of Representatives. Until the Rules of the House of Representatives are amended to provide otherwise, the Delegate shall receive the same compensation, allowances, and benefits as a Member of the House of Representatives, and shall be entitled to whatever privileges and immunities are, or hereinafter may be, granted to the nonvoting delegate from the Territory of Guam.

With the following committee amendments:

Page 2, delete lines 24 and 25 and insert in lieu thereof:

Sec. 4. Acting pursuant to legislation enacted in accordance with Section 9, Article II of the American Samoan Revised Constitution, the territorial government will determine the order of names on the ballot for election of Delegate.

Page 3, lines 11 through 20, delete section 5 and insert in lieu thereof:

Sec. 5. Until the Rules of the House of Representatives are amended to provide otherwise, the Delegate from American Samoa shall receive the same compensation, allowances, and benefits as a Member of the House of Representatives, and shall be entitled to whatever privileges and immunities that are, or hereinafter may be, granted to the nonvoting Delegate from the Territory of Guam: *Provided*, That the clerk hire allowance for the Delegate from American Samoa shall be a single per annum gross rate that is 50 per centum of the clerk hire allowance of a Member of the House of Representatives.

The committee amendments were agreed to.

● Mr. PHILLIP BURTON. Mr. Speaker, I rise in support of H.R. 13702. This legislation comes before us with a wide

range of support and sponsorship from some 150 plus of our colleagues on both sides of the aisle.

The Territory of American Samoa is composed of seven islands totaling approximately 76 square miles, and is situated some 2,600 miles southwest of the State of Hawaii.

During the latter part of the 19th century, the Samoan Islands became an international issue which involved the United States, Germany, and Great Britain. In 1899, after 10 years of failure in resolving their respective interests, a special conference was called in Washington, wherein the question of partitioning the islands became apparent when Germany agreed to transfer certain political affiliations she had established with some Pacific islands, in return for British relinquishment of her rights over the Samoan Islands. Germany and Great Britain also agreed that the United States would have the exclusive right to deal directly with the inhabitants of the islands of Tutuila and Manua, referred to now as American Samoa.

In the years 1900 and 1904, the leading chiefs of American Samoa, by treaties of cession, granted to the United States full and complete sovereignty over the islands. It was not until February 20, 1929, that by joint resolution, Congress approved the treaties of cession, and assigned the administration of the territory under the authority of the President.

Since 1900, the territory was administered by the Department of the Navy. In June 1951, President Truman transferred the administration of the territory to the Secretary of the Interior.

Mr. Speaker, for the past several years the Samoan people have taken significant steps toward the need for greater self-government. Since 1963, by local initiatives, the people subjected themselves to an income tax similarly adopted by the territory of Guam, by selective usage of the U.S. Internal Revenue Code. For the past 18 years the people have had experience in drafting and adopting their own constitution, under the supervision of the Department of the Interior.

In 1970, the Samoan people held, for the first time, a territory-wide election of their delegate as their special representative to Washington. As you know, this special representative has no standing in the Congress, as it was the case with the territories of Guam and the Virgin Islands before their delegates were given nonvoting status by the Congress.

Mr. Speaker, the justification for direct territorial representation for American Samoa in Congress goes back to 1790, wherein the Congress provided for a nonvoting delegate from the territory South of the River Ohio, which later became the State of Tennessee. Since that time, some thirty other U.S. territories have been represented by nonvoting delegates to the Congress. Populations of the different territories have varied from as many as 5,000 to 259,000 when they were represented by nonvoting delegates.

Mr. Speaker, the rapidly changing economic and political conditions both in the Continental United States and the Pacific basin provide a compelling reason for direct representation of the

Territory of American Samoa in the House of Representatives. A nonvoting delegate from American Samoa can more effectively represent and interpret the needs and interests of the territory before Congress and other agencies of the Federal Government. Furthermore, the nonvoting delegate will relieve other Members of Congress of the necessity of dealing with individual problems and other subject areas that directly affect the economic and political interests of the territory.

Mr. Speaker, American Samoa is the only remaining territory under the American flag that does not have a voice in the Congress. I urge my colleagues to support this bill to symbolize our own faith and confidence in a people who have proven beyond measure their dedi-

cation and allegiance to the United States.

Cosponsors American Samoa Nonvoting Delegate (H.R. 13702(3) (4) (5), H.R. 13754, H.R. 13801, H.R. 13821).

Alaska, Ambro, Anderson, Ca., Annunzio, Ashley, AuCoin, Beard, R.I., Beilenson, Birmingham, Boggs, Bonior, Bonker, Brown, Ca., Yvonne Burke, John Burton, Phil Burton, Byron, Carney, Carr, Chisholm, Don Clausen, Clay, Collins, Ill., Conyers, Corman, Cornell, Corrada, Danielson, Ca., de Lugo, Dicks, and Diggs.

Dodd, Duncan, Oreg., Eckhardt, Edwards, Calif., Edwards, Okla., Ertel, Fascell, Fauntroy, Fenwick, Flood, Florio, Foley, Ford, Mich., Ford, Tenn., Fowler, Garcia, Gilman, Ginn, Glickman, Gonzalez Gore, Harkin, Harrington, Heftel, Holland, Holtzman, Howard, Ireland, Jenrette, Johnson, Calif., and Johnson, Colo.

Jones, N.C., Kastenmeier, Kazen, Kildee, Kostmayer, Krebs, Lagomarsino, Lederer,

Leggett, Lehman, Levitas, Lloyd, Calif., Lujan, McCloskey, McFall, McHugh, McKay, Maguire, Markey, Marriott, Meeds, Metcalfe, Mikva, Miller, Calif., Mineta, Mitchell, Moakley, Moffett, Moss, Murphy, Pa., and Murphy, Ill.

Murtha, Myers, Michael, Nedzi, Nix, Oberstar, Oaker, Ottinger, Panetta, Patterson, Pease, Pepper, Perkins, Price, Pritchard, Quillen, Rahall, Rangel, Richmond, Risenhoover, Rodino, Roe, Roncallo, Rose, Roybal, Runnels, Russo, Ryan, St Germain, Santini, Sebelius, and Selberling.

Sharp, Simon, Skubitz, Slack, Solarz, Stark, Stokes, Stratton, Studds, Symms, Thompson, Thornton, Traxler, Tsongas, Tucker, Udall, Van Deerin, Vento, Waxman, Weaver, Weiss, Whalen, Wilson, Tex., Wilson, Calif., Winn, Won Pat, Young, Alaska, and Zeferetti.

TERRITORY AND AUTHORIZING STATUTE
North of the Ohio River—Northwest Ordinance of 1787.

Year nonvoting Delegate provided by the Congress (Territory/State)	Year census taken	Population	Year nonvoting Delegate provided by the Congress (Territory/State)	Year census taken	Population
1790 (Tennessee)	1790	36,000	1853 (Washington)	1860	12,000
1798 (Mississippi)	1800	8,000	1854 (Nebraska)	1860	29,000
1800 (Indiana)	1800	6,000	1854 (Kansas)	1860	107,000
1805 (Orleans—Louisiana)	1810	77,000	1861 (Colorado)	1860	34,000
1805 (Michigan)	1810	5,000	1861 (Nevada)	1860	7,000
1809 (Illinois)	1810	12,000	1861 (Dakota—North and South)	1860	5,000
1812 (Missouri)	1810	20,000	1863 (Arizona)	1870	10,000
1817 (Alabama)	1810	9,000	1863 (Idaho)	1870	15,000
1819 (Arkansas)	1820	14,000	1864 (Montana)	1870	21,000
1822 (Florida)	1830	35,000	1868 (Wyoming)	1870	9,000
1838 (Wisconsin)	1840	31,000	1871 (District of Columbia)	1870	132,000
1838 (Iowa)	1840	43,000	1890 (Oklahoma)	1890	259,000
1848 (Oregon)	1850	12,000	1900 (Hawaii)	1900	154,000
1849 (Minnesota)	1850	6,000	1900 (Puerto Rico)	—	—
1850 (New Mexico)	1850	62,000	1902 (Philippines)	—	—
1850 (Utah)	1850	11,000	1908 (Alaska)	1900	64,000

South of the Ohio River—1 Statute 123 (1790).

- Mississippi—1 Statute 549 (1798).
- Indiana—2 Statute 58 (1800).
- Orleans—2 Statute 322 (1805).
- Michigan—2 Statute 309 (1805).
- Illinois—2 Statute 514 (1809).
- Missouri—2 Statute 743 (1812).
- Alabama—3 Statute 371 (1817).
- Arkansas—3 Statute 493 (1819).
- Florida—3 Statute 654 (1822).
- Wisconsin—5 Statute 10 (1838).
- Iowa—5 Statute 235 (1838).
- Oregon—9 Statute 323 (1848).
- Minnesota—9 Statute 403 (1849).
- New Mexico—9 Statute 446 (1850).
- Utah—9 Statute 453 (1850).
- Washington—10 Statute 172 (1853).
- Nebraska—10 Statute 277 (1854).
- Kansas—10 Statute 283 (1854).
- Colorado—12 Statute 172 (1861).
- Nevada—12 Statute 209 (1861).
- Dakota—12 Statute 239 (1861).
- Arizona—12 Statute 664 (1863).
- Idaho—12 Statute 808 (1863).
- Montana—13 Statute 853 (1864).
- Wyoming—15 Statute 178 (1868).
- District of Columbia—16 Statute 426 (1871).
- Oklahoma—26 Statute 81 (1890).
- Hawaii—31 Statute 141 (1900).
- Puerto Rico—31 Statute 86 (1900).
- Philippine Islands—32 Statute 694 (1902).
- Alaska—34 Statute 169 (1906).
- District of Columbia—84 Statute 848 (1970).

[From the Samoa News, Aug. 11, 1978]

CONGRESSIONAL DELEGATE

Congressman Burton's bill to establish an American Samoa Congressional delegate, similar to those of Guam and the Virgin

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Islands, is long overdue. Considering the territory's unique status within the federal system and the enormous influence that the federal government has upon life here, through funding and regulation, the territory must have some input into the federal decision-making process.

Currently, our Delegate at Large, A. P. Lutali, lacks any direct influence or status within the federal government. This is not due to the failure of the delegate but to the impotence of his position. Senator Pfo Sunia's proposal in the Fono to upgrade the delegate's position to that proposed by Congressman Burton demonstrates that both the federal and territorial governments are aware of this situation.

The development of self-rule in American Samoa can never be fully effective until the territory is able to present its case directly to Congress. The governor cannot administer the territory and also be expected to plead our case in Washington. As past history demonstrates, the net result is a part-time governor who is constantly scurrying between here and Washington. The direct election of a Congressional delegate will provide the territory with better local and federal government by permitting the two areas to be handled by separate full-time representatives of the people.

At last report the odds look good that American Samoa may have a Congressional delegate by the election of 1980. No longer will we have to rely on occasional administration support to direct Congressional attention to our problems. As the Governor said, "American Samoa has come of age."

Congressman Burton deserves our thanks for his concern about the future of the territory. He and his many co-sponsors have demonstrated that, although slow, Congress still has the best interests of the people at heart.

[Telegram]

Hon. PHILLIP BURTON,
House of Representatives

On behalf of the Government and people of American Samoa, I want to express our heartfelt gratitude for your faith in our political maturity and untiring efforts to afford us more meaningful representation in the United States Congress. For 78 years this U.S. territory has been under the understanding tutelage of the United States. The U.S. Congress has been in the forefront in encouraging political growth in these islands. The recent election of the Governor and Lt. Governor of American Samoa for the first time in the history of the Territory is an example of balanced growth in accordance with the aspirations of the Samoan people and the support of the U.S. Congress, participation of an elected delegate from this Territory puts us on a similar footing with other U.S. territories, it would also show to the other island countries or territories in the South Pacific formerly or presently under British, French, Australian or New Zealand administration that the United States also respects and appreciates the devotion and loyalty of the people of American Samoa to their mother country, the United States of America. We wholeheartedly support H.R. 13702 to provide American Samoa with a nonvoting delegate in the House of Representatives as one important step toward our full participation as part of the American family.

PETER TALU COLEMAN,
Governor.

Hon. PHILIP BURTON,
Chairman, Subcommittee on National Parks and Insular Affairs, Washington, D.C.:
The President of the Senate and the

Speaker of the House of Representatives of the legislature of the Territory of American Samoa wish to congratulate you Congressman Burton and your cosponsors for their faith in our political maturation in upgrading our delegate to the U.S. Government under your H.R. 13702. We the entire fono and the people of the territory support your magnificent faith in our ability to grow and represent ourselves before the Congress of the United States of America. We have had able and competent representation before you for 8 years now and this will enhance the future representation of our territory before your honorable bodies. We totally subscribe and approve heartily of what you and your colleagues are doing for us. Many thanks to you and your cosponsors and colleagues for this high honor that you have entrusted us with.

President SALANOA.

[From the Honolulu Star Bulletin,
Aug. 19, 1978]

A SAMOAN DELEGATE TO CONGRESS

It looks as though American Samoa will soon gain the right to be represented in Congress by a non-voting delegate.

The House Subcommittee on National Parks and Insular Affairs have started the ball rolling with unanimous approval of a bill authorizing the position. It is expected that both houses of Congress will approve.

That would give American Samoa what Guam, Puerto Rico and the Virgin Islands already have. In each case, the representatives can introduce bills and vote in committee, but can't vote on the House floor. The same would be true of the Samoan delegate under the proposed legislation.

Samoa already has an elected delegate in Washington, but he only represents the territory before federal agencies. Representation of American Samoa in Congress is long overdue.●

● Mr. CORRADA. Mr. Speaker, I rise in strong support of H.R. 13702, a bill to provide a nonvoting delegate to the House of Representatives from the Territory of American Samoa.

At present, American Samoa is the only territory under the American flag which remains without a delegate in the Congress. As the sole elected representative of the American citizens residing in Puerto Rico and one of the four nonvoting delegates in the House, I would welcome a fellow delegate to represent the people of American Samoa.

The principle of representation and a voice for all American citizens in Congress should apply to the 31,000 residents of American Samoa. As a co-sponsor of this legislation, I urge my colleagues to support H.R. 13702 and to cast their votes in favor of its passage.●

● Mr. LAGOMARSINO. Mr. Speaker, I rise in support of H.R. 13702, which authorizes a non-voting Delegate for the American Samoans in the U.S. House of Representatives. For 8 years, the Samoans have elected their own delegate to Washington, D.C. but without official congressional recognition. As a consequence, the Samoan delegate has been severely restrained in performing his representative function for his constituents. Guam and the Virgin Islands experienced similar circumstances until Congress in 1973 recognized their delegates' plight and rightfully sanctioned their presence as part of the House of Representatives. The wisdom of this congressional action has been demon-

strated time after time in the legislative activity and distinguished service of both the off-shore delegates.

The time has come to afford the people of American Samoa the same national representation as others residing in America's insular holdings. To do less denies the foundation of our Nation. H.R. 13702 builds a 7,000-mile bridge of understanding between Pago Pago and Washington—it assures that wherever the American flag flies, thereunder resides the principles of this great Republic. Accordingly, Mr. Speaker, I urge unanimous passage of H.R. 13702.●

● Mr. DON H. CLAUSEN. Mr. Speaker, I rise in support of H.R. 13702, which provides a nonvoting delegate from American Samoa to the U.S. House of Representatives. As a long-standing member of the Subcommittee on National Parks and Insular Affairs, I have always supported with enthusiasm the extension of more and more self-government to America's off-shore areas. For example, the 90th Congress afforded Guam and the Virgin Islands the opportunity to elect their own governors; and the 92d Congress extended that privilege, permitting those islands to elect their own delegates to the House of Representatives.

The 94th Congress passed legislation which will stand in history—the creation of the Commonwealth of the Northern Mariana Islands. Also in that memorable Congress, the peoples of Guam and the Virgin Islands were granted the right to compose their own constitutions. Moreover, the 94th Congress initiated action which was ultimately responsible in permitting the people of American Samoa to elect their own Governor. This is an impressive record in fostering the principles of American representative government, and I am proud to have played a role in this continuing experiment in American democracy.

Today, we have an opportunity to continue that experiment—to authorize the right of American Samoans to elect their own delegate to this august body. Guam and the Virgin Islands have enjoyed this privilege since 1973; equity demands that the Samoans do likewise. However, fairness is not the sole criterion justifying a Samoan congressional delegate. American Samoa is over 7,000 miles from Washington, D.C. It is very important that the Samoans have in our midst someone intimately familiar with their proud traditions and social distinctions; for without that knowledge—in spite of our best intentions—we could pass Federal legislation inimical to the preservation of Samoan culture. Admittedly, Samoa's population is considerably less than that of a congressional district; that is why H.R. 13702 only provides one-half the clerk-hire allowance for the Samoan delegate. On the other hand, without such congressional representation, it is impossible to bring the Samoan people under the umbrella of American federalism.

Mr. Speaker, this is worthy legislation—legislation which exemplifies American idealism. I urge my colleagues to join me in assuring passage of H.R. 13702.●

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PHILLIP BURTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the bill, H.R. 13702.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

GREAT BEAR WILDERNESS AREA

Mr. RONCALIO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13972) to designate the Great Bear Wilderness, Flathead National Forest, and enlarge the Bob Marshall Wilderness, Flathead and Lewis and Clark National Forests, State of Montana, as amended.

The Clerk read as follows:

H.R. 13972

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the purposes of the Wilderness Act (78 Stat. 890), the area generally depicted on a map entitled "Great Bear Wilderness (Proposed)—Bob Marshall Wilderness Addition", dated September 1978, which is on file and available for public inspection in the Office of the Chief, Forest Service, United States Department of Agriculture, is hereby designated as the Great Bear Wilderness (approximately two hundred ninety thousand, five hundred seventy-one acres) within and as part of the Flathead National Forest, Montana, and enlarges the Bob Marshall Wilderness with an area comprising approximately sixty thousand acres within and as part of the Lewis and Clark National Forest, Montana.

Sec. 2. As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and a legal description of the Great Bear Wilderness and Bob Marshall Wilderness Addition with the Energy and Natural Resources Committee, United States Senate, and the Interior and Insular Affairs Committee, House of Representatives, and such description shall have the same force and effect as if included in this Act: *Provided, however, That correction of clerical and topographical errors in such legal description and map may be made.*

Sec. 3. The Great Bear Wilderness and Bob Marshall Addition shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. JOHNSON of Colorado. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Wyoming (Mr. RONCALIO) will be recognized for 20 minutes and the