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RELATING TO AMERICAN SAMOA

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HEARING

BEFORE THE

SUBCOMMITTEE ON  
TERRITORIAL AND INSULAR AFFAIRS

OF THE

COMMITTEE ON  
INTERIOR AND INSULAR AFFAIRS  
HOUSE OF REPRESENTATIVES  
NINETY-THIRD CONGRESS

FIRST SESSION

ON

INFORMAL DISCUSSION OF MATTERS RELATING  
TO AMERICAN SAMOA

HEARING HELD IN WASHINGTON, D.C.  
APRIL 18, 1973

Serial No. 93-15

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NOTE.—The chairman of the full committee is an ex officio voting member of this subcommittee. The first listed minority member is counterpart to the subcommittee chairman.



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## INFORMAL DISCUSSION OF MATTERS RELATING TO AMERICAN SAMOA

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WEDNESDAY, APRIL 18, 1973

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON TERRITORIAL AND INSULAR AFFAIRS,  
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,  
*Washington, D.C.*

The subcommittee met, pursuant to notice, at 2:45 p.m., in room 2261, Rayburn House Office Building, Hon. Phillip Burton [chairman of the subcommittee], presiding.

Mr. BURTON. We will call the subcommittee meeting to order.

I would like to apologize to one and all. We were supposed to have voted on legislation extending the program to provide public employment in those cities and areas where there was a certain level of unemployment. I was assured that we would start voting about 5 minutes of 2. It is now about a quarter of 3.

I am delayed because so many of my colleagues felt that they had to give their opinion about the legislation before we voted. Every few minutes, I was thinking of leaving and coming over here, but I anticipated that as soon as I got to this room, the bell would ring again, and I would have to go back.

So I waited until the matter was disposed of. I profoundly apologize to all of you for keeping you here waiting and wondering where I was, and where the rest of our subcommittee members were. More of them will be coming over, but I thought that it might be useful if we opened these hearings now.

Why don't we bring up Mr. Carpenter and Governor Haydon, and the President of the Senate, Senator Sunia, and Speaker of the House and kind of form a little group here along the front row, and give all of you an opportunity to respond, if you will, to all other witnesses' testimony.

There are two general areas that I hope to explore: one, the whole range of issues and problems that may be confronting American Samoa, and how we might be of some help; and second, I want to have at least some discussion on the proposition that we provide for an elected Governor—a proposition that I understand was rejected by the voters in the last election—and what other steps, if any, we should consider this year or next in terms of providing that measure of increase of self-government decided by the Samoan people.

Now, Governor, perhaps it makes the most sense if we start with you, unless it makes more sense that we start with Mr. Carpenter. Why don't you two confer and see who should lead off in this respect; on the problems generally or the elected Governor bill. Maybe we should



deal with the elected Governor notion first, so that more of my colleagues will be here when we get to the broader discussion of the problems generally.

Mr. CARPENTER. If I may start off on the Governor and Lieutenant Governor issue; following the hearings on your bill last year to provide for public election of Governor and Lieutenant Governor and, in accordance with your direction toward the end of that hearing to the Department of the Interior, that we should proceed to make necessary arrangements, fiscally, administratively, and so on, for public election in the future; we established what we call the Gubernatorial Study Commission composed of the Speaker——

Mr. BURTON. Excuse me. I think it might be useful this afternoon if the Washington delegate for American Samoa also came forward here, so you join with us, dear friend.

Mr. CARPENTER. This Commission is composed of the President of the Senate and Speaker of the House; the three District Samoan Governors, all of whom are Paramount Chiefs; Governor Haydon, and representatives from his office, representatives from my office, and, the legislative counsel from the legislature known as the Fono. This group has held two meetings, and is planning another meeting in June. And it has been a very good discussion forum on the problems that we face in the administrative and fiscal control areas as we approach the election of Governor and Lieutenant Governor.

At the same time, there has been the Constitution Review Committee required every 5 years in Samoa, reviewing the Samoan Constitution, and this group is preparing to make their final report shortly. And they also, of course, have been considering among other things, this question of public election.

As you recall, Mr. Chairman, at your hearing last year, the Department of the Interior supported the concept of public election but indicated that we felt that there were certain administrative and other arrangements that would have to be put in order before election. And we talked in terms, I believe, of possibly 1976 or 1978 for public election.

In our discussions in the Gubernatorial Study Committee, the consensus at this point in time seems to be for public election of both Lieutenant Governor and Governor in 1976.

Mr. BURTON. Would you describe more fully what you mean by consensus?

Mr. CARPENTER. Yes; I would be glad to.

We found in our initial meeting that the three District Governors, who are Samoan Paramount Chiefs, had not been fully informed on the hearings here in Washington. And they were somewhat surprised that the public election concept was moving along as quickly as it seemed to be.

So a good part of our first meeting, I believe, was taken up with discussions between the Paramount Chiefs present and the representatives of the Fono or the legislature.

Mr. BURTON. Do you have minutes of that first meeting?

Governor HAYDON. Yes, sir.

Mr. BURTON. Do you have them with you?

Governor HAYDON. No; but they are in Washington.



Mr. BURTON. Would you make those available to the committee, preferably two copies.

[The material referred to plus the minutes of the second meeting supplied also follow:]

GOVERNMENT OF AMERICAN SAMOA, OFFICE OF THE GOVERNOR, PAGO PAGO,  
AMERICAN SAMOA

AMERICAN SAMOA GUBERNATORIAL STUDY COMMISSION—SUMMARY REPORT OF  
FIRST SERIES

The Gubernatorial Study Commission convened for its first session at Government House on Saturday, September 23, 1972 on the issue of internal self government for American Samoa. The following are members of the Commission:

STANLEY S. CARPENTER, Deputy Secretary of Interior for Territorial Affairs.

JOHN M. HAYDON, Governor of American Samoa.

FRANK C. MOCKLER, Lieutenant Governor of American Samoa.

HIGH CHIEF LE'IATO TULI, Secretary of Samoan Affairs.

HIGH CHIEF FAINU'ULELEI S. UTU, Speaker of the House of Representatives.

HIGH TALKING CHIEF LEAENO T. W. REED, President of the Senate.

HIGH CHIEF TUITELE MAGAULI, Western District Governor.

HIGH CHIEF MISAALEFUA TAUSULU, Manu'a District Governor.

JOHN deYOUNG, Territorial Officer, Department of Interior.

DONALD C. WILLIAMS, Attorney General of American Samoa.

GEORGE BLAESI, Legislative Counsel, American Samoa.

PALAUNI M. TUIASOSOPO, Assistant to the Governor.

SPEAKER UTU was confined in the hospital but was represented by REPRESENTATIVE AMITUANA'I E. MEREDITH.

*Secretary Carpenter* opened the meeting with a brief description of the purpose and function of the Commission, stressing that the Department of Interior was in favor of electing the Governor of American Samoa. He said that while this was the common desire, it is vital that practical problems inherent in such a move should be thoroughly discussed and ironed out before actual transition is affected. He also indicated that it would be necessary for the Commission to meet again later in the year, either in Hawaii or San Francisco.

*High Chief Le'iato* made official fa'a-Samoa remarks, welcoming Secretary Carpenter and acknowledging the purpose of the Commission.

*Secretary Carpenter* suggested that meetings be conducted on an informal basis and that all members should speak freely since they were representatives of the people and knew their desires.

*High Chief Le'iato* wanted to know who introduced the elective governor bill in Congress, indicating that this was done without prior consultation with American Samoa and its leaders.

*Secretary Carpenter* explained that the bill was not introduced by either the Department of Interior or the White House. Rather, it was introduced by Congressman Phillip Burton who then held hearings on the measure. Several people from American Samoa, including the Governor and Legislative leaders, testified before the House Sub-Committee on Territorial and Insular Affairs. But, the Secretary added, Congressman Burton would not push the matter this year although he intends to do so next year, at which time the Congressman intends to conduct hearings in American Samoa.

*High Chief Le'iato* complained that he and the district governors and other traditional leaders of American Samoa were not aware of any move in the United States Congress to have the governor elected. They discovered, by accident, that the Legislature had discussed the matter unilaterally. The leaders and people of American Samoa were not only uninformed but were not given the opportunity to voice their feelings on the matter.

*Secretary Carpenter* then replied that he was interested in what the people desire.

*George Blaesi* said the Burton Bill may have had its genesis in the Future Political Status Study Commission Report. Additionally, the Legislature visited the villages who, supposedly, gave their approval of the Report.



*Lieutenant Governor Mockler* suggested that it might be necessary for Interior and the Commission to keep Congress informed or solicit its blessings on the issue of elective governor inasmuch as this is the body which passes on appropriations for American Samoa.

*Secretary Carpenter* replied that it was not technically necessary to have Congressional approval since Interior was responsible for administration of the Territory. However, he agreed that this would be most desirable.

*District Governor Mauga* asked if the introduction of the Bill before Congress, whoever it was that introduced it, was an indication of the desire of the United States to relinquish its responsibilities to American Samoa.

*Governor Haydon* reminded him that the elective governor bill appeared to be a result of the Future Political Status Study Commission.

*Secretary Carpenter* indicated it was the desire of the Department of Interior to give increasing self government to American Samoa. However, he said some people believed it was premature at this time. At any rate, Interior is interested in what the people of Samoa desire.

*District Governor Mauga* observed that the Future Political Status Commission was not elected through the fa'a-Samoa and therefore could not speak for the Samoan people.

*Secretary Carpenter* assured the group it was not the wish of Interior to force the issue of elective governor. He said at this point, he was more interested in finding out the exact desire of Samoa as expressed through its traditional fa'a-Samoa system, the legislature or any other way as long as it reflected the wish of the majority.

*Governor Haydon* added that the United States did not want to relinquish any responsibility to American Samoa although a gradual increase of self government is supportable if it was the desire of the people. He said there is no attempt to sever the relationship between the United States and American Samoa.

*Attorney General Williams* informed the group that the Constitutional Revision Committee sub-committee on Executive Articles was planning to hold public hearings on the elective governor issue. This might be considered another opportunity to determine public sentiment.

*Secretary Carpenter* stated that the work of the Constitutional Revision Committee will be submitted to the Department of the Interior for approval of any legal problems that might be contained therein, and, if approved, will be submitted to the Constitutional Convention for consideration.

*Senate President Leano* explained that the Fono did not initiate the Burton Bill. The Fono expressed its support of the Bill only after it was introduced in Congress. He qualified the Fono's resolution by saying that its support was only on the issue of elective governor. He said the Fono felt that other satellite questions such as who, what and when should be left to the people to decide.

*High Chief Le'iato* said the traditional leaders were not blaming the Fono, but that some people did write and express their thoughts without considering the fa'a-Samoa. He added that this has caused a great deal of unrest. Additionally, it is appalling that such an important issue as the future political status of the country could be mishandled by not affording it the proper fa'a-Samoa discussion, which is the Samoan way of adequately expressing the feeling of the Samoans.

He emphasized that the correct procedure with respect to Samoan customs and traditions should be followed.

*District Governor Misa* stated that when the Fono was informed of the Burton Bill, it unilaterally acted without consulting the traditional leaders of Samoa. In this respect, it appeared to outsiders that all the people of American Samoa supported the idea. However, the situation in Samoa is quite different because of the unique culture and traditions which provide that the leaders should make expression on the bill as representatives of the people. He said the Fono should have brought the matter to the attention of the Office of Samoan Affairs and the district governors, inasmuch as the fa'a-Samoa system is very much in operation. He then suggested that the matter should be delayed until the Constitutional Convention in 1973, when the real representatives of the people will be able to consider the issue.

*Secretary Carpenter* expressed the need for the Commission to continue in its function inasmuch as it was established to consider practical problems, rather than the timing or method of electing the governor which is the prerogative of the people.



*District Governor Mauga* stated the Fono Resolution was not an expression of the traditional leaders and the people of American Samoa. Rather, it was an expression of the members of the Fono as individuals since the resolution did not include the traditional leaders.

*George Blaesi* explained that the Fono did not want to do away with the option of the Constitutional Revision Committee. The purpose of the resolution was to give an expression, as a body, to the Convention.

*District Governor Tuitele* charged that the Fono had stepped outside its purview when it unilaterally acted on the Burton Bill without prior consultation with the traditional leaders. He said in the Samoan system, this matter falls within the prerogative of traditional leaders as the real representatives of Samoa.

Tuitele recounted the history of this whole idea and said the problems started with the 11th Legislature. Chief Salanoa S. Aumoeualogo, then President of the Senate, came to him to discuss the elective governor issue. He told Salanoa that this was none of his business and that the matter could only be properly discussed fa'a-Samoa. The Fono, he said, were elected to consider house keeping measures and the budget, whereas the traditional leaders were appointed by God to provide the appropriate voice for the people. He also told Salanoa that the Future Political Status Study Commission was a waste of valuable time which would be spent in something more worthwhile. He suggested that the matter should be tabled until the Constitutional Convention is convened next year.

The Western District Governor expressed his warm appreciation and high regard for Governor and Mrs. Haydon. "This man had done so much more for the people of Samoa", he said, "because he not only respect our customs and traditions, but has a sense of compassion for us as a people". He wished that Governor Haydon would remain in American Samoa, as governor, forever!

Tuitele joined other district governors in their grief that the feelings and emotions as well as the sense of intelligence of the Samoans seemed "all mixed up" on the issue of elective governor, simply because the Fono failed to consult the leaders of the Country. He said "it is vitally important that the people of Samoa give themselves adequate time to delve into this whole issue because it is their future." "It is very important that proper timing and preparation be afforded this issue" rather than rushing it like the Fono seem to prefer.

*Secretary Carpenter* expressed his appreciation for the frank expression by District Governor Tuitele and was very touched by his reference to Governor Haydon. He (Carpenter) added that the Department of Interior also has very high regard for Governor Haydon who has demonstrated a great deal of interest in the general welfare of the people of American Samoa and continuation of Samoan customs.

On the matter of elective governorship, the Secretary said this should be considered by the Constitutional Convention. In the meantime, the Commission should discuss some of the pertinent questions and hash out the practical problems involved. He asked for an expression from the Fono.

*President Leacno* apologized to the traditional leaders and admitted that the Legislature was at fault for going ahead without proper consultation with the fa'a-Samoa. He said the Fono was elected by the leaders and the people of Samoa to be their servant.

He added that the Fono decided on the issue because it was the wish of the people, but that its expression was only in approval of the principle of the measure which coincided with the recommendation of the Future Political Status Study Commission.

*Legislative Counsel George Blaesi* added that there was no intention by the Fono to subvert the Constitutional Convention when it passed the resolutions to amend the Constitution during the past session to provide for further elections of the Governor and Lt. Governor in 1974.

However, Sections 3 and 4 of the Constitution posed problems with respect to disposition of the amending resolutions by the Legislature. This requires the Governor to submit the amending resolutions to the next general election, which would be November 1972. He suggested that by tortured reading of the language of the Constitution the Governor might be able to forward their solutions to the Constitutional Revision Committee rather than putting them on the ballot.



*Lieutenant Governor Mockler* then stated that the Governor should not be placed in a position where it would seem that he was countering the wish of the legislative body. He suggested that, if the Legislature was willing, they could request a special session to amend the language of the resolutions. He indicated the Governor cannot and should not call a special session on his own initiative inasmuch as this was a legislative matter.

*Counsel George Blaesi* stated that the Fono merely wished to make formal expression to the Constitutional Convention of its support of the issue of elected governor.

*District Governor Tuitetele* suggested that the Fono should be concerned with passing routine matters of law for governing the country, except the issue of elected governor which should be tabled until the Constitutional Convention next year. He further suggested that the Fono and Attorney General get together to determine how this apparent conflict could be resolved.

*President Leano* indicated that perhaps the legislative constitutional amendments could be held by Interior and referred to the Constitutional Convention even if approved by the people in the forthcoming general election. In this event, they could vote on it again after the work of the Constitutional Revision Committee is completed and has gone through the Convention.

*Lieutenant Governor Mockler* stated that if the people were to vote on the amendments without discussions as requested by the traditional leaders and the Constitutional Convention will not reject the people's expression in November, then the latter vote would not be an active reflection of the people's desire.

*High Chief Le'iato* added that if the resolutions passed in November, the matter would be predetermined and discussion of it by the Convention would be superfluous.

*Secretary Carpenter* offered that the meeting be adjourned at this point until copies of the resolutions relating to the elective governor issue were available for review by the Commission during its next meeting.

The Second meeting of the Gubernatorial Study Commission was convened in the Governor's Office at 9:30 a.m., September 26, 1972. Copies of the two legislative Constitutional amendments relating to the elective governor issue were distributed to the Commission.

*Present:* Secretary Carpenter, Governor Haydon, High Chief Le'iato, District Governor Tuitetele, District Governor Mauga, District Governor Misaalefua, Senate President Leano, Representative Amituana'i E. Meredith (for Speaker of the House Fainu'ulelei S. Utu), Mr. George Blaesi, Mr. Donald C. Williams, Mr. Palauni M. Tuiasosopo.

*Secretary Carpenter* distributed a list of practical matters to be considered by the Commission. He said these were only some of the topics of discussion and that the list was not conclusive. There may be other questions raised in time. The Secretary wanted to be absolutely clear that Interior was not forcing the issue of elected governor. On the other hand, the Department was more concerned about ascertaining the desire of the people of American Samoa whether it was through the fa'a-Samoa, legislature or general referendum. This was Interior's reaction to all that had been said to date on the subject.

*District Governor Mauga* asked whether there would be a change in the Department of Interior's relationship to Samoa such as a decrease in financial and other support services if the country preferred to elect its own governor.

*Secretary Carpenter* replied that this would not necessarily mean a lessening of Interior's role in the Territory. However, with an elected Governor, it would mean greater responsibility on the people of American Samoa. For example, the Territory would probably have to assume total responsibility for preparation and presentation of its budget in Washington.

In addition, Congress would expect development of more local resources in American Samoa with the view towards increasing self support and gradual lessening of United States financial involvement.

He also expressed concern with the timing of the legislative amending resolutions passed during the recent session of the Fono, calling for an elective governor in 1974. He felt that if passed, this would preclude any action by the Constitutional Revision Committee whose work is not expected to be completed until next Spring.



*Governor Haydon* stated that as he expressed during Congressional hearings in Washington, he was not opposed to the issue of elective governor. He reiterated, however, that this question should be approached in a sensible and pragmatic fashion to assure that the move would not fail in the future. He said, although he would not want to prolong his tenure in American Samoa, he would not want to leave the Territory without proper and adequate assurance that American Samoa self government would not fail. He felt he would be at fault if this occurred.

The Governor then stated he must place the resolutions on the ballot in November if they were not amended. If defeated, the issue of elective governor would rest for the time being. If passed, he is required to send them to the Secretary of Interior who might consider that there was a lack of timing on this whole issue and that not enough time was given for thorough discussions and study of the problems involved. In this regard, the Secretary would be forced into a most embarrassing situation where it would appear that he was reneging on his word.

The Governor further stated that he was always in favor of the resolution calling for a special election in 1973 on the revised constitution. At that time, if the people voted for an elective governor in 1974, there would still be ample time if this was what they wished. On the other hand, the voters might feel the need for additional time and the date could be set back. The problem, he said, was that the resolutions precluded any such flexibility.

He suggested that there should be a special session of the Fono to remove the requesting language from the body of the resolution on elected governor and allow its submission to the Constitutional Revision Committee. He had sent to all members of the Committee copies of the amendments, and, if requested by the Fono, he could call a special session to consider revising the resolution.

*Senate President Leano* agreed that there should be a special session of the Fono to revamp the language of the resolution in order to resolve the conflict and allow the matter to be discussed by the Constitutional Revision Committee and the Convention before vote by the public. He suggested that traditional leaders inform their representatives on this and that the Fono should request a session. He would, at that time, support a resolution forwarding the amendment to the Committee. He also asked the Governor to send copies of his letter to members of the Fono.

*High Chief Le'iato* indicated that as Secretary of Samoan Affairs, he would call a meeting of the leaders of Samoa to voice their opinion on the issue of elective governor. He stated that this was a serious problem since it came from the United States. He complained that the local legislature, as usual, did not discuss the issue with the villages. Personally, he said, he was not in favor of an elected governor at this time, although he believed there would be no problem if the matter was handled properly.

*President Leano* took exception to Le'iato, saying that he had conducted discussions and received the expression of views from his county and that his statement before the Burton Committee was the result of these meetings.

*Governor Haydon* commended President Leano's and Speaker Utu's statements before the Burton committee, saying that they were well founded and sensible.

*District Governor Mauga* said the Commission had discussed the issues for some time now and no resolution of the question posed had been made. Commenting that the real purpose of Secretary Carpenter's visit was the question of elective governor, he proposed that the Governor should be selected from traditional leaders and the Lieutenant Governor by popular election in secret ballot. However, he said the people had not had adequate time to properly consider this whole question.

*District Governor Tuitele* in summation, reiterated that there would have been no problem if proper discussions fa'a-Samoa were conducted rather than unilateral action by the Fono. He explained in the Samoan way, nobody gets mad twice on the same matter, and that the traditional leaders were no longer angry at the Fono. He agreed, however, that more time is required to allow the people to discuss this very important issue and that 1974 was a sensible time for them to do this.

*Secretary Carpenter* then adjourned the meeting, suggesting that the Tuesday afternoon session be cancelled to allow time for members of the Commission to study the Fono resolutions.

The Commission adjourned with traditional closing remarks.



The Third and Final meeting of the First Series opened at 2:30 p.m. in the Governor's Office on Wednesday, September 27, 1972. All members were present except Speaker Utu and High Chief Le'iato who were both ill in the hospital.

A letter prepared by the Governor and attached to the two resolutions was distributed.

*Governor Haydon* indicated that he would call a special session of the Fono if members felt it necessary and requested such an action. The purpose of the special session was to afford the Fono an opportunity to respond to the traditional leaders by considering their desire to put the resolutions before the people in the November election.

*Counsel George Blaesi* reported that notices had been issued the day before on radio and television calling members of the Fono to meet Wednesday morning. Some 15 members convened, and expressed several opinions on the proposal for a special session. However, inasmuch as there was an insufficient number of members present to constitute a quorum, a consensus of opinion could not be reached. So a decision was made that there would be another effort to get the legislators together. A definite reaction was promised within two weeks.

*Representative Amituana'i Meredith* indicated that some members felt the Constitutional Review Committee could easily change the dates proposed in the resolutions by recommendation to the Constitutional Convention.

*High Chief Le'iato* promised that he would call a meeting of the traditional Samoan leaders and include members of the legislature as part of county contingents.

*Secretary Carpenter and Governor Haydon* both suggested that the series of meetings of the Study Commission should be planned for late November or early December, either in San Francisco or Honolulu.

*Secretary Carpenter* then said that this was the last time the Commission would be together, and wanted to give opportunity for members to make final expression of their views openly.

*District Governor Mauga* told the Commission that it had heard the sentiments of the traditional leaders with respect to the Fono action. He said decision on the future of a country is not an easy task and that American Samoa needed time for thorough discussions of the issue of elective governor. The Fono may be impatient but it should understand the necessity to take time to consider such an important issue as this. It should, therefore, be pleased to postpone the date proposed in its resolution.

*District Governor Tuitele* explained that by Samoan custom, no decision can be made without complete attendance, and, since not all the traditional leaders were present, he agreed that a decision could not be reached.

The oldest member of the Commission agreed with District Governor Mauga, however, that we should "play it cool" because no good will come with haste. He said all of Samoa should progress with caution, especially on the future of the country, and warned that we should be very, very careful "ina ne'i mama le vaa o Ti'a ia Ti'a", meaning, lest we "cut our own throats"! "We should think before we leap", he said, and that the problem arose because the Fono jumped the gun on the traditional leaders "who were their fathers".

*District Governor Misaalefua* agreed that the elective governor issue needs more time for thorough consideration by the people. He praised Secretary Carpenter's visit and said that the meetings of the Commission brought the traditional leaders and the Fono together, and, when they meet later on, all things would be worked out through their mutual cooperation.

*President Leano* also agreed that the Commission was more meaningful because it gave the traditional leaders an opportunity to set the Fono straight and to air their desires. The President appreciated the frankness of the leaders and admitted that the Fono was dilatory in its dealings with them. He accepted the advice of the traditional leaders and said that the Fono stands corrected.

Leano apologized that the Fono was not able to decide on the proposal for a special session as was raised the previous day, for lack of quorum. He again promised that they will reach a decision within two weeks.

He said it was good to have a free exchange of ideas with the leaders and agreed to a meeting with the chiefs at a later date. He did not want Secretary Carpenter to leave with the impression that there was anything wrong in American Samoa.



*Representative Amituana'i Meredith* appreciated the expression of the leaders and thought they were frank and correctly expressed. He also appreciated the interest of the Interior in the orderly development of American Samoa towards more increased internal self government.

*Legislative Counsel Blaes* said the complete picture of the situation was presented at the brief and informal meeting of the legislature during the morning hours. However, no consensus of opinion was reached and that they will meet with other leaders to decide on the question of a special session within two weeks.

*Governor Haydon* told the Commission that after three years in American Samoa he has come to feel like a Samoan. In three days of meetings Secretary Carpenter had gained real insight into the fa'a-Samoa. The Governor reiterated his full support and willingness to defend the maintenance of Samoa culture and customs. He said, unlike the old days, decisions are more important now and require a great deal more time because a great deal more people become affected by them.

*Secretary Carpenter* felt privileged to have the opportunity of meeting with the traditional leaders and those of the Fono. He reiterated that he came not to sell or push the idea of an elected governor but to find out what the true feelings of the people were. He said that although he felt he was imposing upon the "family discussions" during the meetings, the chiefs had made him welcome into the fold. He expressed his awe at the wisdom of the traditional leaders and high respect for the leaders of the Fono which was, indeed, a part of the democratic process.

He suggested that the next series of meetings should be held in Hawaii either in late November or early December, which gave the Commission about two months to ponder the issues involved.

*Lieutenant Governor Mockler* reminded the Commission that the question relating to the Fono resolutions and the November election was not resolved but that the responsibility lies with the Fono and district governors and others who are interested in a special session of the Fono to make a decision whether its viewpoint should be amended.

*District Governor Tuitele* on behalf of the Commission, offered traditional closing remarks, expressing gratitude for the opportunity to meet with other members of the leadership and with Secretary Carpenter. He said the Samoans are the "chosen people of God" and that the word "Samoa" meant sacred center. He believed that God will continue to keep his countenance upon the Samoans as He had always done in the past. In this regard, he was positive that God's blessing would be with the Secretary and his party when they returned to Washington, as well as the people of American Samoa who shall stay behind.

He excitedly told the Commission that he felt in his heart that the whole issue of elective governor and the procedures being developed for greater internal self government will succeed, noting that the Commission held three meetings during three days, which correspond to the Three in One—The Father, Son and the Holy Spirit. "This is what Samoa believes and the reason for our optimism in the future, the Secretary's return trip home and the next series of Commission meetings," he concluded.

PALAUNI M. TUIASOPO.

#### REPORT OF SECOND SERIES OF MEETINGS OF THE GUBERNATORIAL STUDY COMMISSION

The second series of meetings of the Gubernatorial Study Commission opened with informal discussions at the Governor's Suite in the Ala Moana Hotel on the evening of Sunday, December third. This discussion is not part of the official record of the Commission inasmuch as it was only an informal evaluation and attempt to clear up ideas and communications in preparatory to the official sessions.

Official sessions convened at 9:00 a.m., December 4, 1972, in the Governor's Suite at the Ala Moana Hotel. Present at the meeting were:

Honorable Stanley S. Carpenter, Deputy Assistant Secretary for Territorial Affairs.

Honorable John M. Haydon, Governor of American Samoa.

High Chief Tuitele Magauli, Western District Governor.

High Chief Mauga Iulio, Eastern District Governor.

High Chief Misalefua Tausulu, Manu'a District Governor.

High Chief Lelato Tuli, Secretary of Samoan Affairs.



High Chief Fainuulelei S. Utu, Speaker of the House of Representatives.

Mr. John deYoung, Assistant to Secretary Carpenter.

Mr. George Blaesi, American Samoa Legislative Counsel.

Mr. Donald C. Williams, Attorney General of American Samoa.

Mr. Mike Bales, Chief, Samoa Desk, Interior Department.

Mr. Palauni M. Tuiasosopo, Assistant to the Governor.

Lieutenant Governor Frank Mockler was detained on official business in San Francisco. Senate President Leano T. W. Reed was confined at Tripler Army General Hospital.

*Secretary Carpenter* officially opened the session with brief welcoming remarks. He indicated that informal discussions during the previous evening were very helpful in clearing the confusion which resulted from the constitutional referendum previously voted down by the public during the November election.

In this regard, he asked the Commission if they agreed with his analysis of informal discussions: (1) That the people of American Samoa, despite the results of the referendum, would like to have public election of the Governor at some point in the future. (2) That the people were confused on the question and possibly further confused by setting a specific and relatively early date—1974.

*High Chief Leiato* thought that the chiefs had a different understanding of the state of affairs at the time of the referendum. He said the only reason for the defeat of the Fono resolution on the issue of elective governorship was the specification of "election" of the governor. He further expressed the feeling that the public did not want the governor to be elected, until the traditional leaders and the people convene in traditional Fono to set the method and manner of selecting a governor.

In response to inquiry from Speaker Utu, the Secretary of Samoan Affairs explained that he was referring to universal balloting for the governor, not the decision to select by popular vote.

*High Chief Mauga* added that the subject is still confused, because of terminology in Samoan, referring to the interchange of the words "filifilia" which means selection from the traditional leaders; and the word "palota" meaning vote.

*Mr. Tuiasosopo* suggested that it might be better to use the word "saili se kovana" meaning to find a governor since the word election itself, by general terms, can also mean "filifili". However, the Secretary's point was whether the rest of the Commission agreed with his analysis of the informal discussions, which would be a good starting point for the day.

*Speaker Utu* added that all members "generally approve your (Carpenter) analysis", thinking that High Chief Leiato was referring to the resolution for elected governor in 1974. The Speaker said he felt that there was no confusion of public opinion, making reference to hearings on the measure before the election and meeting of the chiefs chaired by Chief Leiato during which most of the counties approved the idea of a Samoan governor and deferred all other attending issues to the convention.

*Governor Haydon* felt the crux of the matter was the language of the resolution. If it had only provided for a Samoan governor, it would have been agreeable, rather than specifying a time for implementation.

*Mr. Tuiasosopo*, replying to inquiry from the Secretary, indicated that the work of the Constitutional Review Committee was still progressing, unaffected by the results of the referendum.

*Governor Haydon* told Mr. Carpenter and the Commission that he had done his best to assure everybody that the idea and progress towards self-government is very much active in spite of the referendum. He had committed himself publicly to this. The people of American Samoa heard the Governor on television when he spoke specifically on the desire "to have their own government. We merely want you to understand what's involved; the responsibility, and to go easy. Don't rush it."

*Speaker Utu* asked for specific definition of terms, indicating that the Future Political Status Study Commission Report expressed only the desire for Samoa to elect its own governor. The Governor agreed with this and explained that he was referring to elective governor and lieutenant governor.

*High Chief Mauga* said that this was the trouble in Samoa. Others would prefer to have a Samoan governor and Lieutenant Governor, but under the super-



vision of the United States. However, there was also the preference to have a Samoan governor with full powers to run the operation.

Mr. Tuiaosopo briefly explained that the issue under current discussion refers to what might be known as *internal self-government* or *increased local autonomy*. This means selection of our own governor by whatever method we decide. The Governor will be responsible for making decisions directly related to internal governing of the people. However, there are several areas where he would be responsible to the United States through the Secretary of the Interior. In this sense, the relationship between American Samoa and the United States would not be severed. This is similar to the status now enjoyed by the Cook Islands.

On the other hand, when we are fully responsible for both our internal and external affairs and in all areas of running our own government, we will then be fully independent like Western Samoa, and in this case, American Samoa will lose out on the amount of financial assistance which would be available through internal self-government status.

Secretary Carpenter stated that this should become clearer "when we go over the list of items." He inquired about the target date for the completion of the Constitutional Review Committee work, hopefully towards the end of April.

Mr. Tuiaosopo said, "yes, hopefully!"

Secretary Carpenter then proposed the immediate problem which is to find some way to put the results of the Review Committee and Constitutional Convention before the public, hopefully, before the 1974 election.

Governor Haydon, in responding to a statement by Speaker Utu indicating that this was the intention of the legislature, said that he would support this.

He added, "I frankly see no reason to wait one more full year or two before we put the Constitution before the voters. First of all, they'll lose interest. It should be done while there's a lot of public interest. The June 31 date is very practical . . . not later than that."

Secretary Carpenter agreed.

Secretary Carpenter replying to inquiry by the Governor, stated that his office would certainly investigate whether the Secretary of the Interior had the authority to put the revised constitution before the voters in a special election at the end of June, 1973.

When the Governor further queried, the Secretary said it would be helpful if he could have an expression from the fono and traditional leaders petitioning the Secretary of the Interior for a special election next year.

Governor Haydon then indicated that he would write letters of support to go along with such an expression to the Secretary.

Speaker Utu also indicated that the Legislature would be willing to pass a resolution on the subject.

Governor Haydon re-explained the timing as follows: The Constitutional Review Committee will complete its work and report to the Governor. After his review, the Governor will transmit the report, with his comments, to Secretary Carpenter, who will review the same with Secretary Morton and their legal people. Interior will return the report with any suggestions they might have. At that time, the Governor will call the Constitutional Convention, who will be responsible for the final draft, according to the Constitution.

If it is legal, and the Secretary of the Interior has the authority, the Governor will put the draft constitution on special election on June 31, 1973.

He emphasized that the ballot should not have anything except the draft revised constitution.

High Chief Leiato said there is no further need for expression from the traditional leaders. They had made their expression that American Samoa would like to have their own governor. Other attending issues were deferred until the Convention.

Mr. Tuiaosopo reminded the Secretary of Samoan Affairs that this was not being contested. The issue on the floor was whether Interior had the legal authority to approve a special election next year, after the Convention has completed the final draft.

Secretary Carpenter asked for additional questions on this general subject.

High Chief Tuitele supported the procedure as explained by Governor Haydon. He suggested that consideration of related issues should be emphasized during the interim period, from November 1972 to the sitting of the Convention in 1973. The Commission, leaders and Fono should concentrate on explaining and discussing these issues in Samoa. He said this would be the most difficult



period not only because of the workload but bringing the new Legislature into the discussions. The Western District Governor added that there was no longer any confusion or differences of opinion. He said the most important thing would be to get everybody together during the interim period so that ideas could be coalesced by June next year.

*Secretary Carpenter* agreed with Tuitele. He said the meetings with the Governor, traditional leaders and the Fono had been very helpful in clearing the air and reaching general agreement on the big issue. He added that the next step was to begin work on specific problems and that he hoped the interim period would be a busy time for all of us. The Secretary reiterated the need for continued dialogue between the Fono and traditional leaders. He said, "It is vital that all of you pull your heads together on this very, very important subject. How you set this up, by some kind of small committee, is entirely up to you."

*High Chief Mauga* thought that discussions at this meeting would correct the issue now confusing the country. He said the two words, as he expressed earlier, were still unexplained. Additionally, he resumed his earlier contention that the Commission should be specific on the two issues, as he expressed, full independence or internal self government. Further, whether the governor is to be elected from the traditional leaders or by universal suffrage. Other minor issues, he said, could be worked out by the Commission during the interim period.

*High Chief Misa* disagreed with Chief Mauga. He said the traditional meeting held at Fale Laumei was specific in its resolution to have a Samoan governor, and, that other questions directly related to this were deferred to the Constitutional Convention. He emphasized that the leaders were specific in avoiding the method and procedure for selecting the governor until the Convention.

*Mr. Tuiasosopo* reminded the chiefs that the purpose of the Commission was to discuss and work out the practical problems necessary for implementing the change. Questions such as who is to be governor and the method for selection was the responsibility of the Samoans as expressed in its Constitutional Convention. He also said that if the Commission would discuss these questions, it would only be on a recommending basis and no more.

He suggested that it might be appropriate to go into the specifics besides what, who and how the elective governorship process is to be implemented.

*Secretary Carpenter* agreed. He said the list had been refined since the October sessions of the Commission. He reiterated that the list was by no means exclusive and that additional subjects could be added by other members of the Commission.

The Secretary acknowledged the paper by the Legislature on the original list of subjects, and indicated that the views expressed therein closely followed Interior's thinking.

*Mr. Carpenter* then referred to the amended list of items which, he said, would help define the future relationship between the elective governor and the Department of the Interior. (See Exhibit A)

The Commission, upon suggestion by *Secretary Carpenter*, attended to No. 7 on the new list of items. At this point, *Secretary Carpenter* indicated that under timing for the whole subject is step one—completion and acceptance of the Constitutional Review Committee recommendations. This was discussed earlier, but would raise several possibilities for discussion. He suggested that consideration might be given to public election of the Lieutenant Governor first and an appointed Governor for a period of time, before completion of the process. The argument, according to *Mr. Carpenter*, is that the lieutenant governor would have time to learn the operation of government. The alternative would be election of governor and lieutenant governor at the same time.

Another variation might be election of the lieutenant governor and the appointment of a Samoan governor before public election of the governor.

*Governor Haydon* suggested another variation, which was election of the lieutenant governor in 1974 and the election of a governor in 1976. The term of the lieutenant governor could be four years. The reasoning for this was that Governor Haydon could have somebody to work closely with him for a period of four years. There is also the possibility that the lieutenant governor could be elected as governor. On the other hand, he would still have two years of experience to help the new governor when he came in. The Governor re-emphasized that there must be training involved in the transition. He urged the members to speak candidly and frankly.



*Secretary Carpenter* added that Interior wishes to be responsive to the desires of the Samoan people while at the same time the Department would want to make sure the new system is successful, to provide continuing efficiency and effectiveness in the government for the benefit of the Samoan people.

*High Chief Leiato* expressed the opinion that the governor and lieutenant governor should be elected in 1974. He said there is ample time for preparation between now and that year. Additionally, the district governors and other leaders cannot arbitrarily set a method and timing because there are plans for the traditional leaders and the country to decide on the method and process for implementing the issue. He agreed, however, that the term of office for lieutenant governor should be longer than the governor's term, in order to provide continuity and expertise on the job.

The Secretary of Samoan Affairs also argued that the traditional leaders wish to affect this transition smoothly, making reference to the fact that younger potentials as title holders would not have the experience and coolness to avoid controversy. He expressed the concern that this change should be affected while they are still alive.

*High Chief Manga* added that the traditional leaders worked hard on this subject and were not getting any younger. They would like to accomplish the whole dream while they are still alive.

*Governor Haydon* and *Secretary Carpenter* both acknowledge the fact that this was true and natural. They said it is individual pride to leave something behind for the future. Additionally, this was the most important step for American Samoa and there was real hope that the right decision is made for the future.

*Speaker Utu* said he had to agree with the chiefs because of Samoan customs, although he wanted to second the governor's proposal for election of both governor and lieutenant governor. He said they had four votes already.

*Governor Haydon* reminded the Commission that after every step in the procedure for revision of the Constitution, he must call the Constitutional Convention. Selection of membership to the convention is dictated by the Constitution he said. The Governor further explained that members of the Fono will try to seek election to the Convention and since he could not appoint members, the chiefs should try to get their representation by election. This, he said, is a combination of both the faa-Samoa and American democracy. Additionally, the final decision rests with the Secretary of the Interior, which is in fact an additional check in the event that anything outlandish is passed. The system, in fact, protects against undue influence from the Governor as well as unthoughtful politicking, as a means of protecting the people.

The Governor further stated that he is determined to protect Samoan customs as long as he is governor. Another procedure already established in government is occasional seminars with top decision makers at Government House to delve into the customs and way of thinking required in creating an atmosphere for development while at the same time maintaining the faa-Samoa. This, he said, is required by the Treaty of Cession and the Constitution. This is why close cooperation and understanding is vital. This was the Governor's reason for objecting to an earlier time frame. It would certainly fail if everybody tries to figure out spoils for himself.

This period is very important to American Samoa because it will be the third landmark in its history (the first two being arrival of the Samoans on the islands and cession to the United States).

*High Chief Leiato* said the traditional leaders wish only to avoid the situation Western Samoa suffered when it was searching for its future government. This refers to the internal power play which lead to civil war and eventual death of paramount chief Tamasese. This would happen if the traditional leaders failed in their duty to pacify the people and guide the transition for smooth sailing into its accomplishment. This was the basis for his belief that it would be sensible to have both governor and lieutenant governor in 1974 while they were in a position to provide the guidance and counsel. The Commission, the Fono and public should be able to meet and discuss thoroughly the requirements and method for implementing the changes, between now and the Convention. He concluded by saying that the wish of the people will be done, not of the traditional leaders.

*Speaker Utu* expressed his delight and pleasure in hearing the concern of the leaders. He said the Fono are merely children who must look to the traditional



leaders for guidance. He also believed there would not be any disturbance if the country knew that the traditional leaders were one in their cooperative leadership.

*Governor Haydon* reiterated again that he was in favor of a Samoan governor and lieutenant governor. He also said that public election of the lieutenant governor in 1974 appealed to him and if he were asked, he would be willing to stay and train a man for the job. This was because of his concern for maintaining the economic level in American Samoa on a fair and equitable basis. Whoever is elected could receive proper development of experience by accompanying the governor to Washington, D.C. where he could meet and observe decision makers at work; learn the paper work and the type of thinking required to keep up with the labyrinth and maze of political intrigue and bureaucracy in Washington, D.C. This, he said is tremendously difficult and a Samoan who does not know it would not be able to maintain the level of finance for the Territory. "We should be realistic, because we're going to have trouble holding it up now since President Nixon is going to insist on economizing. There are also people in Congress who are going to ask why they continue to give all this money to American Samoa," he said. The Governor added that we could have an honest government but it would not have much money to be honest about.

*High Chief Tuitele* could not comprehend the call for concern by the Governor and Secretary Carpenter. He expressed confidence that the people of Samoa had developed their own way of thinking and would not have to be trained in the Western world. The Western District Governor also said that the Fono and traditional leaders had decided on the 1974 timetable and that the longer we wait the better the opportunity to develop fertile grounds for more differences and problems within the country. This was why Western Samoa's search for the future was marred by blood.

*Governor Haydon* explained further by referring to the amount of work that needed to be done in a single trip, taking as an example the current trip to Honolulu which included some forty telephone calls and a multitude of meetings with government agencies, most of which involve large sums of money. He said the list of telephones for his January trip to Washington, D.C. had already passed the 100 figure and was growing. There were also meetings planned with various officials relating to money for programs. In order to accomplish all these, the governor must travel quickly from city to city and must be able to talk fast and persuasive enough to make decisions in twenty minutes. He said there did not appear to be anybody in Samoa who could do this effectively and he could not pick anybody because he would be accused of favoritism.

Secondly, he said the Department of the Interior official position expressed by Secretary Loesch before the Burton Committee was 1976 or 1978. Although the Governor felt the change could be accomplished in four years, the two year span would be counter to the position of Interior and it would be harmful for American Samoa should an inexperienced man take over the seat. The Governor was not referring to being a paramount chief in American Samoa. "I'm talking about being a promoter for money in D.C. for the American Samoa people. It's an entirely different ball game and somebody has got to know how to do this or the economy will not hold up," he said.

*Governor Haydon* also said that by faa-Samoa, High Chief Tuitele would probably be the most likely choice. However, it would be physically impossible for him to do the job and the people would be harmed in the process. Other paramount chiefs also have their health problems. The pace is tremendously fast and this was why the governor felt election of a Samoan governor in 1974 would be premature.

*Secretary Carpenter* felt Interior would be guided largely by the opinion of the Samoan people in terms of timing. He tended to feel personally, however, that 1974 would be too early. The Secretary expressed doubt that the transition could be effected smoothly and successfully if done in a great hurry.

*High Chief Misa* supported the counsel of Governor Haydon. He said this plan would afford additional assurance since the man could be trained under Governor Haydon who has had well grounded experience in the makings of United States politics and has also had experience in American Samoa to know the situation. The Manu'a District Governor cautioned the Commission that anxiety and rush into this change will hurt the people in the future. He said 1976 or 1978 would be much more sensible.



*Mr. Tuiasosopo*, when asked, explained his experience and observance in working closely with the governor. He told the Commission that the job of being governor is about 18 hours of working time and 24 hours of thinking time. It is highly exacting not only in terms of quick and accurate thinking but in physical ability to work. One must be alert at all times and must be able to initiate and complete several things at one time.

*High Chief Tuitele* explained that the traditional leaders (other than High Chief Misa) meant Governor Haydon should not leave until the training is completed, even if it meant four years, for whoever will be elected governor and lieutenant governor. Eastern District Governor Mauga then said that this could not be done, but Chief Tuitele countered that there should not be any difficulty. All that would be required is postponement of inauguration of the governor and lieutenant governor until 1976, he added.

*Speaker Utu* suggested that in view of the change made by Chief Tuitele and because our customs require unanimous decision, it might be advisable for Governor Haydon and Secretary Carpenter to submit two proposals to the convention. . . . the proposal by Governor Haydon and one by High Chief Leiato.

*Governor Haydon* said this must come through the Convention according to the Constitution.

*Mr. Tuiasosopo* added that any proposals must come out of the convention itself because it would be awkward for the Governor to initiate such a thing. It would appear that he was trying to steer the Convention.

*Secretary Carpenter* also stated he would certainly not want to give that impression and would prefer the timetable to be generated spontaneously from the Convention.

*High Chief Tuitele* said, "if that is the case, then I would support High Chief Misa for the 1976 timetable." He agreed with Governor Haydon that the government must not be run by an inexperienced individual.

At this point, Secretary Carpenter suggested a break for lunch and an opportunity for the Samoan members of the Commission to discuss the proposals by themselves. Afternoon session was scheduled for 2:00 p.m.

*Speaker Utu* opened the afternoon session by reporting that the traditional leaders and representation of the Fono had discussed the proposals and unanimously agreed to accept the election of lieutenant governor in 1974 and the governor in 1976. Additionally, they felt the guidelines and procedure on how this is to be implemented, whether appointed or elected, should be deferred to the Convention in 1973.

*Governor Haydon* asked for clarification of the terms elected or appointed?

*Speaker Utu* replied that either appointed by Samoan custom or whatever manner the convention would approve.

*Governor Haydon* wondered if it was the feeling of the Commission that additional meetings of the group would not be worthwhile except for informal meetings of the American Samoa participants.

*Speaker Utu* said the district governors and High Chief Leiato felt one or two more meetings of the Commission would be worthwhile.

*Secretary Carpenter* agreed. He said there may be some advantage to having another meeting of the Commission, but tentatively scheduled after the Constitutional Review Committee submits its report early next year. This, he said, may be desirable if Congressman Burton decides to push his bill for elective governor early next Congress.

*Governor Haydon* said, however, that Congressman Burton indicated he would not push the bill until he has visited Samoa and conduct public hearings.

*Secretary Carpenter* said this was true, and thought the schedule for the Commission could be tentative. He felt that there was some reason for one or two more meetings of the Commission next year.

The Secretary emphasized, however, that both Interior and American Samoa participants should keep in touch with each other in the event that each group would like to call a meeting.

*Governor Haydon* summarized the resolution on the procedure for the revised Constitution by saying that the Fono and traditional leaders will join together in a petition for special election in June of 1973. In the meantime Secretary Carpenter will discuss with Secretary Morton and the legal people in Washington whether there is legal authority to do this. He suggested again that it would help greatly if a letter or petition or resolution is approved in the January session of



the Fono asking Secretary Morton for a special election. He (governor) would write a letter of approval which could be endorsed by Secretary Carpenter.

*Governor Haydon* also said he would distribute all materials to the Fono and others involved, including county chiefs, as suggested by Speaker Utu.

*Speaker Utu* expressed the desire of the Fono not to repeat the same mistake by allowing communication with traditional leaders to break down. He said the Fono would pass a joint resolution with the traditional leaders requesting a special election for the revised constitution.

*Secretary Carpenter* asked if a smaller sub-committee of the Commission might be helpful in continuing discussions on other issues.

*High Chief Leiato* said this would be a very good idea.

*Governor Haydon* reminded the group that its membership will change somewhat, and wondered if anybody knew who was going to be Speaker or whether it was still in the "faamolemole stage". (laughter) He said, "I really hope that the next Speaker will be as cool and level headed like Chief Utu and not somebody that goes off like a firecracker, because we need continuation of frank and candid discussion such as we had during this meeting".

*High Chief Mauga* said, "It's not a bet, but I'm sure the next one is going to be a tough one." (laughter)

Then *Governor Haydon* said it would be alright as long as he is logical and intelligent. But *High Chief Mauga* was not sure and said, "Probably not a logical man." (laughter)

*Secretary Carpenter* made one final point and indicated that the Governor had recommended American Samoa as the next venue because of the expense in transporting the whole group to Washington, D.C. or anywhere else in the United States.

*Governor Haydon* said the current trip had done substantial damage to the budget for Samoan Affairs, Governor's Office and the Legislature. He estimated it would cost approximately \$20,000 for the Commission to meet in Washington, D.C.

*Chief Leiato* then said, "And that's a good place to meet." (laughter)

*Governor Haydon*, upon suggestion by Chief Mauga, said it might be a good idea for the Committee to meet in Oceanside when the sister city arrangement is concluded there in March. He asked for a show of hands of those people who had relatives in Oceanside. Chief Mauga said, "Probably the whole group". This again evoked laughter.

*Governor Haydon* then suggested that the meeting should be concluded, "... so that Chief Misa could pack and pick up Mrs. Reed." (boisterous laughter)

*High Chief Leiato* suggested that the sub-committee should be selected. After discussion by the chiefs, it was agreed that the three district governors, *Governor Haydon* and Secretary of Samoan Affairs *Leiato* will constitute the Committee.

*Chief Utu* asked if the Committee then would be continued until the goal of elective or appointed governor and lieutenant governor in 1974 and 1976 is accomplished. Secretary Carpenter replied in the affirmative.

*Secretary Carpenter* thereupon expressed his gratitude for the opportunity to meet again with the Commission and for the frankness and sincerity of discussions. He expressed his regret that Chief Leano was unable to attend the sessions because of illness.

*Governor Haydon* told the chiefs that he would be available at the hotel in case they needed assistance of any kind while in Honolulu.

*High Chief Leiato* concluded the meeting with traditional farewell remarks, also expressing the sincere appreciation of the chiefs for the opportunity to participate in the decision making affecting the future of American Samoa. He also expressed, for the chiefs, their best regards to the Secretary of the Interior.

PALAUNI M. TUIASOPO.

MR. CARPENTER. There was some division of opinion initially among the Samoan representatives on this committee as to timing and so on of a public election. This we feel has been resolved as of the end of the second meeting, which was in December.

That there was agreement reached that we should plan definitely for public election by 1976. There had been some opinion expressed



that possibly the Lieutenant Governor should be elected first in 1974, followed after 2 years, the election of the Governor himself.

Now, again, I point out that the Constitution Review Committee is also at work on this question, and on many others, and we do not finally have their full recommendations.

Governor HAYDON. On that question, it was passed for 1976.

Mr. BURTON. Could we go off the record here for a moment?

[Discussion off the record.]

Mr. BURTON. I am going to have to leave you again for about 5 minutes, and hopefully I will corral some of my colleagues. I hope your legislature runs a little more thoughtfully than ours does. We seldom know from one minute to the next whether we are going to do nothing all day, or spend all day running to and from our office to the floor to vote.

I will return in just a few minutes. If you would excuse me. The committee stands in recess.

[A brief recess was taken.]

Mr. BURTON. Why don't we have the other members, Senators and Representatives from American Samoa, join with us so we have everybody together?

Please, continue. You were at the stage of your testimony where you indicated that there was a consensus to elect the Governor and Lieutenant Governor in 1976. There was some discussion to elect the Governor in 1974.

Please pick up from there.

Mr. CARPENTER. Governor Haydon was just telling me that the Constitution Review Committee has come out, apparently, in favor of election in 1976.

Let me explain what appears to have happened in the November election of 1972. As you know, the legislature had passed a resolution calling for placing on the ballot at that time, among the referendum items, a referendum calling for a public election in 1974 of the Governor and Lieutenant Governor. This resolution was passed before the Constitutional Review Committee, which now is studying possible constitutional changes, had made its recommendation on the matter.

This came as quite a surprise to the three Paramount Chiefs, the three Samoan Governors that I referred to, and they felt this was pushing things a little too rapidly, and they entered into discussions with members of the Fono about withdrawing that referendum item.

When these discussions were not successful, the three Paramount Chiefs, the three Governors, went on the radio shortly before—

Mr. BURTON. Are you using the term, "three Paramount Chiefs," and "three District Governors" as the same?

Mr. CARPENTER. Yes.

And advised the electorate to turn down that referendum item. It was defeated along with three other items which were on the referendum.

In discussions following the election, it became clear that the steps taken by the three District Governors were taken entirely because they thought; one, that there had not been enough time before the election to prepare the electorate properly to vote on this item; and two, their own personal feeling that 1974 was a little bit early in time.



Governor Haydon may want to expand.

Mr. BURTON. Do you disagree with anything that has been stated up to this time?

Governor HAYDON. No; I do not disagree, Mr. Chairman. I would like to add this. I alluded to it in your hearings last year. We have somewhere between 3,000 and 4,000 Chiefs in American Samoa; Chiefs, High Chiefs, Paramount Chiefs—eight titles, one being contested at the present time. We have Talking Chiefs and High Talking Chiefs. That is a simplification of a very complex system, because all Chiefs are not equal in the statute of their title.

Each title has a personality and a difference in importance and prestige. Some people are Chiefs only as it applies to a single village, others are Chiefs over a larger area. It is a very complex system.

The thing that I would add is there still remains at the present time a difference in opinion between the segment loosely represented by the Fono, and the Paramount Chiefs, over the question of the popular election of the Governor. Many people and many Chiefs feel that the Lieutenant Governor should be elected by popular election; but that the Governor should be selected rather than elected by the Chiefs in the 14 district councils, which in effect would not be an election as far as U.S. Democratic style is concerned. However, in Samoa it would be quite in keeping with the style of Samoa that we mention so often in the hearings.

I think this argument will continue because of this method of selection—for example, I do not choose, I appoint the three District Governors, but I actually do not choose them. They are recommended to me by the Chiefs from the districts involved. I then appoint them, unless there would be some really serious or constitutional objection to their appointment.

This is woven so deeply into the fabric of Samoan life, this method of selection, that it creates an argument, as I think any of our Chiefs here or any of our members of our Fono, can explain to you. It really goes into Samoan life—and it does present difficulties.

Mr. BURTON. Senator Salanoa, I would like to have you respond. Where do you agree or disagree with what has been stated so far, and what other things would you like to add?

Senator SALANOA. Mr. Chairman and all of the members, my testimony as to the election of the Governor and the Lieutenant Governor was already in the record when the first hearing took place.

But I want to give, Mr. Chairman and other members, some background of the Government of American Samoa. When the legislature was formed in 1948, I was the President of the Senate. On last January 3, and when I spoke to the Fono, and when the Governor was there, I was told that the Government of American Samoa is operated in the same way that the Federal Government and the State governments are operated.

That is, that the three-branch government; namely, the legislature, to make the laws; executive, to see that the laws are enforced; and the judiciary, to determine and interpret the laws. There is no fourth body or fourth branch in the Government of American Samoa, because that was the solution.



All the Chiefs of American Samoa decided to establish a legislature. It was formally composed of the House of Representatives, and a Council of Chiefs up until 1950. Then the people decided to dissolve this government of Chiefs because they felt that it was not completed.

You know, High Chief Fuimanono, our delegate at large, is one of the High Chiefs of American Samoa. All these people here, we in spite of the fact that we are not holding those highest Chiefs, but we are coming from the big families whose titles are held either by our brothers or our cousins. In spite of that, we feel that the operation of the government is to be fair and square.

Now, speaking of the election for Governor, the Fono passed a resolution calling for the election of the Governor in 1974. There were also three other resolutions, but they were all turned down by the voters, because (1) they—the voters—were so confused, (2) the District Governors' broadcast at the last moment, and (3) the people thought some changes had been made by the Chiefs and the legislature. So the voters were confused, and therefore voted these four proposed amendments down, including the proposed amendment which authorized the Governor to call a special election after the revised Constitution is completed sometime in June.

That amendment was also turned down because the people were so confused. However, I think that there was a meeting called by the Secretary of Samoan Affairs, and it was resolved that the Governor should be elected, and the Lieutenant Governor.

Now, I am a member of the Revised Constitution Committee, as was alluded to. We came to a conclusion that the Lieutenant Governor and the Governor should be elected together in 1976; I think that there was some suggestion, as was pointed out, that the Lieutenant Governor should be elected in 1974, and that the Governor be elected in 1976.

The committee did not accept that idea because they felt that the Lieutenant Governor and the Governor should be elected at the same time. There is a question in the minds of the Samoan people, especially those that are old, they feel—I do not know where they get the idea—but they feel that if American Samoa would elect the Governor and the Lieutenant Governor, the United States will ignore the affairs of American Samoa.

They may think that the financial support from the United States is going to be very, very little; you see. Because of that impression, it might compel some of our people to feel that the Governor should not be elected. That is something we would like to put before your honorable chairman and members of the committee, because some Samoans might fear that the election of the Governor and the Lieutenant Governor by the Samoan people will compel the United States to forget about us.

Mr. BURTON. I would hope that that is not the case, and I do not think so. I think that is a mistaken worry.

Mr. Speaker, would you react to anything that the three previous witnesses have stated, and give any other opinions you may have with reference to this elected Governor proposal?

Representative LE'IA TO. Thank you, Mr. Chairman, and members of the committee.



I have little to add to the President's remarks in response to Secretary Carpenter's remark, also Governor Haydon's. As far as the election of the Governor and Lieutenant Governor is concerned, last year in November when we had the election, as the President stated, the night before the election, the three District Governors—as Secretary Carpenter mentioned, they're Paramount Chiefs—they did confuse the people.

As a matter of fact, I have the record. I have the tape-record with me at home. And of course, the Governor himself ordered the man—he is the director of the radio station—to continue these broadcasts several times before the election the following morning.

Therefore, all of the proposed amendments to the Constitution were canceled, because the people were confused; plus, the subject of the election of the Governor and the Lieutenant Governor. So it was turned down.

As a matter of fact, some of the Chiefs broadcast that all the amendments should be turned down. So therefore, the idea of the election of the Governor in 1974 was turned down.

So, to me, if it was not for that, I think the people were pleased with the idea of the election—of electing the Governor—and also some of the amendments. So—and this is my own opinion—I think the main cause of it was the confusion of the people. Because I, myself, as an elected Member of the House, I was in our own district. I was told—people asked me, what shall we do? I said, well, I do not know. Please yourself. If you feel everything should be turned down, it is up to you.

So, I strongly feel that that was the cause of the whole thing. That is all I can say at this moment.

MR. BURTON. Do you have any disagreement with any of the previous witnesses?

CHIEF FUIAMAONO. I think I should define before the committee, Mr. Chairman, democracy in American Samoa. Back before the United States ever came, we had a very strong democracy, and I believe this is today a very true democracy. We start from the village level, which is composed of the many chiefs, and the village High Chief. This is the council at the village level.

The county level, is composed of a county Chief, usually a Paramount Chief, and so many Chiefs under him. The next step in our democracy is the district, which is composed of so many counties, and so many Chiefs, and the Paramount Chiefs from these counties, from a District Council.

Then it comes to an Island Council, which is composed of the District Council, the western district, the eastern district, and the Manu'a district. These are the three separate districts of the whole Island Council.

I agree with and fully support the statement of the legislature before the committee; however, I do believe that it was not a point of confusion with the people. It is a point of our people's custom to respect their Chiefs.

When the Paramount Chiefs spoke to the people—and I think it's wrong for the three District Governors to use the government with radio and television to campaign against the constitutional amendment; I do not approve of anything from this part of the govern-



ment, with the power and the authority invested with the Paramount Chiefs to tell the people that you shouldn't vote for this.

I think it is up to the individual, and not to campaign against anything, because people know what is best to do, and because of the statement from the President and the Speaker, I do not think it is a confusion of the people. It is part of our custom for the people to respect their Chiefs.

Mr. BURTON. In other words, you believe that the Chiefs should not have been permitted to speak on the radio?

Chief FUIAMAONO. I do not believe this.

Mr. BURTON. Did anyone have an opportunity, Governor, to respond if you will by an equal time arrangement?

Governor HAYDON. No, sir, Mr. Chairman, but in reverse, yes, because the sessions of the Fono are all broadcast continuously on radio.

Speaker Le'iato is both correct and incorrect. The Paramount Chiefs and District Governors had met with the members of the Fono and thought that they had an understanding with them, that they would withdraw this amendment from the ballot, and came in at the last minute and said, in effect, that they haven't kept their word. They promised to withdraw it. They left us no time to go and hold the normal village council meetings, as Chief Fuiamaono has described.

Mr. BURTON. Governor, without getting into the merits on general coverage of the proceedings in the legislature, that cannot be considered the equivalent of an equal time arrangement when people are talking for and against a very specific proposal just before the time that the people are going to vote.

Governor HAYDON. These items had been discussed in detail by members of the Fono.

Mr. BURTON. Could you provide us with a transcript of the statements made by the chiefs?

Governor HAYDON. Speaker Le'iato says he has the tape.

Mr. BURTON. Would you see that is made available to us, and the translation of it.

[The subcommittee was subsequently informed that Speaker Le'iato was unable to locate the tape or transcript.]

Chief FUIAMAONO. I would like also, Mr. Chairman, if you will allow me to complete my statement before the committee.

Mr. BURTON. Yes.

Chief FUIAMAONO. I feel that this is all premature at this stage, because even if this committee, which is working on the proposed amendment to the Constitution, when it comes to the convention for the constitutional revision, which will come, I believe in June?

Governor HAYDON. The Constitutional Revisional Committee is to report on, all things being equal, May 23. Following that, I can call a Constitutional Convention if they get their work done on time, the Commission and the Secretary of Interior. We can have this special election in 1973, June or July, which was one of the amendments defeated in the election.

Sir, that was another——

Mr. BURTON. Who selects the members of the Constitutional Commission?

Chief FUIAMAONO. That is what I'm trying to explain.



The Constitutional Convention is represented by county councils in relation to the population. On this council, I believe, there was no one from the third or fourth level great chiefs that were elected to be delegates to this convention for the revision of our constitution.

When it comes to the final Constitutional Convention revision, that is the time that I will be ready to present my argument. I feel that there is no sense of making an argument now, because this convention will finally settle every single item of the constitution, and that will be the final constitution, provided that the constitution as amended be forwarded to the Secretary of Interior, and of course the Governor, for their consideration.

That is why I feel that I am sorry for not giving you my opinion for the elected Governor, the Lieutenant Governor. I will keep my presentation until such time.

Mr. BURTON. Governor Haydon, how will these delegates to the convention be selected?

Governor HAYDON. They are chosen by the county councils.

Mr. BURTON. How many county councils are there?

Governor HAYDON. Fourteen.

Mr. BURTON. Are they roughly one man, one vote?

Governor HAYDON. Well, under what Chief Fuiamaono has described as the Samoan governmental democracy, there are family discussions, there are village discussions, it gets up to the district and county discussion and, finally, it is ended by the highest chief who is present, who says that this is the way it will be.

This has been for centuries in American Samoa. By law, as President Salanoa has pointed out, there are three branches of government; but, there is a fourth arm of government in Samoa. It is what Chief Fuiamaono is talking about. It will not go away.

Mr. BURTON. Even the notion of plebiscite in theoretical political science terms, cuts across that traditional method of making decision. Does it not?

Governor HAYDON. As Chief Fuiamaono has pointed out, because of the respect that is traditional in Samoa of the people for their chiefs, the Paramount Chiefs, if they chose to oppose the constitutional recommendations that we will be voting on later in the year, or candidates for Governor, I think they would easily defeat them, just as they defeated this measure, because of this deeply built-in Samoan custom.

Mr. BURTON. So, I will restate my request to you. I would like to have a translated version of the statement made by the chiefs, and how often it was replayed and at what points in time with reference to the election; and what, if any, statements were authorized in essentially the same time frame, taking the opposing point of view.

Let me make one thing clear, my idea for providing that people of American Samoa have the right to elect its Governor, was in no way intended to impose our will on the Samoan people. It was intended essentially to provide that the selections be held if the Samoan people wanted to proceed with an election, not to require it.

It is not my intention in any way to force an election. It is only our intention to extend this added step or add a traditional step in terms of self-determination to the extent that the people of American Samoa want to take that step.



I hope that our advancing this idea, which we did with what I thought very clear ground rules, that I was determined that the issue must be discussed, not that we proceed with a requirement that the issue be decided, and that American Samoa must elect its Governor. That was the first point I was trying to establish.

Now, that I have said that, I am hoping upon hope that some more of my colleagues come here before we get into the broader picture. Let us now get into a little bit of looking down the road. Let me stay with the elected Governor issue just for a minute.

Is the administration fairly well of the mind that authorizing an election in 1976 would receive their support?

Governor HAYDON. Yes.

Mr. BURTON. Are you of the mind that we do not define what an election is for purposes of the Governor, or for that matter the Lieutenant Governor?

Governor HAYDON. I think that at least not until after the Constitutional Convention has been held and the methods by which the Lieutenant Governor and Governor can be elected can be spelled out and voted on by the people.

Mr. BURTON. Then I assume, that the form of the legislation should be taken to the extent decided and in the manner determined by a vote of the people of American Samoa.

Would that, then, get us over this dilemma of us defining in the legislation what the election is?

Governor HAYDON. Yes. I think that would bring it right to you, so you could prepare legislation in consideration.

Mr. BURTON. Does that sound acceptable, Mr. President?

Senator SALANO. Yes.

Mr. BURTON. You must know by reputation if nothing else, that we on this committee do not consider ourselves colonial overseers of American Samoa. In the first place, I have the largest Samoan constituency in the country and they all vote for me. It would be very foolish for me to change that relationship.

It is our determination to be as of much help as we can, for you to help yourselves as you see fit, rather than imposing our will.

Senator SALANO. Mr. Chairman, in the first place, you see, the election of the Governor and the Lieutenant Governor shall be born from us.

Mr. BURTON. So if the legislation says in 1976 or at such later date as determined by the vote of the Samoan people, there shall be an election as so determined by the Samoan people. That then, in effect, will leave that decision to the Samoan people, either in a popular election, or utilizing more traditional methods?

Does that create more trouble? Is that helpful, or does that create more of a problem?

Mr. Speaker?

Representative LE'IATO. I cannot give you my opinion right now. I think the matter, as Delegate Fuiamaono has stated, is that right now the matter is being discussed by the Committee of the Convention—it is a subcommittee—and after their discussion their report is forwarded to the convention, which is formed by the members of the different councils of American Samoa—after that, it will go to the voters.



Right now, as High Chief Fuiamaono explained, based upon the culture and the traditions of American Samoa, it is rather difficult to understand as far as the ranks of the chiefs are concerned. So right now, I have no opinion as to what I think as to what framework should be used in selection or election of the Governor and the Lieutenant Governor at the moment.

Mr. BURTON. Let us get to the notion of even the eligibility to vote. Would there be a requirement that it not be permitted, that one must own land to vote?

Governor HAYDON. No. We have voter registration.

Mr. BURTON. You must be 18 or over, is that an intrusion in the process?

Governor HAYDON. I do not believe so. We have very heavy voter turnouts. In the last election, it was over 90 percent voter turnout.

Mr. BURTON. I am only trying to wade through the thicket of how many ground rules we should impose; whether that would permit a limitation, and only property owners could vote, or a limitation that anybody over 18 must be able to vote if they are American Samoans, or whether we should finesse all that.

Governor HAYDON. I think that if you did, it would be unconstitutional in American Samoa, because we have laws and regulations which govern which people may vote just as we have in the United States.

Mr. BURTON. Should we just leave that to the constitutional processes of American Samoa, rather than us getting involved in it?

Governor HAYDON. I would believe so, Mr. Chairman. The laws were passed by the legislature setting up the election process.

Mr. BURTON. While we are throwing ideas around—and I'm not sure about all of this, but this is a logical question as it occurs to me—we, as you know, now provide in the House of Representatives for a delegate from Puerto Rico—a Resident Commissioner in this respect—and delegates from the American Virgin Islands and Guam.

It may well be wise not to unduly confuse the discussion of the elected Governor bill, but just as within the past 2 years I have made an effort to force discussion on the question of the elected Governor idea, I similarly have in mind forcing a discussion on whether or not we should, after the decision on the elected Governor bill, consider whether or not American Samoa should have as Guam, and these other areas I mentioned, have a nonvoting delegate in the House of Representatives.

Chief, do you want to react to that?

Chief FUIAMAONO. I feel that that has to come through the convention also, and the Fono in American Samoa if they wish to do that after or before. I feel that it is their privilege from the government of the American Samoa.

Mr. BURTON. I do not say that that would be very easy to do here. Yes, Senator?

Senator SALANO. Is there any possibility that we can have our Delegate-at-large in the same status as with Guam and the Virgin Islands, because I think that you are aware that Guam and the Virgin Islands are organized, unincorporated territories, and we are not.

Mr. BURTON. I understand that.



Senator SALANOA. There is a question in our minds in connection with the act of Congress to place us under another act. If there is any possibility to put a delegate-at-large in the same status, we would greatly appreciate it.

Mr. BURTON. Mr. Speaker?

Representative LE'IATO. I have no more to say. This is the idea that the President has stated. One time one of the Members of the House introduced that, but this is the idea that it was turned down, as the President—

Mr. BURTON. Turned down here?

Representative LE'IATO. No; in our local legislature.

Mr. BURTON. It would be obvious to me that we would not want to impose any burden or changes in your status. It would be my thought that if you decided that this might be useful, that we would make an effort in this respect. Most people do not believe that we were going to win in the election of the Delegate from the Virgin Islands, Mr. De Lugo here, or the Delegate from Guam. Peculiarly, given the political arrangements in our country, it would be easier for us to pass this legislation some time in the next 3½ years while the Republicans are still in the White House, because if they agree to this, which would be required, really, it then gives us the maximum possibility politically of getting it approved.

It has been my intention to introduce this legislation with the majority, I hope, of my subcommittee being the co-authors, but not until after we introduce the Governor's bill, which I have not re-introduced yet, not wanting unduly to confuse the debate.

But some time in this Congress I intend, in the absence of being convinced to do otherwise, to introduce this bill to force discussion. I do not want to pursue the administration to a judgment in this respect at this time, but merely to come to terms with this issue. Then in the next Congress, I will be looking for a little bit more in the way of a definitive response from the administration.

But as I say, I do not want to confuse the elected Governor's bill necessarily with this idea, but Governor Haydon, I would be interested in a top of the head reaction, and also you, Mr. Secretary.

Governor HAYDON. My personal reaction is that one should follow the other, Mr. Chairman. The President has expressed—I am not sure that it came across, but there is a very definite worry about an organic act for American Samoa because it would render unconstitutional our mandated nation law.

As the President said, American Samoa in his personal opinion would enjoy having a nonvoting delegate or a seated representative, if it could be done without the passage of an organic act which would defect our land alienation laws.

Mr. BURTON. It has not been written in the heavens that people must have an organic act before they have a voice in Congress.

Governor HAYDON. There is a very deep concern about the land question.

Mr. BURTON. I appreciate that, but I do not see that as a problem. I cannot imagine this committee or Senator Jackson imposing such a requirement and if—the whole proposal, whatever it may be, did more damage than good—we would draw it up; presumably, the ad-



ministration would veto it although I do not even think we could get it passed.

It would not be my intention to try to work over the objection of the administration. It obviously would be my intention to nurse them along a little bit.

If we were going to go to American Samoa, what would be the best time if we were trying to do it some time this year politically and climatically?

Governor HAYDON. We have no elections this year with the possible exception of the constitutional election at the discretion of the Secretary of Interior; any time, we would like to have you come to American Samoa.

I think a lot of these questions that you are talking about would begin to fall in place for you when you are on the scene in American Samoa. The worst time to come, from the standpoint of physical discomfort, is from December on for about 3 or 4 months when it is extremely hot, and extremely sticky.

In October, we will probably have the meeting of the Pacific Legislative Conference of which Chief Salanoa is the President. In late August, we will be dedicating our new Fono Building, which will be a very meaningful occasion in American Samoa.

Any time would be satisfactory for your committee to visit.

Mr. CARPENTER. I think any of the two times mentioned, that is the dedication of the Fono, or the legislative conference would be a good time.

Mr. BURTON. It would be helpful if you send us a bifurcated invitation, Governor, for one time or the other.

It is my intention, assuming that it is reflective of the will of the people of American Samoa, to some time in this Congress shoot for the 1976 election date, so everybody is forewarned. If we perceive that there has been a dramatic shift in sentiment, then, obviously, we would have to reconsider that time frame. Even if we did it, and we found a dramatic reversal of opinion—do you entertain any thoughts as to postponing that 1976 date?

I think that this is going to be done if the Samoans have decided that they would like to proceed and the legislation is structured with a language that does not get us into the thicket of eligibility or what have you, or even a definition of election if you will. It might be better to be done this year, or next year with the view to 1976 being the time of the election.

Governor HAYDON. After July, we will have the results of the people's feelings about constitutional revision, which would help the committee.

Might I ask, would it be of any value for the committee to send you a copy of our election procedures and laws?

Mr. BURTON. That would help, and if you have any informal thoughts on a draft that would help.

[The material referred to follows:]

#### ELECTION PROCEDURES

Sec. 7. Qualifications of electors.—Every person of the age of 18 years or upwards who is a United States national and who has lived in American Samoa for a total of at least two years and has been a bona fide resident of the



election district where he offers to vote for at least one year next preceding the election and who meets such registration requirements as may be prescribed by law shall be deemed a qualified elector at such election. No person under guardianship, non compos mentis, or insane shall be qualified to vote at any election; nor shall any person who has been convicted of a felony be qualified to vote at any election unless he has had his civil rights previously restored to him or unless he has maintained good behavior for 2 years following the date of his conviction or his release from prison whichever is the later.

#### CHAPTER 2.05—ELECTION OF MEMBERS OF THE HOUSE OF REPRESENTATIVES

Sec. 2.0501—Secret Ballot: All elections of members of the House of Representatives shall be by secret ballot. At each polling place there shall be a voting shelf or compartment at which each voter can mark his ballot in complete privacy, and such other election supplies as are necessary. (Public Law 7-28, 1962)

Sec. 2.0502—Time of elections: Elections of members of the House of Representatives shall be held in each even numbered year beginning on the first Tuesday following the first Monday of November and ending not later than three weeks thereafter. (Public Law 7-28, 1962)

Sec. 2.0503—Election commissioner: The Governor shall appoint an Election Commissioner on or before July 1 of each election year to supervise and administer each election. The Election Commissioner shall have the power to establish the time of election in each election district including the hours during which the polls shall be opened, and to establish such procedures and make such rulings, not inconsistent with law, as are necessary for the orderly conduct of the election. (Public Law 7-28, 1962)

Sec. 2.0504—Election board: The Governor shall, on or before July of each election year, appoint an Election Board of three members, two of whom must be permanent residents of American Samoa. The Election Board shall act as a board of appeals regarding any matters referred to it by the Election Commissioner or by any person aggrieved by a decision of the Election Commissioner. Appeals shall be taken by oral notice to any member of the Board. (Public Law 7-28, 1962)

Sec. 2.0505—Registration of voters: The Election Commissioner, as soon after taking office as convenient, shall establish the necessary procedure for the registration of all qualified voters. (Public Law 7-28, 1962)

Sec. 2.0506—Nomination of candidates: Candidates for membership in the House of Representatives shall be nominated by a petition, in the form established by the Election Commissioner, signed by at least 25 registered voters of the election district from which he seeks election. Blank petitions shall be distributed in each district by the Election Commissioner. Executed petitions shall be filed with the Election Commissioner on or before October of each election year. The Election Commissioner shall determine whether the nominated candidates are eligible for election, and shall cause ballots to be printed for each district bearing the names of all qualified nominees. (Public Law 7-28, 1962)

Sec. 2.0507—Distribution of sample ballots: At least ten days before the election, the Election Commissioner shall cause sample ballots to be distributed among the qualified voters, so that the electorate will be informed of the names of the candidates. (Public Law 7-28, 1962)

Sec. 2.0508—Elections: The Election Commissioner shall cause polling places to be established at control locations in each district, and shall see that the polling places are adequately supervised on election day. A poll supervisor, appointed by the Election Commissioner, shall be present at each polling place during the hours of election, and shall have a complete list of the registered electors of the election district. The poll supervisor shall issue to each qualified voter a blank ballot and instruct each voter as to the proper method of executing his ballot. (Public Law 7-28, 1962)

Sec. 2.0509—Counting ballots: When the voting has been completed and the polls closed, the Election Commissioner shall cause all ballot boxes of each election district to be assembled in a central and public location within the election district. The ballot boxes shall be opened publicly and the ballots counted. Each candidate, or a designated representative, shall be entitled to sit with the enumerator and shall, with the Election Commissioner, determine the acceptability of the individual ballots. Upon completion of the tabulation, a public announcement of the results shall be made. (Public Law 7-28, 1962)



Sec. 2.0510—Certification of election results: Upon completion of the elections in all of the election districts, the Election Commissioner shall submit a list of the results of each election to the Election Board. When the Board is satisfied that the elections have been conducted in accordance with this chapter and the established procedures of the Election Commissioner, it shall certify the election of the winning candidates in each election district to the Governor, the Chief Clerk of the House, and the Secretary of the Senate. (Public Law 7-28, 1962)

Sec. 2.0511—Violations: Any person who shall vote or attempt to vote more than one time, who shall interfere with the orderly process of the election, or who shall forcibly restrain any person from casting his vote, shall be punished by a fine not to exceed two hundred dollars (\$200) or imprisonment for not more than 60 days, or by both such fine and imprisonment. (Public Law 7-28, 1962)

Mr. BURTON. You have my desire, which is to authorize the election, not set up a whole variety of congressionally mandated procedures. I am not sure what, if any, safeguards we would need if we virtually do not have any ground rules. But it would be helpful if we get some kind of informal draft, so that we could kick it around a little bit, as I will, with our ranking minority member, Mr. Clausen, so that before it's introduced, we have walked around what kind of language might be useful.

I have not looked recently at the bill that I introduced last year. I do not really know whether that bill says all of it or needs to be changed.

Do you have any recollection?

Governor HAYDON. My recollection is that it probably could be expanded somewhat in accordance with some of the comments that you have made. If you would agree, why don't we try our hand at some language sometime after the Constitutional Convention?

Mr. BURTON. You can have it worked on before. It's the introduction that you would have to worry about—the hearings. I don't want something put in before somebody has a chance to look at it, and find out why you have one version instead of another version.

If we could do this by way of informal correspondence, it would make it a lot easier. Then we could all settle on a precise wording, rather than explain why we didn't follow this or that draft.

Senator SUNIA. May I say something?

Mr. BURTON. Yes; please do.

Senator SUNIA. I appreciate the position that our feelings should be respected insofar as the rules of the selection of the election should be. However, I do feel, Mr. Chairman, that the Department of the Interior at all times should never let loose its guiding hand to assure that we do have a democratically selected Governor.

It is all very well to try to protect our customs and traditions, and I personally love those customs and those traditions; however, I think that in the matter such as the election of the Governor, we should weigh it a little bit more; we should place a little more weight on the future of such an arrangement in view of the developments all over the world, particularly in the selection of the chief executive.

I think nothing less than full democracy in that selection should be our goal. We have proved in the case of the only one territorialwide election we have held—in which we elected High Chief Fuiamaono—that we can do this, and that the people still value the customs and traditions sufficiently to elect a Paramount Chief.



I realize, now having lost to the chief in the election, that the people still value the customs and the traditions. So I think that we have nothing to lose by going the full route of democracy.

Mr. BURTON. Of course, I share that point of view in the abstract. It's pretty difficult sitting here trying to be of help, but not to over-manage, because pretty soon over managing looks a little bit like the old colonial days. I am not quite sure in any given situation how I discharge my responsibilities in light of my own philosophical commitments.

I view my responsibility to be as of much help as I can to the people living in these offshore areas that are under the general legislative jurisdiction of this subcommittee, but without interfering, if you will, by imposing my judgment or will on them. It is oftentimes quite difficult to strike that balance. Sometimes, it is very difficult.

But I do not live in American Samoa. I do not have to live with the mistakes. I do not benefit from the wisdom, and I probably will lean very decisively on the side of not getting involved too much with the fighting on what standards of conduct are necessary in terms of an election.

I just do not know. That would trouble me a great deal. I would think on the record, that if the Paramount Chiefs opposed these proposals, if they were defeated, they should feel very comfortable that they have the influence and the respect that is self-evident in the results.

That could get to be very difficult philosophically. I do not know quite how I would handle that. I would strongly prefer the Samoan people decided to vote that way. I do not know whether that is kidding myself.

Senator, you look like you want to say something.

Senator SALANOA. No.

Senator SUNIA. I hope I made my point; I quite appreciate yours, Mr. Chairman. I merely wanted to express that. On the other hand, we may live forever under the mercy of the Paramount Chiefs. We might never win an election, but that is all right.

Mr. BURTON. Yes, sir.

Representative STEFFANY. Mr. Chairman and committee members, I would like to comment on the part as far as the resolution that we introduced in the House last year, trying to have—requesting Congress to have a seat for our Delegate in Congress. This resolution was killed in the Senate for one reason, as the President has stated, because of the organic act part.

However, the biggest percentage was the fact that they feel, up there in the Senate, that the time is too fast. We have just established this post in 1970. Now, we are requesting Congress to do the same. It seems to me, that it took 6 or 8 years before the Virgin Islands could come in after they have requested a seat in Congress.

Mr. BURTON. I was not chairman of the subcommittee then. And I will not be chairman of the subcommittee forever. If it is a good idea, we ought to start trying while I am subcommittee chairman.

I think it would perfect the processes of our people if we had a Delegate from American Samoa. I think it would be a very good thing for everyone. And at this time even though it is not necessar-



ily relevant, maybe, I would like to have Mr. de Lugo explain in about 3 minutes the big difference between his position this year and last year. As the chief has found to his own dismay in part the difference between being an elected member, and no matter how well respected, being a nonelected member, and trying to get the attention of either the executive department or Congress.

Would you like to take a couple of minutes?

MR. DE LUGO. Thank you very much, Mr. Chairman.

First, let me welcome all of you here. I have really enjoyed listening to this discussion today. Along with our chairman, I look forward to visiting American Samoa.

In answer to the chairman's request let me say the difference is night and day. I, myself, have been really bowled over at the difference between being a Washington representative, elected, such as your chief, for 4 years, and I was able to do quite a bit, and I thought that the difference would not be great.

Let me say that before coming up here, I had served 10 years in our legislature and had a background in government in the Virgin Islands. I was fortunate because in the time that I had served in the legislature in the Virgin Islands, I had come many times to Washington to lobby on behalf of the people of the Virgin Islands, as you are doing here today. So I got to know Chairman Burton and many other Members of Congress on both sides of the aisle. This goes back to the 1950's.

Great courtesies were extended to me during the 4 years that I served as the Washington representative but they were only that, courtesies. While they were very courteous and very helpful to me, it was very different than it is now. Now, when I want to speak with a Member, they are my colleagues, we are colleagues.

Although I do not have a vote on the floor, I have a vote in committee, on this committee or any other committees on which I serve. I can introduce legislation. I can offer amendments. I can speak on the floor, as I shall be speaking in a little while this afternoon. I have a vote in the caucus.

I tell you quite frankly that even though I had 16 years in government before I was seated as a Delegate in the House, I am completely stunned by the difference in the authority that I have as a Delegate—and a colleague, and that which I had last year.

If I pick up the phone and request help from one of the departments, I get it. A policymaking individual will come up to my office and help to work out these problems. I have at my disposal the American law division of the Library of Congress, the GAO, and the excellent staff of this committee and the full committee.

It is pretty wonderful, and the salary is not bad either. [General laughter.]

MR. BURTON. You cannot be represented with maximum possible effectiveness without having your representative being a Member of the House; all the way from trying to see a Congressman—and as the Chief knows, that is difficult; it is even difficult for us—but at least if you have the privileges of the floor, if you have a vote, you can catch the Congressman while you are on the floor and save yourself hours and hours of work.



As I said earlier, I do not want to confuse the elective Governor bill with this other. But if I could work out a time sequence, I would work it out so that when your political processes reach a judgment, we would enact legislation in this Congress for an elected Governor and other offices. Perhaps we should just say the Governor and such other offices as are determined, which leaves that flexibility. Then, if you will, the minute that we get that bill out of the House, would be the time to introduce the Delegate bill, even though it would be understood that we would not try to do anything with it this year. But we would press very hard to get it done next year.

So I intend to do that, although do not misread it that it is likely to happen right away, although it just might. We will see. We will push it as fast as we think we can get political support for it. If we don't do it this Congress, maybe we will do it next.

Now, let us get on to the laundry list of problems. I should observe protocol and I will in the sense that I'm going to recognize the Chief. Then for the next purpose, I want a laundry list of all the things that we ought to be doing to be of some help in this committee or in other committees where you think you have some problems.

Chief?

Chief FUIAMAONO. I have to defend my position. I want this to be in the record. I want to explain to the committee that I was not elected to this position because I am Paramount Chief; I was elected to this position because I will be working very hard, and I think I deserve it because I spent all my life working for the government.

I can submit all of the qualifications that I have to this committee, that is why I feel I was not elected because I am a Paramount Chief. I want this to be in the record, because you have heard other comments on this.

It may be a misunderstanding for the committee to think that I was elected because I am a Paramount Chief. I was elected because I am an individual citizen of American Samoa through hard work.

Mr. BURTON. Most of us who win elections think it's because we deserved it. The record will contain your statement in that respect. I am not going to get into the problem of parties or nonparties. I think that probably is not useful at this premature stage.

I can think of no better way to proceed, Mr. Secretary, than you bearing the onus of which order I ask people what that laundry list of things undone or possible problems that we ought to be worrying about. Do you want to give it to the Governor?

Mr. CARPENTER. May I suggest that the Governor start, and the others certainly will have other problems.

Mr. BURTON. I'm sure this army of staffers we have will all be taking notes.

Please proceed, Governor.

Governor HAYDON. Mr. Chairman, our problems I would assume are the same that you are hearing from the other territories, primarily the fact we are not included in the general revenue sharing bill, and that we face, in the case of American Samoa, about \$2 million in categorical grants fund cuts.

Mr. BURTON. Do you have those cuts identified?

Governor HAYDON. Yes, sir.



Mr. BURTON. Without objection in this point in the record, we will have them included.

[The material referred to follows:]

FEDERAL GRANTS TO THE GOVERNMENT OF AMERICAN SAMOA, MAR. 28, 1973

[Federal funds only]

Purpose of grant: Name of grant or authorizing legislation	Fiscal year 1973 Federal grants actual or estimated	Fiscal year 1974 Federal grants anticipated as of—	
		September 1972	March 1972
OPERATIONS			
Educational and Cultural			
Assistance for educationally deprived: Elementary and Secondary Education Act, Title I.....	\$358,000	\$358,000	\$357,000
School library resources: Elementary and Secondary Education Act, Title II.....	30,000	30,000	0
Supplemental education centers: Elementary and Secondary Education Act, Title III.....	170,000	151,000	170,000
Planning and evaluation: Elementary and Secondary Education Act, Title V, pt. C.....	17,000	17,000	0
Strengthening State Departments: Elementary and Secondary Education Act, Title V, pt. A.....	70,000	73,000	0
Special subject areas: National Defense Education Act, Title III.....	12,000	54,000	0
Teacher training: Education Professions Development Act, pt. B-2.....	15,000	15,000	0
Drug education: Education Professions Development Act, pt. D.....	10,000	10,000	0
Library services: Library Services and Construction Act, Title I.....	45,000	45,000	0
Library construction: Library Services and Construction Act, Title II.....	0	21,000	0
Inter-library cooperation: Library Services and Construction Act, Title III.....	10,000	10,000	0
Direction and supervision: Manpower Development and Training Act.....	42,000	34,000	42,000
Institutional training: Manpower Development and Training Act.....	30,000	100,000	230,000
School lunch program: National School Lunch Act.....	474,000	328,000	474,000
Comprehensive planning: Higher Education Act, Title I.....	20,000	20,000	0
Educational opportunity: Higher Education Act, Title IV, A.....	2,000	0	0
College work study: Higher Education Act, Title IV, C.....	27,000	20,000	0
Handicapped school programs: Education of the Handicapped Act, pt. B.....	70,000	71,000	170,000
Teacher training: Education of the Handicapped Act, pt. D.....	50,000	50,000	0
Vocational education for handicapped: Vocational Education Act.....	6,000	8,000	16,000
Handicapped school programs: Elementary and Secondary Education Act, Title III.....	18,000	18,000	118,000
Vocational education in community college: Vocational Education Act.....	88,000	80,000	189,000
Vocational Advisory Council: Vocational Education Act.....	32,000	32,000	132,000
Educational films: Adult Basic Education Act.....	41,000	41,000	141,000
Television equipment: Communications Act, Title III, pt. IV.....	164,000	0	0
Operation of Museum and Arts Council: National Foundation for Arts and Humanities Act.....	50,000	30,000	50,000
Subtotal.....	1,851,000	1,616,000	1,379,000
Health Services			
Comprehensive health planning: Public Health Services Act, sec. 314(a).....	77,000	77,000	77,000
Public health operations: Public Health Services Act, sec. 314(d).....	201,000	201,000	201,000
Mental health operations: Public Health Services Act, sec. 314(d).....	65,000	65,000	65,000
Solid waste planning: Resource Recovery Act.....	26,000	0	0
Maternal and child health services: Social Security Act, Title V, sec. 503.....	0	0	161,000
Crippled children's services: Social Security Act, Title V, sec. 504.....	0	0	146,000
Subtotal.....	369,000	343,000	650,000
Economic Development			
Dory building: Economic Opportunity Act, title II.....	50,000	0	0
Taro production development: Economic Opportunity Act, Title II.....	165,000	0	0
Shopping center complex: Economic Opportunity Act, Title II.....	20,000	0	0
Planning assistance: Public Works and Economic Development Act.....	0	63,000	0
Comprehensive territorial plan: Housing Act, sec. 701 (HUD).....	75,000	75,000	75,000
Commercial fisheries research and development: Commercial Fisheries Research and Development Act.....	120,000	120,000	120,000
Sport fisheries inventory and development: Federal Aid in Sport Fish Restoration Act.....	69,000	44,000	69,000
Employment statistics for O. & H. standards: Occupational Injury and Health Statistics Act.....	0	15,000	0
Implementation of statistics program: Occupational Injury and Health Statistics Act.....	3,000	0	3,000
Commercial fisheries instructor training: National Sea Grant College and Program Act.....	63,000	0	0
Subtotal.....	565,000	317,000	267,000

See footnotes at end of tables.



## FEDERAL GRANTS TO THE GOVERNMENT OF AMERICAN SAMOA, MAR. 28, 1973-Continued

[Federal funds only]

Purpose of grant: Name of grant or authorizing legislation	Fiscal year 1973 Federal grants actual or estimated	Fiscal year 1974 Federal grants anticipated as of—	
		September 1972	March 1972
Conservation and Environment			
Air and water pollution control education: Clean Air Act.....	0	0	20,000
Transportation			
Highway planning: Federal Highway Act.....	30,000	0	0
Transportation study: Federal Highway Act.....	18,000	0	0
Subtotal.....	48,000	0	0
General Government			
Vocational training: Manpower Development and Training Act.....	34,000	21,000	<sup>2</sup> 34,000
State administrative expense: Manpower Development and Training Act.....	15,000	0	<sup>2</sup> 15,000
Neighborhood Youth Corps: Economic Opportunity Act, Title I-B.....	<sup>4</sup> 60,000	93,000	<sup>2</sup> 60,000
1-year employment for unemployed: Emergency Employment Act.....	<sup>4</sup> 87,000	0	0
Public service careers: Economic Opportunity Act, Title I-B, sec. 123a.....	0	0	0
State planning: Occupational Safety and Health Act.....	0	23,000	46,000
American Revolution Bicentennial: Public Law 92-236, sec. 9.....	<sup>4</sup> 60,000	0	0
Subtotal.....	256,000	137,000	155,000
Public Safety			
Law enforcement planning: Omnibus Crime Control and Safe Street Act.....	<sup>4</sup> 116,000	104,000	<sup>2</sup> 200,000
Law enforcement action programs: Omnibus Crime Control and Safe Street Act.....	<sup>4</sup> 158,000	160,000	<sup>2</sup> 100,000
Civil defense operations: Federal Civil Defense Act.....	<sup>4</sup> 4,000	0	0
Subtotal.....	278,000	264,000	300,000
Total, operating grant programs.....	3,367,000	2,677,000	2,771,000
CAPITAL IMPROVEMENTS			
Educational and Cultural			
Community college: Higher Education Facilities Act, Title I.....	0	900,000	0
Health Services			
Public health laboratory and service area: Public Health Services Act, Title VI (Hill-Burton).....	<sup>4</sup> 1,000,000	0	0
Solid waste disposal plant: Resource Recovery Act.....	0	150,000	0
Water source development: Geological Survey Act of 1879.....	36,000	0	36,000
Subtotal.....	1,036,000	150,000	36,000
Conservation and Environment			
Golf course, athletic: Land and Water Conservation Fund Act (BOR).....	50,000	50,000	50,000
Transportation			
Cruiseship and freight dock extension: Public Works and Economic De- velopment Act.....	0	1,024,000	0
Primary and secondary roads: Federal Highway Act.....	302,000	560,000	500,000
Airport improvements: Airport and Airway Development Act.....	167,000	306,000	306,000
Small boat harbor—Aunu'u: Small Navigation Projects Act.....	0	950,000	950,000
Subtotal.....	469,000	2,840,000	1,756,000
General Government			
Renovation of Atauloma girls school: National Historic Preservation Act.....	<sup>4</sup> 30,000	0	0
Public Safety			
Police facilities: Omnibus Crime Control and Safe Streets Act.....	18,000	150,000	150,000
Total, capital improvements grants programs.....	1,603,000	4,090,000	1,992,000
Total, Federal grant programs.....	4,970,000	6,767,000	4,763,000

<sup>1</sup> Programs anticipated to be included in Education Special Revenue Sharing.<sup>2</sup> Programs anticipated to be included in Manpower Training Special Revenue Sharing.<sup>3</sup> Programs anticipated to be included in Law Enforcement Revenue Sharing (LERS).<sup>4</sup> Estimated fiscal year 1973 funding.



## GOVERNMENT OF AMERICAN SAMOA—TOTAL BUDGET, SUMMARY BY USE OF FUNDS

	Actual, fiscal year 1972			Estimate, fiscal year 1973			Proposed, fiscal year 1974		
	Operations	CIP	Total	Operations	CIP	Total	Operations	CIP	Total
Education and culture.....	\$6,797,000	\$378,000	\$7,175,000	\$7,680,000	\$771,000	\$8,451,000	\$8,224,000	\$1,578,000	\$9,802,000
Health services and facilities.....	3,299,000	2,037,000	5,336,000	3,561,000	2,665,000	6,226,000	4,096,000	1,835,000	5,932,000
Economic development.....	834,000	1,030,000	1,864,000	1,014,000	923,000	1,937,000	1,154,000	50,000	1,204,000
Conservation and environment.....	0	336,000	336,000	0	346,000	346,000	20,000	290,000	310,000
Transportation, commerce, power.....	789,000	1,700,000	2,489,000	976,000	4,101,000	5,077,000	906,000	3,808,000	4,714,000
General government.....	4,644,000	0	4,644,000	5,824,000	841,000	6,665,000	6,845,000	395,000	7,240,000
Public safety.....	705,000	0	705,000	831,000	479,000	1,310,000	1,178,000	710,000	1,888,000
Advance planning; A. & E. design.....	0	100,000	100,000	0	0	0	0	300,000	300,000
Total.....	17,068,000	6,071,000	23,139,000	19,886,000	10,125,000	30,012,000	22,423,000	8,967,000	31,390,000



Mr. BURTON. Do you have more than one copy of them so I could, in the course of this discussion, read over them? Is that for the coming fiscal year or for the balance of this fiscal year?

Governor HAYDON. This is for the coming fiscal year, fiscal year 1974.

Mr. BURTON. Where are you with the balance of this fiscal year?

Governor HAYDON. We are not in too bad shape. We have already been cut in MDTA and EDA funds, but we have been, with the co-operation of the Fono, been able to replace these with local revenues. Those are relatively minor items for the balance of the year.

We were very lucky in the EDA, that we were fairly well funded through April, so we only had to pick up from the end of April to the end of the current fiscal year.

Mr. BURTON. I hope you are using your contacts generally, on the Senate side particularly, to put in writing what you think ought to be done; so Senator Jackson and Mr. Magnuson, who sits on top of what must be a fair piece of those cuts, can in some way help—we will support you, obviously, and render you as whole as possible.

Are you free to directly write Senator Jackson, or must you first have him write you?

Governor HAYDON. No, sir. I visited with Senator Jackson the other day.

Mr. BURTON. Did you have a chance to inform him of some of these problems?

Governor HAYDON. Yes, I told him in general terms as much as I am going to tell you, that we face these cuts and we have no argument with the President's desire to eliminate waste and so on wherever it happens, no argument at all.

However, since we are not included in the general revenue sharing bill, we naturally are very interested in the four special revenue sharing bills where we are included, and should there be passage, we would get some relief.

If you would like this list—

Mr. BURTON. You are not going to get any of these special revenue sharing bills. I don't think so. You better not predicate your operation on that premise.

Governor HAYDON. We are not.

Mr. BURTON. No, if we get them, I hope that American Samoa will be included. I do not anticipate that they will be adopted by the Congress at least as of this sitting today. I may find in months to come that I'll change that opinion. My prediction now is that it will not happen.

Governor HAYDON. We have a very fortunate factor in that our local revenues are rising very rapidly.

Mr. BURTON. Before we get to that, does this subcommittee give you an authorization, and if so, what is the status of it?

Governor HAYDON. No, you do not.

Mr. BURTON. Under what authority or from what route is it that American Samoa gets its Federal funding?

Governor HAYDON. We receive our funding in three forms: Our local revenues, whatever we can generate; direct authority from the two committees; direct budget authority through Interior's budget



under the Subcommittees on Appropriations for the Interior, Mrs. Hansen's committee and Senator Bible's—

Mr. BURTON. You are really part of the Interior Department's budget, and you do not have a need of getting authorizing from this committee. Is that correct?

Governor HAYDON. That is correct.

Mr. BURTON. That is a break.

Governor HAYDON. Our third source of funds are other Federal programs. This is an area, of course, where we face approximately \$2 million in cuts in 1974.

Mr. BURTON. What is total budget, and what are the pieces?

Governor HAYDON. Our total budget as of the best information available at the present time will be \$31,390,000 if accepted by both the House and the Senate.

Mr. BURTON. Is that the administration request?

Mr. CARPENTER. The administration request is \$14 million direct appropriation.

Mr. BURTON. Direct appropriation?

Governor HAYDON. This is our total budget for the year.

Mr. BURTON. What did you request of the administration?

Governor HAYDON. \$14 million.

Mr. BURTON. That's all you requested?

Governor HAYDON. Yes, sir.

Mr. BURTON. Did you get every dime that you requested?

Governor HAYDON. We will not know yet because we have just had our hearings. It is indicated—

Mr. BURTON. Did the administration ask for all the money you sought?

Governor HAYDON. Yes, sir. This is the administration level.

Mr. BURTON. Is that all you asked of them?

Let me rephrase that. Did you construct your request before you were aware of this possible \$2 million short fall?

Governor HAYDON. Yes, we did.

Mr. BURTON. Did you tell Mrs. Hansen that?

Governor HAYDON. Yes, we did.

Mr. BURTON. Having said that, it would be very helpful in one way or another if some of us could find out what you think you might need, and maybe if it doesn't involve that much money, maybe we can add a little bit without you losing your job.

Governor HAYDON. I started to mention that our local revenues are coming up very rapidly, and the picture is not as grim as it might be. We are going to have to, in our capital improvement program, to defer a project or two. But we are very fortunate that we can foresee the bulk of our loss, a large portion of our loss, being replaced by appropriation through the Fono—affects this local revenue or total local revenues.

Mr. BURTON. You have 14 Federal; how much grant-in-aid and how much local?

Governor HAYDON. Our grant-in-aid—so I can give you accurate figures—

Mr. BURTON. Is that a statement you prepared for the Appropriations Subcommittee?



Governor HAYDON. Yes, sir.

Mr. BURTON. Without objection at this point in the record, we will have that inserted.

[The material referred to follows:]

#### STATEMENT OF GOVERNOR JOHN M. HAYDON OF AMERICAN SAMOA

Madam CHAIRMAN: For FY 1974, the Government of American Samoa continues to place major emphasis on development of the infrastructure of the territory, to encourage economic growth and to sustain the momentum toward self-sufficiency and self-determination.

#### SUMMARY

The total budget of the Government of American Samoa total \$31.4 million for FY 1974. Of this amount, \$14 million is requested as Department of the Interior budget authority. These figures compare with a total budget of \$30.1 million for FY 1973 of which \$15,030,000 was Department of the Interior budget authority.

In our determined effort to get the most from our tight budget for FY 1974, we have held the growth of operating costs to 13% above FY 1973. This compares with a 17% growth in operating costs for FY 1973 over FY 1972 and belt tightening throughout the government. Capital improvements for FY 1974 will total \$9.0 million as compared to \$10.1 million in FY 1973. Here again, we have pulled in our belt and have been forced to put attention only upon our most pressing needs. The largest single capital improvement project planned for FY 1974 is \$1.2 million for water projects, still our highest priority both to preclude health hazards and to encourage economic growth.

#### CHANGE IN BUDGET FORMAT

Before going further into the details of our specific funding requests let me first bring to your attention the fact that we have changed our presentation format in the Budget Justifications we have presented to you this year when compared with the presentation made in prior years. You will note, for example, that we have limited our detail justifications to only those for which we seek full or partial Department of the Interior grant-in-aid. In prior years, we presented the entire detail justifications for all Government of American Samoa activity regardless of source of funds. In some cases, you were burdened with detail on items which were totally funded by local government appropriations or grant activities. You might also note we have eliminated from our detail presentations estimations of our participation in other Federal Grant Programs as directed to specific departments of government. I think it is indeed fortunate that we did that this year as there are so many changes in the categorical grant programs, including both deletion of programs and actions to fold existing programs into new revenue-sharing bills, that trying to keep track of these changes as they effect each individual department of government would have been very nearly impossible.

We have provided you with several tables and charts which indicate our total funding for the territory. This will give you an understanding of all of our various sources of revenues and how they are used. We had originally included, for example, tables showing the appropriations of the local legislature under PL 12-68 to be applied to FY 1974 basic budget. In addition, we have recently had another local appropriation of excess revenues under PL 13-18 which applies both to FY 1973 and FY 1974. We would now like to submit this information for the record to bring you up to date on our total FY 1974 funding picture.

#### CHANGES IN CATEGORICAL FEDERAL GRANTS

Our most troublesome area in attempting to predict total revenues for the coming period is, without question, that which relates to estimating our participation in categorical federal grants. When the original budget justification document was prepared in September, 1973, we estimated that our participation in federal grant programs, other than Department of the Interior grant-in-aid, would provide to the government of American Samoa \$6,767,000 in other federal funds. These would, for the most part, be continuations of the 54 currently



active programs in which we are participating this year, with some new programs added to bring our total to the \$6.7 million participation level which I mentioned. As you no doubt are more aware than even ourselves, there are very significant changes occurring in the whole concept of Federal grant assistance to states and local governments. We have done our best to keep up with the various changes that have so far been announced or are being proposed. As you undoubtedly know, as a territory, American Samoa is ineligible to participate in the general revenue-sharing program. The elimination of several grant programs in which we previously participated will not be made up in total funding as it will in the states by a participation in the general revenue-sharing program. We thus see no continuation of programs which have previously been funded by such authorizations as the National Defense Education Act, Library Services and Construction Act, Educational Professional Development Act, and portions of the Elementary and Secondary Education Act. Other impacts on our programs occur in the loss of the Higher Education Act and the teacher training portion of the Education of the Handicapped Act. Still others are the elimination of the OEO Programs, the EDA Programs, EEA Program, PSC Program, Higher Education Facility Act, and the Hill-Burton Program. The total reduction from our anticipated participation in FY 1974 amounts to slightly over \$2 million in other federal grant funding.

In order that you understand the impact of these changes upon our total program, we have revised several of the summary tables that appear in the budget justifications. For example, if we consider page 18 which shows our total government budget by source of funds you will note that our proposed total for FY 1974 was \$32,144,000, as seen in September of 1973. We should now revise that by our change in anticipated participations in other federal grants downward to a total of \$30,140,000. We should also add in the effect of the total appropriation of \$2,145,000 of excess revenues which was signed into law on 28 March, 1973, and applied to both FY 1973 and FY 1974 needs. Thus, our total funding for FY 1974 will amount to \$31,390,000.

#### SOURCES OF FUNDS

Sources which make up the FY 1974 total budget include, of course, the Department of the Interior grant-in-aid and direct appropriations. \$14.0 million is the combined total of these two sources which we are requesting here today. This amount represents a reduction of \$1,030,000 below that amount which was granted in FY 1973. We are happy to announce that we have seen and continue to see solid growth in local revenue to help offset the reduction in the Department of the Interior grant-in-aid and other federal grant program support. For FY 1974, the total appropriations of local revenues will be \$12,627,000. This compares with \$10,068,000 in 1973, thus, we have seen an increase of 25% in local revenues in this one year period. This is proof positive of the ability of the local economy to move toward self-sufficiency. This, in turn, will be of tremendous benefit to the local people in insuring a reasonable transition to self-determination. We feel that the two factors must go hand-in-hand and that we are making good progress toward both self-sufficiency and self-determination.

Again, let me remind you that we have revised downward our estimates of participation in other federal grants by more than \$2 million. In order that you understand this impact on our total program, I am submitting for the record with this statement revisions in all the tables and charts of our budget justifications which reflect uses of federal grant programs. Inasmuch as this is summary information and reflects only in those tables which show our total program, I am happy to say that these changes do not affect any of the detail justifications which we have presented to you to support our requests for the Department of the Interior budget authority. I think we may now proceed to discuss only our specific request for the Interior grant-in-aid and direct congressional appropriations.

#### REQUIREMENTS

For the \$14 million we are requesting as Department of the Interior Budget Authority, the funds will be applied to only seven (7) of our twenty-one (21) operating departments of government and to four (4) capital improvements programs areas. Thus, I think you will find our presentation this year to be far simpler to follow since we have concentrated the use of the Department of the



Interior funds as much as possible in our most primary need areas and have used local funding wherever possible to fully finance several operations of government which in the past have been jointly funded with Department of the Interior and local revenue contributions. We find these procedures to be far more satisfactory both in presentation of budget information and in accounting for the use of funds by funding source after appropriated.

Our principal operating program request and largest single use of the \$14 million total that we are requesting is directed to education. We are requesting \$6.0 million for support of our ever-growing and ever more successful educational system. This year, I am happy to announce that in January, a Samoan, Chief N. Pula, was appointed as our new Director of Education. Policies and programs for education are now formulated entirely by a Samoan administration, which can be truly sensitive to the needs of the Samoan culture. The second largest request is \$3,100,000 for support of the Department of Medical Services. These funds go to our tropical medical center and dispensaries in a number of the villages of the islands as well as to a comprehensive public health program which touches all inhabitants of the territory and has been extremely successful in combating filariasis and tuberculosis.

The remaining portions of our operating fund requests are all lumped into what we would term general and administrative expenses of government. These finance the Department of Administrative Services, Legal Affairs, Manpower Resources, Judiciary, and, of course, my own office of the Governor. It is within these offices only that we find all of our federal civil service employees. Thus, all federal employees will be directly funded by Department of the Interior grant-in-aid. In the past, we sometimes found that we were paying federal civil service employees with locally appropriated funds. It never really presented any problem, but we thought it would be more appropriate to pay federal employees with what is clearly a federal source of funds.

The total amount of Department of the Interior grant-in-aid, requested for capital improvements for FY 1974 is \$2,571,000. This is a reduction of slightly over \$2 million from the level that went into this category of use in FY 1973. The largest single request is \$1,200,000 for health related facilities. All of this funding will go into further development of water sources and water distribution systems on the main island of Tutuila. This, as you know, has been one of our paramount needs. Clean water available to everyone within the territory is our goal. We have made good progress on this, but much more needs to be done. This investment should allow us to sink six more wells, to add 1½ million gallons of new storage capacity and to extend our water mains from the Tafuna plains area into the Pago Pago Harbor area, the most highly populated portion of the main island. In addition, we will be providing new treatment facilities to allow for coagulation and sedimentation filtering and chlorination of the majority of our water supplies. Finally, we will be doing some rehabilitation work on older water systems to repair leaks, replace old pipes, and provide for renovation of some small storage tanks. Our work on our water system is undoubtedly our most important effort toward insuring good and continued health within this populous but small territory.

Our second largest investment of Capital Improvements funds will go to education facilities, \$721,000 is requested. Of this amount, \$½ million is requested to provide four (4) Learning Resources Centers. This will just keep up with our growing elementary school population. Another \$220,000 is requested to renovate an existing but poorly space organized high school located at Faga'itua. The remodeling will provide close to 22,000 sq. ft. of additional space converted to a Learning Resource Center. The Learning Resource Centers are as you may remember the direction in which we have committed all new educational facilities in American Samoa. These are far more flexible and efficient space utilizers than the conventional standard classroom school arrangements. The Resource Centers will allow classroom type teaching, but will also provide for small group projects, seminars, workrooms, and space for storage and display of learning resources and equipment.

\$350,000 is requested to support road building programs both on the main island of Tutuila and on the island of Ta'u. These funds will be used in addition to our participation in the Federal Highway Programs. This grant is now estimated as \$500,000 in federal funds, \$240,000 in local matching share has also been appropriated in addition to a \$150,000 in non-grant program match local money.



Thus, the total highway funds required for FY 1974 are \$1,240,000. The \$350,000 in Department of the Interior grant-in-aid funding is requested specifically to allow us to improve existing pioneers roads. This will remove ruts and wash-outs, and do some selective grading and drainage work on approximately 20 miles of existing roads. Most of these roads lead to remote villages which contain approximately 15% of the total population in the territory. It is believed that this selective paving of roads can improve the existing pioneer trails to the point that they can be used for light traffic in most weather. This should contribute significantly to a reduction in the cost of maintaining these accesses and give us an extension of time until further funding can be obtained to allow us to bring these roads up to Department of Transportation standards.

The final amount requested for capital improvements is \$300,000 which would be split between planning and advanced architectural and engineering design work. These funds will allow us to do a far better job of evaluating future courses of action and aiding decision making on major capital improvement programs for the future. In addition, these funds will allow us to at least get a start on land acquisition and final design of projects in the year preceding the availability of construction funds.

Mr. Chairman, this concludes my formal statement. I should now like to invite your questions with regard to our specific budget requests. Let me also, in conclusion, express my appreciation and that of the people of American Samoa for the privilege of appearing here today to present to you our needs and to acknowledge the very real help which your Committee has provided to us in the past. We are deeply grateful for your help.

Finally, let me again express my sincere invitation to you and your fellow committee members to visit us soon in American Samoa to witness for yourself the progress your help has provided and the remaining problems we face.

Thank you.

JOHN M. HAYDON.

Governor HAYDON. We made our budget in 1973, and we expected that the Federal grant programs, we would get \$6,767,000. That is now reduced by approximately \$2 million. We are still dealing with facts that are not hard, as you know, Mr. Chairman.

Mr. BURTON. In that balance of \$4.7 million, are you making the assumption that these special revenue sharing items will pass?

Governor HAYDON. No, sir.

Mr. BURTON. If they do pass, then, you hope to recoup as much or most of that \$2 million?

Governor HAYDON. A good part of it.

Mr. BURTON. Although Mrs. Hansen has been told that you're \$2 million under what you thought you were at the time you constructed your budget.

Governor HAYDON. Also, Senator Bible's Subcommittee on Appropriations for the Interior Department. Our picture is made much happier since we anticipate something slightly in excess of \$12 million in local revenues. At the time we made our budget in September, we only anticipated about \$10,200,000.

So that our picture—I would be less than candid if I started playing the violin about our budget—our picture is not all that grim. We will have to defer some capital improvement programs.

Mr. BURTON. If you were Mrs. Hansen or members of that committee, how much would you have thought listening to all the testimony about American Samoa that they would have to add over the administration request?

Governor HAYDON. We would be about a million dollars short.

Mr. BURTON. Is that the conclusion they would have reached?



Governor HAYDON. I think they would be adding up the figures we gave to them, and she questioned us very carefully on that aspect.

We will be about a million dollars short; however, the committees have been extremely generous to American Samoa the last several years in our budget levels. We had a real cash budget, total budget, in 1969 of a little over \$11 million, and we are now over \$30 million.

Mr. BURTON. When was that?

Governor HAYDON. 1969.

Mr. BURTON. 1969 was \$11 million and now it's \$30 million in 1974. Is there any bonded indebtedness?

Governor HAYDON. No, sir. We are not allowed by law to issue bonds.

Mr. BURTON. Should you be?

Governor HAYDON. It would be helpful in some areas, but so far we are getting by without that permission. For example, the construction of the sewage system, highway systems, but candidly—

Mr. BURTON. Are you included in the Highway Act?

Governor HAYDON. Yes, sir. We are.

Mr. BURTON. Do you have a list of the Federal programs that you are not included in?

Governor HAYDON. No, sir. I have in this list some 54 programs that we enjoy at the present time. We tried to limit ourselves.

Mr. BURTON. Without objection at this point in the record that list will be included.

[The material referred to was not received by the subcommittee when this hearing was printed. When it is received it will be placed in the subcommittee file.]

Mr. BURTON. Mr. Secretary, do you have somebody in your shop primarily responsible for American Samoa?

Mr. CARPENTER. Yes, sir. We do.

Mr. BURTON. I would like to have you at your earliest convenience submit to us as comprehensive a list as is possible of those Federal programs that American Samoa is not included in.

[At the time of printing, the list had not been completed.]

Mr. BURTON. I might say for the benefit of our colleagues that whether American Samoa is included in Federal programs or not is mainly a matter of chance. If we remember to look, and I do and Mrs. Mink does and others in the House do, we include American Samoa. But there are occasions when we just don't look. So it is not a matter of some wise decision, it is simply a matter of scrambling, trying to remember to include American Samoa along with the Trust Territories and Guam and the Virgin Islands, and Puerto Rico.

One of our problems is we just are not all that sure which laws any of these offshore areas are in, or are not in. And it would be useful at least if we knew which ones you were in, and when the Secretary gives us the ones that are not in—and if we receive it in time, we will include that as part of the record.

How long will that take, Mr. Secretary, would you guess?

Mr. CARPENTER. I would say we could have it by the time Congress reconvenes.

Mr. BURTON. That is fine.

I would also be interested in having the Department write me, and tell us what level of bonding under what circumstances they would



consider supportive. That would require authority, would it; or would that only require Department action?

Mr. CARPENTER. I believe it would require authority.

Mr. BURTON. Would you pin that down, maybe the informal process? Our subcommittee and the Senate subcommittee might be the only authority you do need. I do not know.

Governor HAYDON. I think, Mr. Chairman, we would be very cautious in using bonding authority, because it would have to be based on the ability to repay.

Mr. BURTON. I understand.

Governor HAYDON. The typical place where we could use such authority would be in the construction of airport terminals, which is not in the program, as you know. Our ability to pay would be very limited, so we would be very cautious in using bonding authority.

We have so few really big revolving funds that could pay back either GO's or revenue bonds that we could sell them. I don't know if any would—based on the smallness of our economy and budget, it might be very difficult to market bonds for American Samoa.

We have felt the pinch here and there in traditional methods of providing for certain types of building construction.

Mr. BURTON. How, if you were us, given the constraints on you as an appointee of the administration, any administration, someone serving in your capacity; how do we find out what you really think you need when you're kind of stuck with not exceeding, not leapfrogging over OMB?

Mr. Secretary, maybe you're better equipped to answer that. What documents should we request or demand to ascertain just how far short of on-the-spot requests the administration is falling? And I say this not in any overall adversary sense that is taking place Government-wide now, because it is my fond hope that at least these offshore areas could remain removed from the bruising partisan crunch that is taking place. So I am not pursuing it with a view to political advantage of any kind.

Mr. CARPENTER. I would think that this would best come out of the long-range planning that has gone into the territories, which is not with regard to the fixed amounts or figures that have been issued by the administration.

Mr. BURTON. You gentlemen, are you on the Budget Committee, either one of you?

Governor HAYDON. Representative Steffany and Senator Sunia are.

Mr. BURTON. Why don't you take the opportunity to tell us whether the level of support is adequate, or whether it is somewhat more than or less than you believe you could wisely expend?

Senator SUNIA. Mr. Chairman, are you referring to the total level of the budget for this fiscal year?

Mr. BURTON. Yes.

Senator SUNIA. As far as the 1974 proposals, Mr. Chairman, I think the level would be adequate for our purposes if the entire submissions were granted. Of course, it is always nicer to have more money.

But I think this year the proposals have been cut or have been tailored rather—so it is a little bit tighter than previous years. There are areas, perhaps, in the program as a whole where perhaps during



the process of the year, we may necessarily make some shifts in order for the funds to be phased in where they would be most useful.

I think the Governor is more aware of that.

Mr. BURTON. Given the inevitable level of fatigue, Governor, two quick questions. How much Federal direct grants did you get in this fiscal year?

Governor HAYDON. In 1973, \$14,510,000.

Mr. BURTON. So you've come in for less this year?

Governor HAYDON. \$1 million less.

Mr. BURTON. How much of the Federal grants-in-aid, categorical programs?

Governor HAYDON. \$4,914,000.

Mr. BURTON. You mean to tell me all that work we do plugging American Samoa into these Federal grant-in-aid programs have only been reduced on the direct grant side?

Governor HAYDON. It's been reduced \$1 million on the direct grant side and the categorical cuts, \$2 million, but our local revenues will be up \$10 million. That's how I arrived at the million-dollar figure.

Mr. BURTON. That's assuming you stay at the same level?

Governor HAYDON. Right.

Mr. BURTON. Because you had no increased overhead due to the higher cost of transportation or material, or wages or salaries?

Governor HAYDON. I regret to say that we have all those, particularly since the American dollar was been devaluated. We've had certain supplies that we buy from New Zealand, for example, lumber from close by Western Samoa—the dollar is worth 60 cents now in American Samoa, so our cost naturally goes up for things like that.

Mr. BURTON. What do you mean the dollar is worth 60 cents?

Governor HAYDON. That is all that we get for our dollar in Western Samoa.

Mr. BURTON. Compared to when?

Governor HAYDON. Compared to last year, when it was much higher. We have now had the devaluation.

Mr. BURTON. Did they revalue at the same time?

Governor HAYDON. They certainly did.

Mr. BURTON. When we devalued?

Governor HAYDON. Yes. They almost beat us, that's how close they keep track of it. Our dollars became worth less in American Samoa within a period of several hours after the news was announced in the international press.

Mr. BURTON. What economy is Western Samoa in?

Governor HAYDON. Basically a subsistence economy, but they do have a growing lumber production, and we are starting to use it very heavily.

Mr. BURTON. What is the medium of exchange?

Governor HAYDON. Tala and the sene, the cent and the dollar, and they are only 70 miles away, so there is a great exchange between our people.

Mr. BURTON. Let's move on with the laundry list, as best you can, without me interrupting. You're a million or two short. What other things besides that should we be thinking about, Governor?



Governor HAYDON. I feel Mr. Chairman, we have been making fairly substantial progress in American Samoa. Highway and water are primary as they are with other territories, and extremely expensive, particularly highways, even though we build under modified standards whenever DOT funds our concerns.

Mr. BURTON. Do you get all the funds that you request from DOT?

Governor HAYDON. I think I would have to answer yes. There is a difference between requesting and dreaming, and our needs are much larger than DOT can give us. But the bill presently—

Mr. BURTON. For a variety of reasons, particularly given the relatively small amount of money, it would be very helpful if you would send us a letter telling us what you're dreaming about for next year. Maybe you don't even have to sign it, so you don't lose your job.

Is there anything else on the top of your head that occurs to you?

Governor HAYDON. No, sir. Probably you would expect me to say that we need this and we need that, but again, I have got to be candid, we have a fiscal capability of only handling so much capital improvement work.

I do not believe that we should just ask and ask, and then wind up having a tremendous carryover or something like that, simply because we cannot physically take care of the work in American Samoa.

Mr. BURTON. What was your carryover, last fiscal year to the current one? About?

Governor HAYDON. Our carryover last year was \$659,000.

Mr. BURTON. What, if any, carryover do you anticipate this year?

Governor HAYDON. \$299,000. We try to keep it down.

Mr. BURTON. Chief, do you have any problems you'd like to mention to us?

Chief FUIAMAONO. No, I think we have been working very closely with some of our friends, both in the Senate and the House. They were so helpful to us. There were problems that we had, we will call on our friends.

Mr. BURTON. Mr. President?

Senator SALANO. I believe the Governor has told you everything, but if at the moment you come to Samoa and ask 7 people out of 10, they would say we would like to improve our highways, and have enough water.

Governor HAYDON. Make that 10 out of 10.

Mr. BURTON. Are you in the water program at all?

Governor HAYDON. I am not sure I know what programs you are referring to.

Mr. BURTON. I'm not sure either; that's why I had to frame it that way.

Governor HAYDON. We get money by direct appropriation from Congress for water. This past year we received the Emergency Construction Act money under EDA, a little in excess of \$1½ million for water.

Mr. BURTON. Mr. Speaker?

Representative LEIATO. I have nothing more to say except that we all hope that you will come down to American Samoa with the committee if you have time, and that you will learn more things there than by facing us like this. You will learn a lot in Samoa when you come.



Mr. BURTON. We want to do that, and we really must.

Do you have anything you care to say? To add?

Senator SUNIA. No, sir, except to echo the hopes that the committee will have the opportunity to take a firsthand look at the conditions in American Samoa very soon. Thank you.

Mr. BURTON. It might be useful to us or to me in convincing my colleagues of the need to do this, if you two gentlemen could write me a letter indicating that you think it important that our subcommittee come to American Samoa. That might help. A lot of my colleagues are concerned that they may be accused of not working by making such a trip.

If I have such a document, it would make it so much easier to convince some of them to come.

Yes, sir. Do you have anything that you would care to add in any way?

Representative STEFFANY. I think that the Senator and the Speaker and the President have stated it, but I am very happy to hear of your interest in coming down to American Samoa. I believe this is the only reason, that you can clearly see the picture of American Samoa.

Mr. BURTON. Yes, sir. You have been a little quiet. Why don't you say whatever is on your mind and comment on anything anybody else has said today?

Mr. TUIASOSOPO. I simply want to make a very brief observation for the edification of the committee itself in retrospect to the subject of political status of the future as it relates to the situation actually in Samoa itself.

Doing that, I want to say that there are no differences in Samoa on the question of whether the Samoan people would like a Samoa Governor. The issue now, of course, is how that should be implemented in the long run.

There is a very strong feeling, however, in the people as far as the administration and the Fono itself, and this is part of the President's statement, that some feel American Samoa should take each step very carefully and attempt to assure that the transition becomes a success rather than a failure. This, I think, is the nature of the feeling of the Samoans—to be careful.

I just wanted to make that brief statement for the committee. Thank you.

Mr. TAGO. I came here to do two things: listen and learn.

Mr. BURTON. Are we making a mistake by setting the 1976 date? Is that too soon?

Are there any friends here from Samoa that believe that is too soon?

Senator SALANOA. No.

Mr. BURTON. Do you have a reaction to that?

Mr. TUIASOSOPO. That has already been decided by the committee, the Constitutional Review Committee as they propose it to the convention in 1976.

Mr. BURTON. Is that too soon?

Mr. TUIASOSOPO. Not really, to tell you the truth.

Mr. BURTON. So we are not doing a disservice, if you will, to set that fixed date, in your opinion.



Governor HAYDON. No.

Mr. BURTON. Is it not fast enough? Does anybody think that we should try to rush it earlier?

Senator SALANOA. Some people feel that it should be 1974, but after members of the committee deliberated, and after studying all angles, we felt that 1976 is appropriate and proper.

Mr. BURTON. Let me ask this one question: Do you really need legislation to do this, or does the administration have the authority to, in effect, do what you have done, and accept as your designee the person who is elected or selected?

Governor HAYDON. I believe we need legislation; I'm quite certain of it.

Mr. CARPENTER. We researched this at one time, Mr. Chairman, technically the administration could do it, but for various reasons there's a strong feeling that it should be based on legislation.

Senator SUNIA. May I ask, Mr. Chairman, in the light of that position what effect then would any statement to the effect that the Governor be elected if such a statement were to appear in our Constitution prior to the passage of the bill in Congress? Would it have an effect, or would we have to put it in the Constitution at all?

Mr. BURTON. I would hope that you would develop the Constitution that you want, and as for me and our subcommittee, it would make no difference. It would need the support of the administration. It is unthinkable that we would not be able to pass such a proposition. Don't worry about our negative reaction. Don't anticipate our action. I don't believe that is a problem.

The Secretary, Governor, anything else? Some of you do have a plane to catch.

Mr. CARPENTER. I would like to add one more item to the laundry list, the Federal highway organization bill, which is now in the House, contains some \$500,000 for the first year for the American Samoa. The administration sponsored a bill to propose \$1 million.

Any help you can give us for getting that sum raised from \$500,000 to \$1 million would be appreciated.

Mr. BURTON. That is fine. I am glad you mentioned that.

Are there any of the offshore areas that are similarly cut back?

Mr. CARPENTER. No.

Mr. BURTON. Just American Samoa?

Mr. CARPENTER. Yes. And I just did leave out one, Mr. Chairman. It is important. It slipped my mind because it is no part of our operating or capital improvement budget, but we are sorely in need of a development loan fund similar to what has been granted to Guam.

Mr. BURTON. For heavens sake, give it to the administration. Does the administration approve of that?

Mr. CARPENTER. Yes, sir.

Mr. BURTON. Would you get it up to us so we can pass it?

Mr. CARPENTER. Yes, sir.

Mr. BURTON. Thank you one and all. How do I say that in Samoan?

Senator SALANOA. Fa'afetai tele.

[Whereupon, at 4:40 p.m., the subcommittee was adjourned.]







