

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES WITH REGARD TO THE CENTENNIAL OF THE RAISING OF THE UNITED STATES FLAG IN AMERICAN SAMOA

APRIL 13, 2000.—Referred to the House Calendar and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H. Res. 443]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the resolution (H. Res. 443) expressing the sense of the House of Representatives with regard to the centennial of the raising of the United States flag in American Samoa, having considered the same, report favorably thereon with an amendment and recommend that the resolution be agreed to.

The amendment is as follows:

Strike out the preamble and insert in lieu thereof the following:

- Whereas the people of American Samoa have inhabited Tutuila and the Manu'a Islands for at least 3,000 years and developed a unique and autonomous seafaring and agrarian culture, governing themselves through their own form of government;
- Whereas in 1722, Dutch explorer Jacob Roggeveen became the first European to sight—but not land on—the shores of the Samoan Islands, islands which remained isolated for another 46 years because Roggeveen miscalculated their location;
- Whereas in 1768, French explorer Louis Antoine de Bougainville, the second European to sight the Samoan islands, became so impressed with the sailing skills of the natives he named the islands “L’Archipel des Navigateurs,” and for generations thereafter the entire Samoan island group was known to the Western World as the “Navigator Islands”;
- Whereas in 1787, Frenchman Jean Francois La Perouse landed on the shores of these islands and thus began the “opening” of Samoa to the West, with American whalers as the principal group to engage the people of Samoa in trade and commerce, followed from 1830 on by English missionaries;
- Whereas in 1839, as part of a congressionally authorized trip to the Pacific, United States Navy commander Charles Wilkes visited the island of Tutuila and later reported favorably in support of establishing a structured relationship between the island and the United States;

- Whereas on March 2, 1872, Richard Meade, commander of the U.S.S. *Narragansett*, visited Pago Pago, and, on his own responsibility, made an agreement with High Chief Mauga entitled “Commercial Regulations, etc.,” which was submitted to, but never ratified by, the Senate;
- Whereas on February 13, 1878, a “treaty of friendship and commerce with the people of Samoa” was proclaimed ratified;
- Whereas on June 14, 1889, a treaty known as the General Act of 1889, between the United States, Germany, and Great Britain, and assented to by the Samoan Government, “to provide for the security of the life, property and trade of the citizens and subjects of their respective Governments residing in, or having commercial relations with the Islands of Samoa,” was concluded and later ratified;
- Whereas on December 2, 1899, a tripartite treaty between the United States, Germany, and Great Britain, which provided for the division of the several islands of Samoa, was signed by the three parties in Washington, D.C.;
- Whereas on April 17, 1900, by treaty of cession, the traditional chiefs of the South Pacific Islands of Tutuila and Aunu’u agreed to become a part of the United States in return for protection of their land and culture, and the United States flag was raised on what is now known as the United States Territory of American Samoa;
- Whereas on July 14, 1904, by treaty of cession, His Majesty the King of Manu’a and his traditional chiefs from the Islands of Ta’u, Ofu, and Olosega, agreed to become part of the United States in return for the protection of their land and culture;
- Whereas since that time, the residents of American Samoa have been proud of their affiliation with this great Nation and have demonstrated their loyalty and patriotism in countless ways;
- Whereas April 17 is known as Flag Day in American Samoa and is the biggest holiday in the territory, and is celebrated not only in American Samoa, but throughout the United States wherever there is a sizable Samoan community;
- Whereas American Samoans in Hawaii, California, Nevada, Utah, Alaska, Washington, and other parts of the United States pause each year on this important date to celebrate this monumental occasion in American Samoa’s history;
- Whereas the per capita rate of enlistment in the Armed Forces among American Samoans is among the highest in the United States, with hundreds of American Samoans enlisting annually;
- Whereas for decades American Samoa served as a Naval coaling station for United States ships in the Pacific, providing the Nation with what is commonly referred to as the best deep-water harbor in the entire Pacific—a harbor where American ships are protected from severe and sudden tropical storms by natural, high, sloping mountains—a harbor which, in the Nation’s youth, served as a critical and crucial refueling and replenishing port for military and commercial interests, enabling the United States to pursue its foreign and commercial policies, logistically unrestrained, throughout the Asian Pacific region;
- Whereas during World War II, American Samoa was the staging point for 30,000 United States Marines involved in the Pacific theater, with American Samoans serving both as hosts and as fellow soldiers to these Marines via the revered Fita Fita Guard;
- Whereas American Samoa was the first land astronauts from numerous Apollo missions came to upon returning to Earth—including astronauts from Apollo 10, Apollo 12, Apollo 13, Apollo 14, and Apollo 17;
- Whereas American Samoa produces more National Football League players per capita than any other State or territory of the United States, with approximately 15 Samoans currently playing professionally;
- Whereas April 17, 2000, will mark the 100th anniversary of American Samoa joining in political, military, and economic union with the United States;
- Whereas local government leaders in American Samoa have been preparing for this centennial celebration for the last three years; and
- Whereas although 100 years have elapsed since the formation of this mutually beneficial relationship, American Samoans today—as did their forebears in 1900—remain deeply thankful and appreciative of the benefits they have received and continue to receive as a result of the unique relationship American Samoa shares with this great Republic, and they are proud that in return for the benefits received under this relationship, they actively contribute economically, militarily, and culturally to the health and well-being of this great Nation: Now, therefore, be it

PURPOSE OF THE BILL

The purpose of H. Res. 443, is to express the sense of the House of Representatives with regard to the centennial of the raising of the United States flag in American Samoa.

BACKGROUND AND NEED FOR LEGISLATION

United States Government contact with the islands comprising what is today the unorganized and unincorporated territory of American Samoa began in 1839, as a result of a Congressionally authorized Naval expedition to the South Pacific. It was this United States Exploring Expedition, led by Commander Charles Wilkes, United States Navy, that produced the first formal contact and written document facilitating the United States presence in Samoa.

The results of the Congressional expedition served as the basis for a series of subsequent agreements and treaties that culminated with President William McKinley's Executive Order of February 19, 1900, placing the eastern islands of the Samoa group under control of the Department of the Navy and requiring that, "the Secretary of the Navy will take such steps as may be necessary to establish the authority of the United States and to give the islands the necessary protection."

On April 17, 1900, with the signing of instruments of cession by the leaders of the islands of Tutuila and Aunu'u, the United States flag was raised at the United States Naval Station, Tutuila. A little over four years later, a similar Instrument of Cession was signed by the last Samoan King of Manu'a and the titular chiefs of the Manu'a islands, comprising what is today the easternmost islands of the territory of American Samoa.

In 1929, Congress recognized in law the instruments of cession by the islands of Tutuila, Manu'a and eastern Samoa. The same law delegated the authority for the administration of the islands to the President of the United States. The President in turn delegated that authority, first to the Secretary of the Navy, and later to the Secretary of the Interior in 1951. Subsequently, the Secretary of the Interior took action providing for the current local governance by the residents of the territory. The American Samoa government is republican in form and the governor has been directly elected by the people rather than appointed by the President since 1977. American Samoa has been represented in Congress by a delegate in the House of Representatives since 1981.

COMMITTEE ACTION

H. Res. 443 was introduced on March 16, 2000, by Delegate Eni Faleomavaega (D-AS). The resolution was referred to the Committee on Resources. On April 5, 2000, the Full Resources Committee met to consider the measure. Mr. Faleomavaega offered an amendment to make technical amendments to the preamble of the resolution. It was adopted by voice vote. The resolution as amended was then approved by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 7, 2000.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H. Res. 443, expressing the sense of the House of Representatives with regard to the centennial of the raising of the United States flag in American Samoa.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

STEVEN M. LIEBERMAN
(For Dan L. Crippen, Director).

Enclosure.

H. Res. 443—Expressing the sense of the House of Representatives with regard to the centennial of the raising of the United States flag in American Samoa

CBO estimates that passage of H. Res. 443 would have no impact on the federal budget. The resolution would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H. Res. 443 would recognize the historical significance of the centennial of the raising of the American flag over the United States Territory of American Samoa.

The CBO staff contact is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

This resolution makes no changes in existing law.

