

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. I thank the gentleman from Arizona for again his management of this proposed legislation.

Mr. Speaker, this bill was introduced by the gentlewoman from North Carolina, Mrs. DOLE, and in compliance also a companion bill was introduced in the House by my good friend the gentleman from North Carolina (Mr. MCINTYRE).

As stated by the previous speaker, Mr. Speaker, S. 1663 is noncontroversial legislation that would correct the boundaries of an otherwise protected area located near the mouth of the Cape Fear River in North Carolina. I want to thank again Chairman GILCHREST and Ranking Member PALLONE of the Subcommittee on Fisheries Conservation, Wildlife and Oceans for their contributions in making an improvement to this proposed legislation.

The technical corrections contained in the new maps that would be adopted through passage of this bill have been painstakingly reviewed by the U.S. Fish and Wildlife Service and all local property owners to ensure their accuracy. In fact, I cannot recall another comparable bill that has undergone such a thorough review. In this regard again I want to congratulate and praise the House sponsor of companion legislation, H.R. 2501, the gentleman from North Carolina (Mr. MCINTYRE), for his perseverance in seeing this process through. The gentleman from North Carolina's diligence and persistence have resulted in a final product that addresses the legitimate needs of his constituents. Most important, Mr. Speaker, this legislation respects and upholds the integrity of the John H. Chafee Coastal Barrier Resources System. For that reason, I urge my colleagues to support this bill.

Mr. MCINTYRE. Mr. Speaker, I rise in strong support of S. 1663, a bill to replace certain Coastal Barrier Resources System maps relevant to Bald Head Island, North Carolina. Having worked with the U.S. House Committee on Resources and the U.S. Fish and Wildlife Service on making these necessary corrections to the maps pertaining to Bald Head Island, I am pleased that the U.S. House of Representatives will be moving forward and passing this legislation today.

Congress enacted the Coastal Barrier Resources Act in 1982 in order to address problems caused by coastal barrier development. The Coastal Barrier Resources Act restricts Federal expenditures and financial assistance, including Federal flood insurance, for development on coastal barriers.

Later, the Coastal Barrier Improvement Act of 1990 added "otherwise protected areas" to the System. Otherwise protected areas are undeveloped coastal barriers within the boundaries of lands reserved for conservation purposes such as wildlife refuges and parks.

While they were not made part of the Coastal Barrier Resources System, Congress forbade the issuance of new flood insurance or any Federal development-related assistance in otherwise protected areas.

Three years ago, the Fish and Wildlife Service and the citizens of Bald Head Island informed me that the maps of the area on the island, known as NC07P, were inaccurate. The errors in the maps deny flood insurance to certain property owners on Bald Head Island, North Carolina. These errors resulted from the problems inherent in translating lines drawn on the large-scale maps used for designations into precise, on-the-ground property lines.

However, this problem is now fixable due to improved technology available to the Fish and Wildlife Service. The mistakes that led to the Bald Head Island properties being placed within the outer boundary of NC07P were clearly not intended by Congress when maps were created.

While correcting the lines around Bald Head Island, the Fish and Wildlife Service—working with the State of North Carolina and the local communities contained within NC07P—identified additional acres that are eligible for addition to NC07P. As such, the technical changes called for in this legislation, which I was pleased to work so closely on with Senator ELIZABETH DOLE, have the added benefit of vastly increasing the overall acreage in the map.

Many people were involved in this process. Mr. Speaker, I would like to acknowledge the work of the Chairman and Ranking Member of the Committee on Resources, U.S. Representatives RICHARD POMBO and NICK RAHALL, as well as the Chairman and Ranking Members of the Subcommittee on Fisheries Conservation, Wildlife and Oceans, U.S. Representatives WAYNE GILCHREST and FRANK PALLONE. I would also like to thank Senator DOLE for her hard work on this; Dave Jansen of the Resources Committee; Katie Nemi, Paul Suza, and all of the staff over at the U.S. Fish and Wildlife Service; Becky King, former Village Manager of Bald Head Island; and Mary Ellen Simmons of my staff for all of her hard work in coordinating this incredible effort.

As hurricane season approaches, there are landowners on Bald Head Island who, by no fault of their own, would be left unprotected if a storm were to hit the lower Cape Fear region. That is why this matter requires immediate attention, and why I urge my colleagues to vote "yes" on this important piece of legislation.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate bill, S. 1663, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

# PROTECTING VOTING RIGHTS OF MEMBERS OF ARMED SERVICES IN ELECTIONS FOR DELEGATE REPRESENTING AMERICAN SAMOA

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2010) to protect the voting rights of members of the Armed Services in elections for the Delegate representing American Samoa in the United States House of Representatives, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2010

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. FINDINGS.

*Congress finds the following:*

(1) It is in the national interest that qualifying members of the Armed Forces on active duty and other overseas voters be allowed to vote in Federal elections.

(2) Since 1980, when the first election for the Congressional Delegate from American Samoa was held, general elections have been held in the first week of November in even-numbered years and runoff elections have been held 2 weeks later.

(3) This practice of holding a run-off election 2 weeks after a general election deprives members of the Armed Forces on active duty and other overseas voters of the opportunity to participate in the Federal election process in American Samoa.

(4) Prior to and since September 11, 2001, and due to limited air service, mail delays, and other considerations, it has been and remains impossible for absentee ballots to be prepared and returned within a 2-week period.

(5) American Samoa law requiring members of the Armed Forces on active duty and other overseas voters to register in person also prevents participation in the Federal election process and is contrary to the Uniformed and Overseas Citizens Absentee Voting Act.

(6) Given that 49 states elect their Representatives to the United States House of Representatives by plurality, it is in the national interest for American Samoa to do the same until such time as the American Samoa Legislature establishes primary elections and declares null and void the local practice of requiring members of the Armed Forces on active duty and other overseas voters to register in person which is contrary to the federal Uniformed and Overseas Citizens Absentee Voting Act.

## SEC. 2. PLURALITY OF VOTES REQUIRED FOR ELECTION OF DELEGATE.

Section 2 of the Act entitled "An Act to provide that the Territory of American Samoa be represented by a nonvoting Delegate to the United States House of Representatives, and for other purposes", approved October 31, 1978 (48 U.S.C. 1732; Public Law 95-556) is amended—

(1) in subsection (a)—

(A) by striking "majority" and inserting "plurality" the first place it appears; and

(B) by striking "If no candidate" and all that follows through "office of Delegate."; and

(2) by adding at the end the following new subsections:

"(c) ESTABLISHMENT OF PRIMARY ELECTIONS.—The legislature of American Samoa may, but is not required to, provide for primary elections for the election of Delegate.

"(d) EFFECT OF ESTABLISHMENT OF PRIMARY ELECTIONS.—Notwithstanding subsection (a), if the legislature of American Samoa provides for primary elections for the election of Delegate, the Delegate shall be elected by a majority of votes cast in any subsequent general election for the office of Delegate for which such primary elections were held."

**SEC. 3. EFFECTIVE DATES.**

*The amendments made by paragraph (1) of section 2 shall take effect on January 1, 2006. The amendment made by paragraph (2) of section 2 shall take effect on January 1, 2005.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

## GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from American Samoa has introduced legislation to assist those voters in his district who live overseas. His legislation, H.R. 2010, will provide for the election of the Delegate from American Samoa by a plurality vote. Currently the Delegate is elected by a majority vote, though the number of candidates seeking American Samoa's seat in Congress often prevents a clear majority in the general election. For this reason, a runoff election is the result, and it is held on the 14th day after the general election.

The gentleman from American Samoa and local government officials have explained well the unintended consequences of this format. Given the lack of flights to and from the territory, the ability to gather votes from the runoff election has proven extremely difficult, with many ballots arriving after the runoff election date. In short, this prevents the voices of individuals such as members of our armed services as well as students studying abroad to be heard.

Though Congress enacted the Uniformed and Overseas Citizens Absentee Voting Act in 1986, it has not done enough to fulfill its purpose of ensuring the right to vote for all U.S. citizens given the unique logistical hurdles that American Samoa faces. We all should understand the need to help all of our fellow voters, especially during times of war when many Samoans are serving in Iraq. The House can now move this legislation forward and help to prevent the current Federal law from disenfranchising voters. Instead, with H.R. 2010, no legal voters will be deterred from fully participating in our democratic process when they vote to elect American Samoa's Delegate.

Finally, I would also point out that H.R. 2010, as amended, was passed by the Committee on Resources by voice vote on May 5 and I appreciate the bipartisan work of the committee in acting quickly on this legislation. I hope

we can now act in the same bipartisan fashion. I urge the adoption of the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I again thank my good friend the gentleman from Arizona for his management and his eloquent remarks concerning his support of this legislation.

I rise today in support of this bill I introduced to protect the voting rights of active duty service members and overseas voters whose home of residence is American Samoa. This issue is not new to the people or the American Samoa legislature. The truth is this matter has been before the people and our local leaders for the past 6 years. Since 1998 I have written to our Governors, past and present. I have written and testified before our local legislature, and copies of my testimony and letters and local responses have been made part of the committee record.

Mr. Speaker, during the 107th Congress, I introduced H.R. 3576, a bill to establish primary elections which would have made sure that the American Samoa Delegate was elected by a majority of the votes cast. When introducing this bill, I pointed out that both Guam and the Virgin Islands were once bound by the 2-week Federal runoff requirement but established primary elections to resolve similar problems of sending out and receiving back absentee ballots in time for those votes to be counted. Although I suggested that American Samoa could benefit from modeling its Federal election procedures after Guam and the Virgin Islands, American Samoa chose not to support this bill and cited as its reason that primary elections were too costly.

Mr. Speaker, given the importance and urgency of this bill, I want to thank members of the House Committee on Resources, both Democrats and Republicans, who have unanimously voted in favor of this legislation. H.R. 2010 is the right thing to do. As a Vietnam veteran, I will not rest until we fully guarantee that our active duty service members have the right to vote in Federal elections in the territory. To alleviate any concerns that I will personally benefit from this legislation, I offered an amendment in the nature of a substitute for purposes of changing the effective date of this bill from January 2004 to January 2006. This amendment was unanimously supported in markup by the House Committee on Resources and, as such, any change in law will not go into effect until the 2006 election cycle.

Mr. Speaker, at this time I thank the men and women from American Samoa who are serving on active duty at a time when our Nation is at war. I wish our active duty service members the

very best and I pray for their safe return as it would be true for all members of our armed services currently serving all over the world.

I also want to thank Chairman POMBO of the Committee on Resources and Ranking Member RAHALL for their unwavering support of H.R. 2010 and for bringing this historic bill to the House floor for consideration and for a vote. Again, this is a bipartisan bill. I urge the Members of this body to join us in protecting the voting rights of our active duty military men and women who currently serve all over the world representing our great Nation. Again, I urge my colleagues to support this bill.

Mr. Speaker, I rise today in support of H.R. 2010, a bill I introduced to protect the voting rights of active duty service members and overseas voters whose home of residence is American Samoa.

This issue is not new to the people or the American Samoa Legislature. The truth is this matter has been before the people and our local leaders for the past 6 years. Since 1998, I have written to our Governors, past and present. I have written and testified before our local Legislature, or FONO, and copies of my testimony, my letters, and local responses have been made part of the Committee record.

I have also brought this matter to the attention of my constituents through press releases, newsletters, radio and TV programs. In 2001, I conducted a Congressional survey and 85 percent of those surveyed agreed that American Samoa's overseas voters and active duty service members should be afforded the same rights and privileges as every other American serving in the U.S. Armed Forces.

Unfortunately, American Samoa's overseas voters and military men and women have been disenfranchised from the political process and have been denied the right to vote in the federal elections held in the Territory. In part, this has been due to two complications. One, American Samoa law has required uniformed and overseas voters to register to vote in person and this has been contrary to the Uniformed and Overseas Citizens Voting Act of 1975.

While I am pleased that our Legislature is working to address the local registration process, our uniformed and overseas voters have also been denied the right to vote as a result of Public Law 95-556 passed on October 31, 1978. Federal, or PL 95-556, provides for the Territory of American Samoa to be represented by a nonvoting Delegate to the United States House of Representatives and mandates that if no candidate receives a majority of the votes cast, on the fourteenth day following such election, a runoff election shall be held between the candidates receiving the highest and second highest number of votes cast.

Like the Governor of American Samoa, the Honorable Togiola T.A. Tulafono, I believe this 1978 federal law requiring a runoff election to be held only 14 days after the general election creates, as Governor Togiola says, "a situation where it is virtually impossible for American Samoa's Election Office to send out absentee ballots to the men and women in the military and expect to receive them back in time for those votes to be counted in a runoff election." Given that our mail is delayed and

our air service is limited to two flights a week, Governor Togiola and I agree that some measure should be put in place to assure that the votes of our military men and women are counted and that this injustice is corrected.

During the 107th Congress, I introduced H.R. 3576, a bill to establish primary elections and which made sure that American Samoa's Delegate was elected by a majority of the votes cast. When introducing this bill, I pointed out that both Guam and the Virgin Islands were once bound by the two week federal run-off requirement but established primary elections to resolve similar problems of sending out and receiving back absentee ballots in time for those votes to be counted. Although I suggested that American Samoa could benefit from modeling its federal election procedures after Guam and the U.S. Virgin Islands, the American Samoa Government (ASG) chose not to support this bill and cited as its reason that primary elections were too costly.

Given ASG's financial difficulties and out of respect for its concerns, I introduced H.R. 4838 which called for voting by plurality in lieu of primary elections. As I explained when introducing H.R. 4838, 49 of the 50 states use plurality voting to elect their Representatives to Congress. The countries of Tualata and Itu'au in American Samoa also elect their representatives by plurality vote. Plurality voting minimizes costs to the local government and also provides active duty service members and other overseas voters an opportunity to participate fully in the federal election process. Despite these benefits, ASG also chose not to support this bill. This time, the former and late Governor Tauese P.F. Sunia stated that he believed "the intent of Congress when they established majority vote was to ensure a strong mandate for American Samoa's Delegate."

To be clear about this, I would like to provide this body with a legal history of how election law was determined for American Samoa. In 1951, President Harry S. Truman issued Executive Order 10264 which transferred administrative responsibility for the islands of American Samoa from the Secretary of the Navy to the U.S. Secretary of the Interior. The Secretary of the Interior, in turn, appointed our Governors.

In 1960, the people of American Samoa adopted a Constitution. The Constitution was revised in 1966 and was approved by the Secretary of the Interior on June 2, 1967. In 1967, the Revised Constitution of American Samoa provided for an elected Legislature, or Fono, consisting of a Senate and a House of Representatives. However, it did not provide our people with the right to elect our own Governor and Lieutenant Governor and, at the time, American Samoa was the only remaining off-shore area of the United States which did not have a popularly elected Governor and Lieutenant Governor.

On June 10, 1976, Congressman Phil Burton, Chairman of the House Subcommittee on Interior and Insular Affairs, took notice of American Samoa's situation and introduced a bill to make it possible for our Governor and Lieutenant Governor to be popularly elected rather than appointed by the Secretary of the Interior. As staff counsel to the Committee on Interior and Insular Affairs, Congressman Burton instructed me to draft this legislation which the U.S. House of Representatives overwhelmingly passed by a landslide vote of 377 to 1.

Instead of sending his bill to the Senate, Congressman Burton decided to consult further with the Secretary of the Interior, Rogers C.B. Morton, about American Samoa's unique political status as an unincorporated and unorganized territory which was and is unlike the organized territories of Guam and the Virgin Islands. As a result of their consultations, the two agreed that Secretary Morton would issue a Secretarial Order (No. 3009) authorizing the American Samoa Government to pass enabling legislation to provide for an elected Governor and the Lieutenant Governor.

Secretary's Order No. 3009 amended American Samoa's Constitution to specifically provide for an elected rather than an appointed Governor and Lieutenant Governor. Secretary's Order 3009 was also in keeping with the will of the majority of voters of American Samoa who voted in favor of electing their own Governor and Lieutenant Governor in a plebiscite that was held on August 31, 1976.

Furthermore, Chairman Phil Burton introduced legislation on August 2, 1978 to provide that the Territory of American Samoa be represented by a nonvoting Delegate to the U.S. House of Representatives. I was also tasked with drafting this legislation which became Public Law 95-556 and was made effective October 31, 1978.

I can assure you that in the case of the Delegate, American Samoa's federal election laws were patterned after those of the Virgin Islands and Guam. At the time, consideration was not given to whether or not majority or plurality voting should be established for American Samoa. Congress simply enacted legislation to provide American Samoa with representation in the U.S. Congress. We could not foresee some 25 years ago that American Samoa's men and women would serve in record numbers in the U.S. Armed Forces making it nearly impossible (given American Samoa's limited air and mail service) for active duty service members to participate in runoff elections held two weeks after general elections.

Today, we are keenly aware that this requirement to hold a runoff election 14 days after the general election is wrong. To right this wrong and after further consultations with our local leaders, I introduced H.R. 2010 which includes the suggestions of Governor Togiola. In a letter dated September 11, 2003, Governor Togiola informed me that he had reviewed the copy of H.R. 2010 that I sent to him and that he was satisfied that this bill will provide an immediate solution to address the concerns we have regarding the voting rights of our men and women in the military services. In a letter dated September 15, 2003, I thanked Governor Togiola for his support.

Although we have had some differences regarding this issue, Governor Togiola and I have always agreed that our military men and women should have the right to vote especially when they contribute almost a million dollars per year in taxes to our local government. I am pleased that Governor Togiola is now happy with this bill and I again commend him for supporting its passage.

I also want to thank the President of the American Samoa Senate, the Honorable Lutu Tenari S. Fuimaono, for his support. In a letter dated October 28, 2003, President Fuimaono stated that he fully supports H.R. 2010 and that he wishes Chairman POMBO the best of luck in moving forward on the bill.

Finally, I would like to say that H.R. 2010 is an historic bill. It is a bill that immediately restores the voting rights of our overseas voters and active duty military members. It is also a bill that makes clear in no uncertain terms that the American Samoa Legislature is vested with the authority it needs to establish primary elections for the office of the Delegate, if it so chooses.

H.R. 2010 also protects American Samoa's future in the U.S. Congress. Without H.R. 2010, future Delegates could miss out on key committee assignments as a result of delayed outcomes and run-off elections. Like Governor Togiola, I do not believe American Samoa's future should be weakened or disadvantaged and this is one more reason I appreciate his support of H.R. 2010.

Given the importance and urgency of this bill, I thank the members of the House Resources Committee, both Democrats and Republicans, who have unanimously voted in favor of this bill. H.R. 2010 is the right thing to do and, as a Vietnam veteran, I will not rest until we fully guarantee that our active duty service members have the right to vote in federal elections held in American Samoa.

To alleviate any concerns that I will personally benefit from this legislation, I offered an amendment in the nature of a substitute for purposes of changing the effective date of this bill from January 2004 to January 2006. This amendment was unanimously supported at mark-up by the House Resources Committee and, as such, any change in law will not go into effect until the 2006 election cycle.

As I have repeatedly stated, H.R. 2010 in no way, affects how the American Samoa Government chooses to elect its local leaders and, having made every change requested of me by our local leaders and after years of good-faith efforts on my part, I believe the time has come to do right by our overseas voters and men and women in the military. Our sons and daughters have fought and died to preserve our freedoms and I will do everything I can to protect their right to vote.

At this time, I thank the men and women from American Samoa who are serving on active duty at a time when our Nation is at war. I wish our active duty service members the very best and I pray for their safe return.

I also thank the Honorable RICHARD POMBO, Chairman of the House Committee on Resources, and Ranking Member NICK RAHALL, for their unwavering support of H.R. 2010 and for bringing this historic bill to the House Floor for consideration and vote. Again, Democrats and Republicans of the House Resources Committee joined together to unanimously pass H.R. 2010 and I now urge members of this body to join with us in protecting the voting rights of active duty military members and overseas voters whose home of residence is American Samoa.

#### ATTACHMENTS

04/05/00—Faleomavaega to ASG Governor Sunia, Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives, Attorney General.

11/20/01—Faleomavaega to ASG Governor Sunia, Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives.

12/20/01—Faleomavaega to ASG Governor Sunia, Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives.

01/02/02—Governor Tauese Sunia to Faleomavaega, ASG Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives, Chief Election Officer.

01/28/02—ASG Speaker of the House to Faleomavaega, ASG Governor, Election Office, President of the Senate.

02/27/02—Faleomavaega to ASG Speaker of the House.

03/05/02—Faleomavaega to ASG Senate President and Senators.

05/23/02—Faleomavaega to ASG Governor Sunia, Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives.

07/10/02—ASG President Pro Tem and Speaker of the House to the Honorable James Hansen, Chairman of U.S. House Committee on Resources, ASG Governor Tauese Sunia, Senators, Representatives, Chief Election Officer, the Honorable Nick Rahall (Ranking Member of the U.S. House Committee on Resources), Congressman Eni Faleomavaega, Members of the U.S. House Committee on Resources.

07/11/03—Governor Tauese Sunia to Faleomavaega, Chairman of the U.S. House Committee on Resources, ASG President of the Senate and Senators, Speaker of the House and Representatives, Chief Election Officer.

07/15/02—Faleomavaega to the Honorable Nick Rahall, Ranking Member, U.S. House Committee on Resources.

07/15/02—Faleomavaega to the Honorable James Hansen, Chairman, U.S. House Committee on Resources.

07/23/02—Faleomavaega to ASG Governor Sunia, Chairman and Ranking Member of the U.S. House Committee on Resources, Deputy Assistant Secretary of the U.S. Department of the Interior, ASG Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives, Chief Election Officer.

07/23/02—Faleomavaega to the Honorable James Hansen, Chairman, U.S. House Committee on Resources.

07/23/02—Faleomavaega to the Honorable Nick Rahall, Ranking Member of the U.S. House Committee on Resources.

09/05/02—Faleomavaega to ASG Governor Tauese Sunia.

09/05/02—Faleomavaega to ASG President of the Senate and Senators.

09/05/02—Faleomavaega to ASG Speaker of the House and Representatives.

09/12/02—Faleomavaega Statement before the American Samoa Legislature.

05/07/03—Faleomavaega to ASG Governor Togiola Tulafono, Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives.

09/05/03—Senator Te'o J. Fuavai to Faleomavaega.

09/11/03—ASG Governor Togiola Tulafono to Faleomavaega, ASG Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives.

09/15/03—Faleomavaega to ASG Governor Togiola Tulafono, Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives.

09/19/03—Senate Resolution.

10/16/03—Faleomavaega to Senator Te'o J. Fuavai.

10/27/03—President of ASG Senate, Lutu Fuiafano, to Faleomavaega.

10/28/03—Office of the Governor to Lieutenant Governor, Aitofele T.F. Sunia.

07/21/76—Congressional Record, Providing for an Elective Governor and Lieutenant Governor of American Samoa.

10/03/78—Congressional Record, Providing the Territory of American Samoa with a Nonvoting Delegate.

Mr. Speaker, I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

I want to commend my colleague from American Samoa for his leadership and his advocacy, particularly for those citizens there within his territory and within his district who now will be able to reach out and be part of the election process.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 2010, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### AGOA ACCELERATION ACT OF 2004

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4103) to extend and modify the trade benefits under the African Growth and Opportunity Act, as amended.

The Clerk read as follows:

H.R. 4103

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "AGOA Acceleration Act of 2004".*

#### SEC. 2. FINDINGS.

*The Congress finds the following:*

(1) *The African Growth and Opportunity Act (in this section and section 3 referred to as "the Act") has helped to spur economic growth and bolster economic reforms in the countries of sub-Saharan Africa and has fostered stronger economic ties between the countries of sub-Saharan Africa and the United States; as a result, exports from the United States to sub-Saharan Africa reached record levels after the enactment of the Act, while exports from sub-Saharan Africa to the United States have increased considerably.*

(2) *The Act's eligibility requirements have reinforced democratic values and the rule of law, and have strengthened adherence to internationally recognized worker rights in eligible sub-Saharan African countries.*

(3) *The Act has helped to bring about substantial increases in foreign investment in sub-Saharan Africa, especially in the textile and apparel sectors, where tens of thousands of new jobs have been created.*

(4) *As a result of the Agreement on Textiles and Apparel of the World Trade Organization, under which quotas maintained by WTO member countries on textile and apparel products end on January 1, 2005, sub-Saharan Africa's textile and apparel industry will be severely challenged by countries whose industries are more developed and have greater capacity, economies of scale, and better infrastructure.*

(5) *The underdeveloped physical and financial infrastructure in sub-Saharan Africa continues to discourage investment in the region.*

(6) *Regional integration establishes a foundation on which sub-Saharan African countries can coordinate and pursue policies grounded in African interests and history to achieve sustainable development.*

(7) *Expanded trade because of the Act has improved fundamental economic conditions within*

*sub-Saharan Africa. The Act has helped to create jobs in the poorest region of the world, and most sub-Saharan African countries have sought to take advantage of the opportunities provided by the Act.*

(8) *Agricultural biotechnology holds promise for helping solve global food security and human health crises in Africa and, according to recent studies, has made contributions to the protection of the environment by reducing the application of pesticides, reducing soil erosion, and creating an environment more hospitable to wildlife.*

(9)(A) *One of the greatest challenges facing African countries continues to be the HIV/AIDS epidemic, which has infected as many as one out of every four people in some countries, creating tremendous social, political, and economic costs. African countries need continued United States financial and technical assistance to combat this epidemic.*

(B) *More awareness and involvement by governments are necessary. Countries like Uganda, recognizing the threat of HIV/AIDS, have boldly attacked it through a combination of education, public awareness, enhanced medical infrastructure and resources, and greater access to medical treatment. An effective HIV/AIDS prevention and treatment strategy involves all of these steps.*

(10) *African countries continue to need trade capacity assistance to establish viable economic capacity, a well-grounded rule of law, and efficient government practices.*

#### SEC. 3. STATEMENT OF POLICY.

*The Congress supports—*

(1) *a continued commitment to increase trade between the United States and sub-Saharan Africa and increase investment in sub-Saharan Africa to the benefit of workers, businesses, and farmers in the United States and in sub-Saharan Africa, including by developing innovative approaches to encourage development and investment in sub-Saharan Africa;*

(2) *a reduction of tariff and nontariff barriers and other obstacles to trade between the countries of sub-Saharan Africa and the United States, with particular emphasis on reducing barriers to trade in emerging sectors of the economy that have the greatest potential for development;*

(3) *development of sub-Saharan Africa's physical and financial infrastructure;*

(4) *international efforts to fight HIV/AIDS, malaria, tuberculosis, other infectious diseases, and serious public health problems;*

(5) *many of the aims of the New Partnership for African Development (NEPAD), which include—*

(A) *reducing poverty and increasing economic growth;*

(B) *promoting peace, democracy, security, and human rights;*

(C) *promoting African integration by deepening linkages between African countries and by accelerating Africa's economic and political integration into the rest of the world;*

(D) *attracting investment, debt relief, and development assistance;*

(E) *promoting trade and economic diversification;*

(F) *broadening global market access for United States and African exports;*

(G) *improving transparency, good governance, and political accountability;*

(H) *expanding access to social services, education, and health services with a high priority given to addressing HIV/AIDS, malaria, tuberculosis, other infectious diseases, and other public health problems;*

(I) *promoting the role of women in social and economic development by reinforcing education and training and by assuring their participation in political and economic arenas; and*

(J) *building the capacity of governments in sub-Saharan Africa to set and enforce a legal framework, as well as to enforce the rule of law;*