

the floodgate years ago. ASG's weak immigration and corporate laws, which allow for sponsorship of foreigners, like Daewoosa, who set up shop and send their money back home, have brought embarrassment to our Territory and jeopardized our communal lands and customs. If ASG does not clean up its mess and establish fair laws for fair business, our people will lose everything."

"Regarding the Governor's point that he believes H.R. 6191 will lead to our people being drafted in the U.S. military, I would respectfully suggest that he review H.R. 6191. H.R. 6191 does not make anyone subject to the draft."

"Finally, like the Governor, I welcome input, and I introduced this legislation based on the input of the people. Many of our people have requested my assistance because, like me, they believe U.S. nationals who choose to become citizens should be able to do so without being treated like foreigners in the process. This is why I introduced H.R. 6191, and stand by it, and intend to open it up for nationals living in the U.S. as well," Faleomavaega concluded.

[Press Release, July 12, 2012]

WASHINGTON, D.C.—FALEOMAVAEGA OPPOSES THE RECENTLY FILED LAWSUIT TO FORCE CITIZENSHIP ON EVERY PERSON BORN IN AMERICAN SAMOA

Congressman Faleomavaega today announced his continued strong opposition to the efforts to use the judicial system to force citizenship upon every person who is born in American Samoa.

On July 10, 2012, a lawsuit was filed by Murad Hussain of Arnold & Porter LLP, in the United States District Court for the District of Columbia. Mr. Hussain represents several plaintiffs born in American Samoa, and the Samoan Federation of America located in Carson, California. The plaintiffs in the lawsuit are seeking a declaratory judgment from the court that the Citizenship Clause of the Fourteenth Amendment to the United States Constitution should apply to American Samoa. The plaintiffs are also seeking an injunction to prevent the U.S. Department of State from imprinting Endorsement Code 09 on passports of persons born in American Samoa noting that the "Bearer is a U.S. National and Not a U.S. Citizen. A copy of the complaint or lawsuit can be found at this link: <http://www.house.gov/faleomavaega/pdfs/1-main.pdf>.

"I respect the rights of the plaintiffs, who were born in American Samoa, to file their lawsuit. I also appreciate the frustration of the Samoan Federation of America that struggles to meet the needs of Samoans who are U.S. nationals who cannot vote in national elections and are precluded from certain jobs that require U.S. citizenship. However, I believe the choice of becoming a U.S. citizen belongs to the people of American Samoa, and not by judicial legislation," Faleomavaega said.

"I have sent letters to the leadership of the Fono, both the President of the Senate, and the Speaker of the House, that summarizes the lawsuit that was filed this week in the U.S. District Court for the District of Columbia. In the letters I further reiterated my opposition to the lawsuit which if successful will force citizenship upon everyone born in American Samoa." Faleomavaega added.

"The future of our territory is being threatened by outside forces and we must unite in our opposition to this lawsuit. I firmly believe the future of American Samoa should be decided by the people living in the

territory, not by a court 7,000 miles away," Faleomavaega concluded.

The full text of the Congressman's letter to the President of the Senate and the Speaker of the House follows:

I am writing to bring to your attention a lawsuit that was filed this week in the U.S. District Court for the District of Columbia on behalf of several persons born in American Samoa. The plaintiffs in the lawsuit are seeking a declaratory judgment from the court that the Citizenship Clause of the Fourteenth Amendment to the United States Constitution should apply to American Samoa. The plaintiffs are also seeking an injunction to prevent the U.S. Department of State from imprinting Endorsement Code 09 on passports of persons born in American Samoa noting that the "Bearer is a U.S. National and Not a U.S. Citizen".

The lawsuit, filed against the United States of America, the U.S. Department of State, the Secretary of State and the U.S. Assistant Secretary of State for Consular Affairs, could have significant ramifications on American Samoa's political relationship with the U.S. government. If the court rules in favor of the plaintiffs and the Citizenship Clause is applied to American Samoa, this will set the precedent for other provisions of the U.S. Constitution to be applied in the Territory. This is a cause for concern as the courts may invalidate any of our local laws that protect our Matai system and communal lands.

For years, I have warned the people of American Samoa of the dangers of outside forces determining the future of our territory. The lawsuit filed this week is the manifestation of our greatest fear, that citizenship will be forced upon us and we could lose our Matai system and communal lands. For example, in *King v. Andrus*, 452 F. Supp. 11 (D.D.C. 1977), a federal court applied the jury system to the American Samoa judiciary system against our will.

This week a federal court is again asked to decide an issue critical to American Samoa, whether American Samoans should be considered U.S. citizens. We must ask ourselves do we want a court to decide whether we become citizens or do we want to decide our own destiny.

I respect the right of the plaintiffs to file this lawsuit. However, I believe the issue of citizenship should be decided by the people currently living in American Samoa and who plan on remaining in American Samoa. Since any potential negative consequences of citizenship being granted to all persons born in American Samoa will affect persons living in American Samoa not those living in the United States. For those living in the United States, there are existing pathways to citizenship that allow them to become U.S. citizens. There is also a fee waiver available for some individuals who are not able to pay filing fee for the naturalization application.

I have enclosed a copy of the complaint. My hope is for a thorough review by the Fono on this important issue. I will also make the complaint available for download on my website at <http://www.house.gov/faleomavaega/pdfs/1-main.pdf>.

[Press Release, August 12, 2014]

FALEOMAVAEGA COMMENDS U.S. DEPARTMENT OF STATE'S BRIEF IN TUUAU V. UNITED STATES

WASHINGTON, D.C.—Congressman Faleomavaega today issued the following statement offering his support for the U.S. Department of State's recently filed brief against the plaintiffs in the citizenship case formally known as *Tuuaau v. United States*, a case in

which five individuals want the U.S. Government to grant automatic citizenship to anyone born in American Samoa.

"On behalf of the people of American Samoa, I submitted a legal brief to the court in 2012 asserting that U.S. citizenship by birthright should only be decided by the will of the people and granted through legislation passed by the U.S. Congress," Faleomavaega said.

"I now commend the State Department for emphasizing that only Congress has the authority to grant U.S. citizenship to American Samoa, a position which I have publicly expressed for years. As I have stated on and off the record, I am not against birthright citizenship for American Samoans; however, there is a process in place. Every U.S. territory that currently possesses birthright citizenship obtained it through an 'organic act' passed by the U.S. Congress. Each organic act was supported by the will of the people in each respective territory. American Samoa must also go through this process if our people decide that birthright citizenship is in their best interest."

"We cannot allow our political status with the United States to be decided by five individuals or by a court thousands of miles away. If our people decide that they want to be granted automatic citizenship by birthright, I will work with Congress and our local leaders, as provided by governing law and years of legal precedent, to pass such legislation. Until then, I will continue to keep the people updated as this case moves through the court," Faleomavaega concluded.

#### THE NO SOCIAL SECURITY FOR NAZIS ACT

HON. SANDER M. LEVIN  
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 2, 2014

Mr. LEVIN. Mr. Speaker, this is one of the rare occasions where the name of the bill speaks for itself.

The No Social Security for Nazis Act is designed to close a loophole that has allowed some Nazi persecutors and their collaborators in the Holocaust to receive Social Security benefits. By leaving the country before they were officially deported, these people were able to keep their Social Security benefits. It is unbearable that those responsible for the deaths of millions during the Holocaust continue to receive Social Security benefits due to this loophole.

This legislation stops benefit payments to Nazi persecutors and ensures that these individuals do not receive spousal benefits from marrying a Social Security beneficiary or through other channels. Congress never intended for Nazi war criminals and collaborators to be able to receive Social Security benefits. This bipartisan legislation reaffirms that intent.

Social Security is an earned benefit, and it is our job in Congress to preserve and protect it. We must stop these inappropriate payments now, and that is exactly what this legislation does. I thank Representatives JOHNSON and BECERRA and the work of Representatives CAROLYN MALONEY, JASON CHAFFETZ and LEONARD LANCE, and all others for their leadership on this legislation.

## OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 2, 2014

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,005,549,328,561.45. We've added \$7,378,672,279,648.37 to our debt in 5 years. This is over \$7.3 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

## FUNDING FOR ALZHEIMER'S RESEARCH

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 2, 2014

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to urge my colleagues to appropriate an additional \$200 million to the National Institutes of Health for research on Alzheimer's disease.

More than five million Americans currently have Alzheimer's disease. Today, someone develops Alzheimer's every 67 seconds and by 2050, it will be every 33 seconds.

Alzheimer's is the most expensive disease in America. Unless action is taken, the cost of Alzheimer's will total \$1.2 trillion in 2050, and Medicare and Medicaid spending on Alzheimer's will increase 500 percent.

My mother-in-law battled this disease, so I appreciate how devastating it can be to patients and their loved ones.

The bipartisan National Alzheimer's Project Act (NAPA) was passed by Congress unanimously.

NAPA called for the creation of a National Alzheimer's Plan, which has resulted in some notable accomplishments. However, scientists and researchers must have the necessary funds to carry out the blueprint set forth in the Plan.

Congress provided an additional \$100 million in Alzheimer's research for fiscal year 2014, yet we continue to underinvest.

To address a disease of this magnitude, we must further our commitment by increasing funding for Alzheimer's research by \$200 million in fiscal year 2015.

## HISTORICAL RECORD OF POLITICAL STATUS ISSUE IN AMERICAN SAMOA

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 2, 2014

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to include, for historical purposes, the following information on the political status of American Samoa.

[Press Release, Oct. 2, 2006]

## FALEOMAVAEGA TESTIFIES BEFORE POLITICAL STATUS COMMISSION

Congressman Faleomavaega announced today that he testified before the American

Samoa Political Status Commission in a hearing held on Saturday, September 29, 2006 at BYU-Hawaii in Laie, Hawaii.

I believe the work of this commission is critical for American Samoa's political future, Faleomavaega said. I am honored to provide input as the commissioners deliberate our political status options.

In my opinion, before we get too far ahead of ourselves in examining our political options we need to look inward to resolve some lingering ambiguities regarding our current territorial status. Currently, American Samoa's political relationship with the United States is governed by the two Treaties or Deeds of Cession signed in 1900 (Tutuila) and 1904 (Manua). These documents provide no clear protections for our culture, no clear guidance for our relationship with the United States, and no expression of political unity between our own islands.

To me, it makes sense that we should address these issues first before we can develop a roadmap for our future. Otherwise, unresolved questions will always remain regarding our internal (Tutuila and Manua) and external (with the United States) political relationships.

One source of ambiguity in these documents is that, in a Samoan context, this was understood to be a treaty of cession, rather than a deed of cession. In the Samoan version of these documents, our chiefs used the term feagaiga, which means treaty, but in the English version, the word treaty is never mentioned. To our Samoan chiefs this treaty relationship meant that Samoans would maintain a measure of autonomy the terms of the agreement allowed the U.S. the right to use the land and the harbor, in exchange for providing protection against hostile nations. Viewed as a deed, however, this agreement would have meant that the chiefs were giving over the land as well as their sovereignty over the land. The problem inherent in this ambiguity is that a deed of cession offers our people something less than the sovereign status that a treaty would provide, and in fact the term deed implies ownership of property rather than a sense of the rights and privileges of a sovereign people.

Another source of ambiguity related to these two treaties/deeds is that they were negotiated separately between the United States and each of the island groups. Because these two instruments were two separate acts, by themselves they did not unite American Samoa into one political entity. Therefore, the fact remains that to this day, there is no officially declared political union between the island groups of Tutuila and Manua, only separate understandings with the United States.

Furthermore, despite what others may have said was the understanding in the past, these treaties do not provide for the protection of the basic rights of American Samoa people. While these two treaties have proven instrumental in providing stability to the people of American Samoa for the past 106 years, the deeds do not cover many of the most basic issues of concern for our people, such as citizenship, immigration, international trade and commerce, national security, marine and communal property rights, or membership in international organizations, to name a few. Rather than being instruments that express some vague obligation on the part of the United States to protect our culture, I see these two treaties as asserting United States sovereignty over our lands and our lives.

While the Deeds of Cession still stand as the basis upon which American Samoa can claim a political relationship with the United States, there is still some confusion even within the United States government as to the effect of these two treaties. A review

of the U.S. Department of State listing of U.S. treaties in force makes no mention of any treaty existing between the United States and the island groups of Tutuila and Manua.

Also, as a current conflict in federal law illustrates, the U.S. Congress has its own problems in defining the U.S. relationship with American Samoa. The U.S. Congress approved these documents under the 1929 Ratification Act (48 U.S.C. 1661). Section 1661 states as follows:

Until Congress shall provide for the government of such islands, all civil, judicial, and military powers shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have power to remove said officers and fill the vacancies so occasioned. (emphasis added)

Congress did not ratify the 1900 and 1904 Deeds until 1929, and then delegated its constitutional authority to administer the territory to the President, who transferred the administration of American Samoa to the Secretary of the Navy, primarily because the U.S. wished to establish a naval station in Pago Pago Bay.

In 1951, President Truman transferred the administration of American Samoa to the Secretary of the Interior. The transfer of all administrative, judicial, and military authority from the Congress to the President has not been amended since 1929. Notwithstanding this 1929 law delegating authority over the territory to the President, in 1984 Congress passed a bill, signed into law by the President (Pub. L. 98-213, codified at 48 U.S.C. 1662a), that now requires congressional approval of any amendment to the territory's constitution. In view of this new law, several questions and problems are now being raised. First, why does American Samoa now require Congressional approval of any amendments to its territorial constitution when Congress never expressly approved the territorial constitution to begin with? Second, there are several provisions in our territorial constitution that would raise serious constitutional issues that Congress has not yet addressed. In fact, it is questionable if Congress would approve such provisions in light of the U.S. Constitution. Unfortunately, Congress has never fully examined the contradictions between these two statutes.

The question here is whether the territorial constitution should be subject to congressional or presidential authority. If the authority is congressional, the 1929 law should be amended to rescind the authority delegated to the President; if the authority is presidential, the 1984 law should be rescinded and the approval of changes to our constitution should be returned to the complete authority of the President via the Secretary of the Interior. In either case, we have to face the fact that our present constitution and our current measure of sovereignty are nothing more than an extension of the presidential power of the Secretary of the Interior.

As we discuss our possible options in our quest for a greater measure of self-government, where are we now in our relationship with the United States? American Samoa is described as an unorganized and unincorporated territory of the United States. American Samoa is considered unorganized because since 1929 Congress has not officially organized a government for the separate island kingdoms of Tutuila and Manua under one organic act. Our territory is unincorporated because, according to Supreme Court decisions regarding the constitutional rights of insular territories, Congress has never intended to incorporate American Samoa into the Union.