

Public Law 95-556
95th Congress

An Act

Oct. 31, 1978
[H.R. 13702]

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.

Territory of
American
Samoa.
Nonvoting
Delegate to
U.S. House of
Representatives.
48 USC 1731.
Election.
48 USC 1732.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Territory of American Samoa shall be represented in the United States Congress by a nonvoting Delegate to the House of Representatives, elected as hereinafter provided.

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

Term.

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

Eligibility.
48 USC 1733.

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

- (a) be at least twenty-five years of age on the date of the election;
- (b) have been a United States citizen for at least seven years prior to the date of the election;
- (c) be an inhabitant of the Territory of American Samoa; and
- (d) not be, on the date of the election, a candidate for any other office.

48 USC 1734.

SEC. 4. Acting pursuant to legislation enacted in accordance with section 9, article II of the American Samoan Revised Constitution, the territorial government will determine the order of names on the ballot for election of Delegate, the method by which a special election to fill a vacancy in the office of Delegate shall be conducted, the method by which ties between candidates for the office of Delegate shall be resolved, and all other matters of local application pertaining to the election and the office of Delegate not otherwise expressly provided for herein.

Compensation.
48 USC 1735.

SEC. 5. Until the Rules of the House of Representatives are amended to provide otherwise, the Delegate from American Samoa shall receive the same compensation, allowances, and benefits as a Member of the House of Representatives, and shall be entitled to whatever privileges

and immunities that are, or hereinafter may be, granted to the non-voting Delegate from the Territory of Guam: *Provided*, That the clerk hire allowance for the Delegate from American Samoa shall be a single per annum gross rate that is 50 per centum of the clerk hire allowance of a Member of the House of Representatives.

Approved October 31, 1978.

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SHORT TITLE

Section 1. This Act may be cited as the "Delegation and Community Development Amendments of 1978."

TITLE I—COMMUNITY AND RECREATION DEVELOPMENT AND CONSERVATION

SECTION 101. (a) SHORT TITLE

Section 101. (a) Section 101 of the Housing Act of 1968 is amended— (1) by striking out the underlined language which follows subsection (a) (1) and inserting in its place the following new language:

"(1) The Secretary shall, in carrying out under this section the program of assistance for low- and moderate-income persons who own the property to be rehabilitated and will occupy such property upon completion of the rehabilitation, including applications for construction and occupancy for which the Secretary has previously issued the loan guarantee program, for the purpose of the preceding sentence, the term 'low- and moderate-income person' which has appeared in subsection (a) of the section amended by this Act shall be defined as follows: (A) and inserting in its place the following:

(B) The term shall mean a person who is the owner of a property which is to be rehabilitated and who is occupying such property upon completion of the rehabilitation and who is a member of a family with an adjusted gross income for the year for which the rehabilitation program is being carried out which does not exceed the amount determined by the Secretary under section 8 (b) (1) (B) of the Internal Revenue Code of 1954, as amended, but in no case less than 50 per centum of the amount determined by the Secretary under any such section of the Internal Revenue Code which is in effect on the date of the rehabilitation program. The Secretary may, in his discretion, apply the term of this section to the term of years made pursuant to this section, subject to the determination of a majority of the members of the committee on the part of the House of Representatives and a majority of the members of the Senate in each case."

LEGISLATIVE HISTORY:

- HOUSE REPORT No. 95-1458 (Comm. on Interior and Insular Affairs).
- CONGRESSIONAL RECORD, Vol. 124 (1978):
 - Oct. 3, considered and passed House.
 - Oct. 13, considered and passed Senate.
- WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 14, No. 44:
 - Oct. 31, Presidential statement.