

107th Congress
1st Session

COMMITTEE PRINT

SERIAL No.
107-C

**HEARING ON H.R. 4751, PUERTO RICO-
UNITED STATES BILATERAL PACT OF
NON-TERRITORIAL PERMANENT UNION
AND GUARANTEED CITIZENSHIP ACT**

**UNEDITED TRANSCRIPT
COMMITTEE ON RESOURCES**

**October 4, 2000
Washington, DC**



Available via the World Wide Web: <http://www.access.gpo.gov/congress/house>
or
Committee address: <http://resourcescommittee.house.gov>

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: (202) 512-1800 Fax: (202) 512-2250
Mail: Stop SSOP, Washington, DC 20402-0001

U.S. GOVERNMENT PRINTING OFFICE

72-135

WASHINGTON : 2001

Congress has made this status formula called commonwealth to appear plausible by its ambivalence and silence on the status of Puerto Rico. Now events demand that Congress exercise its constitutional power and define the status options and the self-determination process through which the U.S. citizens of Puerto Rico can express and ultimately realize their aspirations for a fully enfranchised and fully self-governing status.

This committee should be commended for holding this hearing so that the U.S. citizens of Puerto Rico can see that the so-called enhanced commonwealth formula would mean less participation for Puerto Rico in the U.S. national economy, less progress toward enfranchisement and equal citizenship rights, and even less certainty of political union and U.S. citizenship for our children in the future.

The 3.9 million U.S. citizens of Puerto Rico need to know the truth about the enhanced commonwealth formula and this hearing should make the truth a matter of record in Congress. For the first time, the details of what the commonwealth supporters elite has proposed in Puerto Rico will be on record so that they may be fully understood by Congress. That should hasten the day when Congress and the U.S. citizens of Puerto Rico will agree on a legitimate process to complete the decolonization of Puerto Rico and finally resolve the issue of 83 years of disenfranchisement of the U.S. citizens of Puerto Rico. Thank you, Mr. Chairman.

The CHAIRMAN. I thank the gentleman for the outstanding job he has done on this issue.

[The prepared statement of Mr. Romero-Barcelo follows:]

***** INSERT *****

The CHAIRMAN. Mr. Dooley, I am going to recognize you because I understand you have someplace to go.

STATEMENT OF HON. CALVIN M. DOOLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. DOOLEY. Yes. I just want to associate myself with the remarks of Mr. Romero-Barcelo and have a statement I would like to include in the record.

The CHAIRMAN. Without objection, so ordered.

[The prepared statement of Mr. Dooley follows:]

***** COMMITTEE INSERT *****

The CHAIRMAN. The lady from the Virgin Islands.

STATEMENT OF HON. DONNA M. CHRISTIAN-CHRISTENSEN, A REPRESENTATIVE IN CONGRESS FROM THE VIRGIN ISLANDS

Ms. CHRISTIAN-CHRISTENSEN. Thank you, Mr. Chairman, for the opportunity to make this opening statement.

Mr. Chairman, I speak as a member who is from one of the off-shore territories of the United States and the closest neighbor to Puerto Rico, with whom we share historical, cultural ties, and kinship through the many families who relocated to St. Croix and the Virgin Islands in the early part of the last century, ties that we celebrate even this week in my home district.

Mr. Chairman, I understand that the author of H.R. 4751, our colleague on the committee, Mr. Doolittle, has said that he introduced this bill before us with the intention that it never become law but that he hopes the bill will provoke an honest discussion of Puerto Rico's future and the truth about its current status. That it certainly will, and not only for Puerto Rico but for all of us. But why this bill and why now?

Despite opening statements, I fail to find an answer. On face value, while it looks like a bill that would define a status the majority of persons in Puerto Rico seem to support, it appears more likely instead to set up a train wreck which I think will sabotage the efforts of the people of Puerto Rico to freely and fairly determine their future status and their destiny.

Mr. Chairman, former Supreme Court Chief Justice Felix Frankfurter once wrote that "history suggests a great diversity of relationships between a central government and a dependent territory." Yes, our citizens receive Federal subsidies and we do not pay direct Federal taxes. However, we do not get to have a direct say in who our Commander in Chief will be. We do not vote for the man or woman who, with the stroke of a pen, could order our sons and daughters to go and fight or die for our country, and we serve in this body with rules under which our Congressional representatives would not be able to vote yea or nay on whether we supported or opposed that action.

Despite all I have said, Mr. Chairman, let me say to my colleagues and to the witnesses represented here today, who I also welcome, that I welcome the discussion that H.R. 4751 would provoke. The residents of Puerto Rico, as well as the Virgin Islands and I would assume Guam, American Samoa, and the CNMI, we all deserve to know how our fellow Americans think we should be treated under this imperfect relationship that is ours. Our fellow citizens need to understand also that we are a part of this country and they need to know that our hopes and aspirations are very much the same as theirs.

It is my hope that any negative consequences that could have been intended and any which might be foreseen will instead, because of the goodness, the fairness, and generosity of the American people, foster closer bonds between us and our fellow Americans.

The people of the U.S. Virgin Islands have been a part of the United States since we were purchased from Denmark in 1917. We were denied American citizenship for the subsequent 10 years, but have been Americans since then, and time and time again a majority of Virgin Islands citizens have expressed their desire to remain a part of this great country of ours. We deserve and expect, however, to be treated with the dignity and respect that our relationship with our mother country affords us. Our status is not a drain on the American taxpaying public. It is but a meager payment for our support of our country in peacetime and war, for the many contributions of our people, and for the position of not being able to control our own destiny.

We do not control our borders, natural resources, or when and if we fight in a war. Ours is not a perfect relationship, nor is it one of our exclusive choosing to date. We are, however, one family struggling to find a balance between full local self-government and

the advantages and responsibilities of being under the sovereignty of a bigger mother country. That process in which each of us finds ourselves at different levels of involvement must be respected, and I do not find that this bill does that.

I thank you again, Mr. Chairman, for allowing me to make this opening statement and I look forward to hearing from the witnesses.

[The prepared statement of Ms. Christian-Christensen follows:]

***** INSERT *****

The CHAIRMAN. The gentleman from New Jersey, Mr. Saxton.

STATEMENT OF HON. JIM SAXTON, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF NEW JERSEY

Mr. SAXTON. Thank you, Mr. Chairman. I want to thank you for holding this hearing today. I have been a Member of Congress for 16 years and during that period of time I have served with the chairman on numerous committees. I know that the chairman cares very deeply about self-determination for the people of Puerto Rico.

I also want to thank my colleague, Mr. Doolittle, for introducing the bill at issue today. Like my colleague, Mr. Doolittle, I am not sure what Puerto Rico's ultimate political status should be, but I agree with him that we should consider and debate only those options that pass constitutional muster. In my opinion, this bill fails in that regard.

The proposal, which I understand was originally put forward by Puerto Rico's Commonwealth Party, seeks to create a quasi-nation within a nation. This new entity would have the authority to make all laws necessary for its own governance, regulate trade with foreign countries, and enter into treaties with other nations. On the other hand, the residents of this new entity would be U.S. citizens, use U.S. currency, and be protected from enemy attack by U.S. forces. If this entity sounds more like a State than a separate nation, consider that the citizens and businesses of this new entity would not have to pay U.S. income taxes.

Now, it seems to me that if something looks like a duck and it acts like a duck and it talks like a duck, we all know that it is probably a duck. But if something would look like a territory, act like a nation, and walk like a State, I think we know what it is, too. It is unconstitutional and legislatively unattainable.

The enhanced commonwealth plan appears to be nothing more than an attempt to gain political advantage by misleading the people of Puerto Rico into believing that they can have all the rights, privileges, and benefits they want without the duties, responsibilities, and obligations that go along with them. Congress is given the authority under the Constitution to make the needful rules and regulations governing territories.

Mr. Chairman, I look forward to hearing from the witnesses today. I understand that the faction that devised the plan did not accept the committee's invitation to testify today. That is disappointing. Nevertheless, I look forward to hearing from the witnesses that are with us. Thank you very much.

The CHAIRMAN. I thank the gentleman.