

**SENATE CONCURRENT RESOLUTION 75--RELATING TO THE
COMMONWEALTH OPTION IN PUERTO RICO (Senate - September 30,
1994)**

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Mr. **SIMON** submitted the following concurrent resolution; which was referred to the Committee on Energy and Natural Resources:

S. Con. Res. 75

Whereas the Government of the Commonwealth of Puerto Rico enacted legislation to allow the people of Puerto Rico to express, through a plebiscite, their preference regarding the nature of the future relationship between Puerto Rico and the United States;

Whereas the plebiscite ballot contained the status options of statehood, commonwealth, and independence, as defined by the three principal political parties of Puerto Rico;

Whereas, in the plebiscite of November 14, 1993, 48.6 percent of the people of Puerto Rico voted for commonwealth status, 46.3 percent voted for statehood status, and 4.4 percent voted for independence;

Whereas the commonwealth status option presented to the Puerto Rico electorate on November 14, 1993, proposed significant changes to the current relationship between Puerto Rico and the United States, including--

- (1) the execution of a bilateral pact between Puerto Rico and the United States that would be unalterable, except by mutual consent;
- (2) permanent union between Puerto Rico and the United States;
- (3) the extension of supplemental security income (SSI) under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) to citizens of Puerto Rico; and
- (4) equality between Puerto Rico and the States regarding food stamp allocations under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);

Whereas the commonwealth status option presented to the Puerto Rico electorate on November 14, 1993, stated that commonwealth status would guarantee--

- (1) irrevocable United States citizenship;
- (2) Puerto Rico fiscal autonomy; and
- (3) a common market, common currency, and common defense with the United States;

Whereas the legislature of Puerto Rico passed a concurrent resolution asking that

the Congress make a statement concerning the viability of the commonwealth ballot formula presented to the people of Puerto Rico in the plebiscite of November 14, 1993;

Whereas the Congress holds great respect for Puerto Ricans as citizens of the United States; and

Whereas it is incumbent upon the Congress to express the sense of the Congress concerning the viability of the elements of the commonwealth formula proposed in the November 14, 1993, plebiscite: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that--

(1) the changes to the political relationship between Puerto Rico and the United States that are described in the option of the Puerto Rico plebiscite of November 14, 1993, known as the commonwealth option would provide to United States citizens who are residents of Puerto Rico the Federal benefits of United States citizens living in the States without the concomitant responsibilities;

(2) the commonwealth formula presented in the Puerto Rican plebiscite of November 14, 1993, is not an economically or politically viable alternative to the current self-governing, unincorporated territorial status of the Commonwealth of Puerto Rico; and

(3) the unalterable bilateral pact that such commonwealth formula proposes as the vehicle for the permanent union of Puerto Rico with the United States is not a constitutionally viable alternative to the current self-governing, unincorporated territorial status of the Commonwealth of Puerto Rico.

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Mr. SIMON. Mr. President, on July 4, 1994, the legislative assembly enacted a concurrent resolution asking the U.S. Congress to address the viability of the commonwealth option voted on by the people of Puerto Rico during the November 14, 1993, plebiscite. I am pleased to join my friend Congressman **Don Young** of Alaska in a bipartisan, bicameral effort to respond to the request of the Puerto Rican legislature. Along with Congressman **Young**, I am submitting a concurrent resolution of the U.S. Congress regarding the commonwealth option presented in November 14, 1994 plebiscite.

The need for such a concurrent resolution must be considered in the context of the procedures governing the Puerto Rican plebiscite. In the interests of comity, the Legislative Assembly of Puerto Rico permitted each of the three political parties represented in the plebiscite--the Statehood Party, the Commonwealth Party, and the Independence Party--to draw up its own definition of its status option for inclusion on the plebiscite ballot. This attempt to be fair, however, led to the formulation and appearance of completely unrealistic status options on the

November 14 ballot.

The Commonwealth Party in Puerto Rico presented Puerto Rico's citizens with a series of vain promises regarding the island's future relationship with the United States. The Commonwealth Party promised, among other things, that future Puerto Rico-U.S. relations would be governed by a bilateral pact that would be unalterable except by mutual consent; that supplemental security income benefits and food stamps would be made available to Puerto Ricans on a par with citizens of the 50 states; that Puerto Rican fiscal autonomy would be preserved; and that Puerto Rico would be guaranteed a common market, defense, and currency with the United States. In short, the Commonwealth Party promised Puerto Ricans many of the benefits of full incorporation with the United States without any of the concomitant responsibilities, and proposed a form of association with the United States that is inconsistent with Constitutional principles.

Not surprisingly, a plurality of Puerto Ricans--48.6 percent--voted for the Commonwealth package of benefits, although to the credit of the Puerto Rican people, a combined majority of pro-statehood and pro-independence voters expressed approval for packages that combined benefits and responsibilities equally. Indeed, it is important to note that, for the first time since its establishment in 1952, the commonwealth status option failed to receive a majority of support from the Puerto Rican electorate.

In light of the continued uncertainty regarding the Puerto Rican plebiscite and what it means for the future, it is incumbent on the U.S. Congress to heed the call of the Puerto Rican Legislature and express its opinion regarding the viability of the commonwealth plebiscite formula. If, as I believe, this formula was neither politically, economically, nor constitutionally viable, the people of Puerto Rico must be given this signal, so that they may promptly choose a path of association that is both realistic and consistent with constitutional principles.

While it is unfortunate that the voters of Puerto Rico faced inflated and unrealistic expectations in the November 14, 1993 plebiscite, the Congress of the United States can now set the record straight, so that Puerto Rico may continue without undue delay to find a viable constitutional option to its current self-governing, unincorporated territorial status.

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