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**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**



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Mr. DOOLITTLE. Ladies and gentlemen, the hearing will resume. I would ask our witnesses to return to the witness table. We may have another vote here in 45 minutes, but hopefully we will have made substantial progress by then.

Mr. Thornburgh, I think with your indulgence, we will go with Mr. Farrow as the lead administration witness first. Mr. Farrow is Co-Chair of the President's Interagency Group on Puerto Rico here in Washington, D.C. Mr. Farrow, you are recognized.

#### STATEMENT OF JEFFREY L. FARROW

Mr. FARROW. I am Jeffrey Farrow, Co-Chair of the President's Interagency Group on Puerto Rico. I will present the executive branch's overall views. William Treanor of the Justice Department and Robert Dalton of the State Department will address some questions in greater detail. We are accompanied by Janice Podolny of the Immigration and Naturalization Service. I will also submit a letter from the Secretary of Labor, Alexis Herman.

[The letter from Ms. Herman follows:]

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Mr. FARROW. Our first point is that you are doing a great service by considering this bill. It raises issues that have prevented Puerto Rico's fundamental question from being resolved. It reflects the proposal of leaders of one of Puerto Rico's most supported political parties. They said votes for the "none of the above" column in the last status referendum would be votes for this proposal. They are now asking to try to have it implemented by July 25, 2002.

Although it is called a commonwealth proposal, it is for a very different governing arrangement than the present one. It is also different from the commonwealth in the only other status referendum in Puerto Rico in recent decades, and it differs from the commonwealth proposal that the leaders of the party made to you in 1997.

However, it reflects a desire for greater autonomy while retaining most of the benefits that the United States has provided that has been a major force in the island's public debate.

The proposal's fundamental elements include Puerto Rico would be a sovereign nation but in a permanent union with the United States under a binding agreement; the United States would continue to grant citizenship and all assistance currently granted to residents; the Commonwealth would determine the application of other Federal laws and be able to enter into agreements with other countries.

Many aspects of this proposal would require actions by the United States to be implemented, so Puerto Ricans should know the United States' views on it before they consider it.

The proposal includes a combination of aspects of different statuses. Many people may find the combination attractive. As stated, though, the combination is an incompatible mixture of benefits of national sovereignty and benefits of a U.S. status. Many of the individual elements would be appropriate under one status or another, but others are impossible or unacceptable. My written statement explains some problems. Our other witnesses will explain others.

The positions we are expressing cannot be expected to change. Most are based on requirements our government lacks the power to change or so basic that they are not really discretionary. Our positions were developed by permanent officials of the agencies involved as well as by administration appointees. They are generally consistent with bipartisan decisions of this committee and the Senate committee.

We can only determine which elements of the proposal should be retained in a status option when the leaders of the party clarify which fundamental status they want. Is national sovereignty more desirable than permanent union, citizenship, and programs? It would be understandable if it is, but it is their choice. It also may be that with explanations, some elements of this proposal can be modified to make them acceptable, even if most cannot.

Puerto Rico's parties should not be expected to draft a proposal that is acceptable as drafted, but it is our responsibility to advise them of the problems, as this hearing is doing, so they can develop a realistic proposal. We will also soon report on the viability of the proposals of Puerto Rico's other parties, as Chairman Young has requested.

The President has additionally initiated a dialogue on the issue that will continue past his administration. He plans to act further to ensure this. The major candidates to succeed him have committed to continue the effort, so it should be expected to.

It is important to the United States as well as to Puerto Rico. The island's lack of votes raises questions of democratic rights. The uncertainty regarding its ultimate status raises questions of how economic and social policies should apply.

If Puerto Rico is to be a nation, as this bill proposes, we should gear programs to eventual nationhood. If it is to be a permanent member of the United States family, we should work toward equal treatment. Puerto Rico's status to date is as much about what the Federal Government would implement as it is about which option would be best. It is so intense, it affects attention to the island's social and economic needs. This proposal is not an option, but the administration has no preference among the proposals that are— independence, free association, and statehood, as well as the Federal commonwealth governing arrangement.

We strongly believe that Puerto Ricans should be enabled to obtain any of the options that would enable them to elect the officials who make their national laws, but we do not feel the current arrangement, which we respect, has to change until a majority has decided on one of those options. Instead, we should further clarify what the realistic options are so the people can make a fair, informed choice as they are ready to.

Thank you. I will be pleased to answer any questions.

Mr. DOOLITTLE. Thank you.

[The prepared statement of Mr. Farrow follows:]

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Mr. DOOLITTLE. Our next witness will be Mr. William M. Treanor, Deputy Assistant Attorney General, Office of Legal Counsel of the U.S. Department of Justice. Mr. Treanor?