

Clement
Clyburn
Coble
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Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
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Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
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Delahunt
DeLauro
DeLay
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Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Cekas
Gephardt
Gilchrest
Gillmor
Gilman
Goodlatte
Gordon
Goss
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
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Hill
Hilliard
Hinchee
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton

Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleccka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Largent
LaTourrette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markley
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCreery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-
McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Nussle
Oberstar
Oliver

Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rohrabacher
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schumer
Scott
Serrano
Shadegg
Shaw
Shays
Sherman
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Souder
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tierney
Traficant
Turner
Upton
Velazquez
Vento
Visclosky

Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman

Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Wise

Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—41

Aderholt
Archer
Bachus
Bryant
Carson
Chabot
Costello
Crane
Duncan
Emerson
Goode
Goodling
Graham
Hall (TX)

Hefley
Hilleary
Istook
Jenkins
Jones
Kingston
LaHood
Latham
Lewis (KY)
Metcalf
Norwood
Obey
Petri
Regula

Riley
Rogers
Royce
Salmon
Schaffer, Bob
Sensenbrenner
Sessions
Smith, Linda
Spence
Wamp
Weller
Whitfield
Wicker

NOT VOTING—19

Chenoweth
Ewing
Frank (MA)
Gibbons
Gonzalez
Harman

Kennedy (RI)
Luther
Poshard
Rogan
Ros-Lehtinen
Scarborough
Schiff

Shimkus
Stark
Tiahrt
Torres
Townes

□ 1209

Messrs. ARCHER, GRAHAM, HEFLEY and RILEY changed their vote from "yea" to "nay."

Ms. DELAURO changed her vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ROGAN, Mr. Speaker, on rollcall No. 27, I was inadvertently detained. Had I been present, I would have voted "aye."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2369, WIRELESS PRIVACY ENHANCEMENT ACT OF 1998

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 105-427) on the resolution (H. Res. 377) providing for consideration of the bill (H.R. 2369) to amend the Communications Act of 1934 to strengthen and clarify prohibitions on electronic eavesdropping, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3130, CHILD SUPPORT PERFORMANCE AND INCENTIVE ACT OF 1998

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 105-428) on the resolution (H. Res. 378) providing for consideration of the bill (H.R. 3130) to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, and to provide for a

more flexible penalty procedure for States that violate interjurisdictional adoption requirements, which was referred to the House Calendar and ordered to be printed.

UNITED STATES-PUERTO RICO POLITICAL STATUS ACT

The SPEAKER pro tempore (Mr. PEASE). Pursuant to House Resolution 376 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 856.

□ 1212

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 856) to provide a process leading to full self-government for Puerto Rico, with Mr. DIAZ-BALART in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Alaska (Mr. YOUNG), the gentleman from California (Mr. MILLER), the gentleman from New York (Mr. SOLOMON) and the gentleman from Illinois (Mr. GUTIERREZ) each will control 22½ minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a very historical moment, one that is long overdue. In debate on the rule, there were some statements made that I think should be clarified before I go into the full text of my presentation today, why I support this legislation.

The Northern Marianas were mentioned and other territories were mentioned, and how they came into this great united part of our United States, even as territories are separate governments. But, for instance, the Northern Marianas, the Government of the United States and the Government of the Northern Marianas will consult regularly on all matters affecting the relationship between them. At the request of either government, and not less frequently than every 10 years there shall be an additional consultation taken.

Mr. Chairman, over 100 years ago, this Congress was passionately discussing the 400-year-old colonial grip that Spain had on the islands adjacent to and south of Florida. Just over 2 weeks earlier, on February 15, 266 American servicemen lost their lives in Havana harbor with the explosion of the United States warship, the Maine.

□ 1215

The monument to these gallant men stands highest above all else in Arlington National Monument. Many others lost their lives in the ensuing Spanish-American War amid the cries of "Remember the Maine." But why?

This Congress declared war and sent Americans in harm's way in the defense of the sacred ideal: self-determination. America won the war, and assumed sovereignty over Cuba, Puerto Rico, and some of Spain's Pacific possessions. All but one are no longer territories. Only Puerto Rico still stands, after 100 years, a territory.

Mr. Chairman, Congress promptly delivered on its promise of self-determination to the people of Cuba by providing for a process which permitted Cuba to become a separate sovereign after a few brief years.

In contrast, the Rough Rider who had charged up San Juan Hill to ensure the United States' victory in the Caribbean had become President of the United States and urged Congress to grant United States citizenship to the people of Puerto Rico in his 1905 State of the Union address. Quote, "I earnestly advocate the adoption of legislation which will explicitly confer American citizenship on all citizens of Puerto Rico. There is, in my judgment, no excuse for the failure to do this."

I believe President Teddy Roosevelt's words are even more true today to this bill as when he spoke them in 1905.

Our fellow Americans in Puerto Rico, now numbering some 4 million, have been loyal to this Nation and have valiantly fought in every major conflict. We have all benefited in ways that cannot be calculated from the bravery, the loyalty, and the patriotism of over 200,000 Americans from Puerto Rico who have served in our Nation's Armed Forces.

It is clear that a heavy price has been paid by Puerto Rico for this country, which has yet to fully deliver on the promise of the U.S. General Miles when he landed in Puerto Rico 100 years ago this year:

"In the continuation of the war against the Kingdom of Spain by the people of the United States, in the cause of freedom, justice and humanity, their military forces have come to occupy the island of Puerto Rico. They come bearing the flag of freedom. They bring you the encouraging strength of a Nation of free people whose greatest power consists of justice and humanity for all those who live in their community. The principal objective will be to give the people of your beautiful island the largest extent of freedom possible. We have not come to wage war, but to bring protection, not just for you but for your property, in order to promote your prosperity and in order to obtain for you the privileges and the blessings of our government. It is not our purpose to interfere with any of the laws and customs present that are wise and beneficial."

The Congress provided Puerto Rico with increasing levels of self-govern-

ment for the first half of this century, culminating with the authorization in 1950 for the process of a development of a local constitutional government.

By 1952, Congress conditionally approved a draft constitution submitted by the legislature of Puerto Rico. After those changes were made by Puerto Rico, the new constitutional government of the territory became effective under the name declared by the constitutional convention as the Commonwealth of Puerto Rico.

The establishment of local constitutional self-government did not alter Congress' constitutional responsibility under the Territorial Clause for Puerto Rico. However, it was under the first years of the commonwealth that President Eisenhower established the Eisenhower Doctrine regarding Puerto Rico which is still in effect today and is reflected in the United States-Puerto Rico Political Status Act.

After the local constitutional government of Puerto Rico was established, Puerto Rico was removed from the United Nations' decolonization list, prompting questions as to whether Puerto Rico was still a territory under the sovereignty of the United States and subject to the authority of Congress. President Eisenhower, a Republican, acted decisively by sending a message to the United Nations that he recommended that the United States Congress grant Puerto Rico separate sovereignty if requested by the Puerto Ricans through the legislature of Puerto Rico.

While the legislature has never petitioned for separate sovereignty, the legislature sent joint resolutions to Congress in 1993, 1994, and 1997 requesting congressional action. Keep that in mind, because I have heard time and again that the Congress, by doing this, is dictating to the Puerto Rican people. But the legislature sent to this Congress in 1993, 1994, 1997 requesting congressional action to define the political status and establish a process to resolve, establish the process to resolve Puerto Rico's political status dilemma.

Although in recent years the Puerto Rican legislature formally requested the Congress to resolve Puerto Rico's political status, U.S. citizens in Puerto Rico had been advocating action for over a decade. I remember the submission to Congress in 1985 to 1987 of over 350,000 individually signed petitions for full citizenship rights. This incredible grassroots effort was led by Dr. Miriam Ramirez of the nonprofit, nonpartisan civic organization, Puerto Ricans in Civic Action.

Mr. Chairman I believe this initiative influenced the then president of the Senate to include in his first State of the Union address as President on February 9, 1989, the following request: "I've long believed the people of Puerto Rico should have their right to determine their own political future. Personally, I strongly favor statehood. But I urge the Congress to take the necessary steps to allow the people to decide in a referendum."

Mr. Chairman, about the same time as President Bush requested Congress authorize a political status referendum in Puerto Rico, the three presidents of the three principal political status parties in Puerto Rico asked Congress to help resolve Puerto Rico's political status, as Puerto Rico has never been formally consulted as to their choice of ultimate political status.

While Congress has yet to formally respond to the request of the President, the leaders of Puerto Rico, and the petitions of the Americans in Puerto Rico, this bill will do just what has been asked by the people of Puerto Rico in numerous years and numerous times by the president of the Senate, by the Presidents in the past in their platforms.

The United States-Puerto Rico Political Status Act, H.R. 856, establishes in Federal law for the first time a process to resolve Puerto Rico's political status. I remind my colleagues it will not happen overnight, regardless of what we do here today. This is just a process that will take place.

My colleague who was speaking on the rule said that the public is not aware of this action today. May I remind my colleagues that if we were to pass this bill today, and I hope we do pass this bill today, it must be passed by the Senate and the people of Puerto Rico must also pass it in 1998. It comes back to the Congress in 1999, and by 1999 we again in Congress must act. We must pass a bill approving the transitional stage. Then it goes back to the people of Puerto Rico. And, by the way, the start of the transition period begins in the year 2000.

But this more than anything else is a bill that establishes the right to determine for the first time in 100 years their self-determination. It is a fair and balanced process that has been developed with an enormous amount of input. Mr. Chairman, I resent certain Members saying that this has not been fair. We asked all of those people involved, all three parties, to submit what their definition should be in this bill. We have in my substitute recognized commonwealth. We recognize independence. We set forth a process which will create a State.

Mr. Chairman, if it does become a State, I am one of the few people, along with the gentleman from Hawaii (Mr. ABERCROMBIE) that has gone through this process.

I have heard some statements here today about English language only. When Alaska became a State, that was not a requirement. We had 52 different dialects in Alaska. People speak English. They also speak many other languages. It was not a requirement. Hawaii has two official languages. They have English and Hawaiian. New Mexico has two official languages, English and Spanish.

The concept of the amendments that will be offered to this bill, especially the amendment of the gentleman from New York (Mr. SOLOMON), he is my

good friend and we talk about what good friends we are, it is a poison pill amendment. America is a melting pot. It is a group of people coming together under one flag. We all speak different languages at different times. Some of us are more fortunate to speak more than one language, but we must always recognize the cohesive part of the United States, and that is being an American. English will come. But to pick out one part of this bill and to say this is a requirement before it ever happens is a poison pill amendment to this legislation.

Let us talk about history again. This is the last territory of the greatest democracy, America. A territory where no one has a true voice, although our government does an excellent job, but there are approximately 4 million Puerto Ricans that have one voice that cannot vote. This is not America as I know it. This is an America that talks one thing and walks another thing. This is an America that is saying, if Members do not accept this legislation, "no" to who I think are some of the greatest Americans that have ever served in our armed forces and are proud to be Americans but do not have the representation that they need.

This legislation is just the beginning. It is one small step of many steps. It is a step for freedom, it is a small step for justice, it is a small step for America. But collectively it is a great stride for democracy and for justice.

This legislation should pass. The amendment of the gentleman from New York (MR. SOLOMON) should be defeated. We should go forth and show the people of America, show the people of Puerto Rico, that our hearts are true, so that the rest of the world will follow the example of the great United States and free their territories and free the people so they can have self-determination. This is what this bill does, and that is all it does.

Mr. Chairman, I reserve the balance of my time.

Mr. MILLER of California. Mr. Chairman, I yield 30 seconds to the gentleman from Puerto Rico (MR. ROMERO-BARCELÓ).

Mr. ROMERO-BARCELÓ. Mr. Chairman, I would love to be able to speak for 30 minutes, an hour or two hours on this subject, but there are so many other people that want to speak on this subject, and many of my colleagues have heard me over and over on this, that I am going to yield some of the time that I would have been allotted so that other Members of this Congress can address the House in support of this bill which is a very, very important bill for the people of Puerto Rico, for the 3,800,000 U.S. citizens in Puerto Rico.

Mr. MILLER of California. Mr. Chairman, I yield myself 4½ minutes.

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman, the Committee on Resources of

the House of Representatives had an obligation to report to this floor a fair and accurate plan for the citizens of Puerto Rico to choose their status. I believe that this committee has met that obligation.

Mr. Chairman I thank the gentleman from Alaska (MR. YOUNG), chairman of the committee, for leading us through what has been a difficult process. I also thank the gentleman from Puerto Rico (MR. ROMERO-BARCELÓ), our friend, for all of his help in this process.

Mr. Chairman, the people of Puerto Rico, if this bill is passed, will be given the opportunity by the Congress of the United States under the laws of this Nation to choose their status. They can choose to continue in the commonwealth arrangement, they could choose to become an independent nation, they could choose to become one of the States of the United States of America.

Our obligation was to see that when this process went forward to the people of Puerto Rico, that it was a fair process, that it was an accurate process. We had had an earlier plebiscite where the parties wrote their own definitions and the people voted, and the Congress has done nothing because the Congress knew in fact those definitions, whether they were of statehood or of commonwealth, were, in fact, not accurate and would not be supported by the Congress of the United States and did not reflect the laws and the Constitution of this country.

In the committee, I was very distraught at beginning of this process because I felt that those who support commonwealth were not able to present their definition to the Congress, to the committee. I worked very hard so that that definition could be offered. I offered that definition. It was turned down overwhelming on a bipartisan basis. It was something called "enhanced commonwealth." It was sort of a make-believe status of commonwealth.

□ 1230

The suggestion was that if you voted for commonwealth, you would then be empowered to pick your way through the Constitution of the United States and the laws of the United States and pick and choose which laws you wanted to apply and not have apply, and that you did not have to live under the power of the Congress of the United States or of the Constitution of the United States. That simply was unacceptable to the overwhelming majority of the committee. I believe it is unacceptable to the overwhelming majority of this House. Someone can certainly come forward and offer that amendment this afternoon, should they choose, and I believe it would clearly be unacceptable to the people of this country.

So what we put forth is a definition of commonwealth that recognizes their current status today, that they live in a commonwealth arrangement. It says Puerto Rico is joined in relationship

under the national sovereignty of the United States. It is the policy of the Congress that this relationship should only be dissolved by mutual consent. That is the situation that we have.

We went on to say that in the exercise of the sovereignty, the laws of the commonwealth shall govern Puerto Rico to the extent that they are consistent with the Constitution of the United States. There is no other way to do business, consistent with the Constitution of the United States, treaties and laws of the United States, and the Congress retains its constitutional authority to enact laws that it deems necessary relating to Puerto Rico.

That is the burden of commonwealth. That is why some people do not like it. Some people would prefer independence over commonwealth, and some people would prefer statehood. There is a certain burden to commonwealth. We cannot pretend that there is not. But the people of Puerto Rico ought to be able to choose that. They have to be able to choose the status that they want.

That is what this legislation does. It enables the people of Puerto Rico to make their choice; not our choice, their choice. And hopefully under this legislation, the Congress would then honor that choice after the President and others have worked out a plan to enable that choice to go forward. That is what this legislation does. Nothing more, nothing less.

I think it is an important piece of legislation. I think it is recognized that the people of Puerto Rico are entitled to and must have a free and fair vote on this matter. I would hope that my colleagues would support this legislation to allow that to happen.

Mr. Chairman, the House today considers H.R. 856, a complex bill that has, at its core, a very basic concept: the right of a free people to determine the political system under which they live.

Puerto Rico has been a part of the United States for a century. Its residents, whether they live in San Juan, Mayaguez, New York or San Francisco, are United States citizens. H.R. 856 gives those 4 million Americans the right to decide their future status relationship to the rest of the United States: to become an independent nation, to become a state, or to remain in commonwealth status.

Unlike some of my colleagues who have worked on this issue over the past decade, I do not have a personal preference. I believe status should be determined by the governed. Our obligation is to present fair and accurate status options to the voters of Puerto Rico—options that reflect Constitutional and political reality—and to honor the choice made by a majority of the voters.

During much of the consideration of this legislation by the Resources Committee in this Congress and the previous Congress, I could not support the legislation because I did not believe that the very sizeable number of Puerto Rican voters who support the Commonwealth option were treated fairly. Originally, this bill did not even contain any Commonwealth option.

But I am pleased to say that Chairman YOUNG worked closely with me and with others to ensure that each of the political parties