

people of Puerto Rico. In light of the fundamental inaccuracies, any referendum using the prescribed ballot could not be relied upon as an honest reflection of the sentiments of the people of Puerto Rico. Accordingly, the act as currently formulated necessarily fails to accomplish its very purpose.

Equally important, these fundamental inaccuracies in the ballot's description of the commonwealth status option effectively deny the people of Puerto Rico their constitutional right to exercise the franchise in a meaningful way. As the proponents of Puerto Rican statehood well understand, the commonwealth option described in the ballot will attract no significant support among Puerto Rico's voters, including voters who are otherwise ardent advocates of continuing Puerto Rico's commonwealth status.

Thus, the referendum contained in the act infringes on the voting rights of the people of Puerto Rico by presenting them with a factually inaccurate choice, a false choice as to their political future status. In short, H.R. 856 presents the people of Puerto Rico with a ballot that is stacked in favor of the statehood option. From the very start, the election is rigged. The ballot language mandated by the act is designed to ensure this result regardless of the true sentiments of the people of Puerto Rico.

Such a palpably deficient ballot raises serious constitutional issues. Moreover, as a matter of policy, it certainly cannot be justified as an effort to give Puerto Ricans meaningful self-determination. Mr. Chairman, I oppose this legislation and I ask others to do so as well.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself 30 seconds to respond to the gentleman's comments. I want everybody to understand one thing. As chairman of this committee, we did this job right.

The gentleman talks about constitutionality. He does not know the Constitution from something else. We sent this down to the Justice Department. They reviewed it with the best constitutional lawyers. Everything in this bill is constitutional. I did this job correctly as chairman. To have someone say it is not constitutional or allude it is unconstitutional when it has been thoroughly scrubbed by those that know the Constitution, I think is inappropriate.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Chairman, let me just underscore this. Let us go over it and over it and over it again. If Members do not like the language of this bill, if they do not like the definition of commonwealth in this bill, they do not like commonwealth. If Members find that the language that we use to describe commonwealth is repugnant—

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentleman will suspend.

The Chair will admonish those in the gallery and remind all persons that they are here as guests of the House, and that any manifestation of approval or disapproval of any of the proceedings is a violation of the rules of the House and will not be permitted.

The gentleman may proceed.

Mr. KENNEDY of Rhode Island. Mr. Chairman, the fact is that if everyone is so insulted by this process, I hear the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Illinois (Mr. GUTIERREZ) say, "I don't like this process because they shut out a political party in Puerto Rico." Let us understand what they are shutting out, although it is not the case, I will argue.

But let us just assume that we are shutting out the PDP, the Populares in Puerto Rico. What do they want? They want the commonwealth status. What is the commonwealth status? It is colonial status. It is saying that this Congress can decide unilaterally, without Puerto Rico's opinion or approval, what we want Puerto Rico to do. End of story, I say to the gentleman from New York (Mr. SOLOMON).

So when you talk about how we are being unfair, think about it. We are being unfair because we do not like commonwealth. You bet I do not like commonwealth. I do not like the fact that 3.8 million people are disenfranchised, 3.8 million United States citizens who fought in our wars, who died in our wars are not even allowed to vote for their Commander in Chief. Can you imagine?

This country was founded, at the Boston tea party we declared our Revolutionary War, because we did not have representation here. That is what they do not have. Puerto Ricans cannot decide this bill. The gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) has no vote. He represents 3.8 million United States citizens. This is a bill that affects them, and they have no vote. What is that, other than colonialism?

This bill will give them statehood if they vote for it. Let us say they do not want to vote for statehood now, they still like this quasi-colonial status. We give them an opportunity, because in the final analysis, it has to be the United States.

I think it is so insulting that I have to be up here deciding on something that the people of Puerto Rico should be able to decide with or without my approval, with or without the approval of the gentleman from New York (Mr. SOLOMON), with or without the approval of the gentleman from Alaska (Mr. YOUNG). We represent other States. Why should we have any say in the matter with respect to Puerto Rico? We were not elected by the Puerto Ricans. They deserve their own representation. If we vote for this bill, they will get their own representation.

Mr. GUTIERREZ. Mr. Chairman, I yield myself such time as I may consume. Let me explain to the gentleman from Rhode Island (Mr. KENNEDY) why we are deciding this bill. We are deciding this bill because, unlike the description that the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) has given, we did not welcome the United States to Puerto Rico. Puerto Rico was invaded by the United States during the Spanish-American Civil War.

Mr. KENNEDY of Rhode Island. No argument there. No argument there.

Mr. GUTIERREZ. Let us be clear. The gentleman is right. We are making the decisions because that is what is happening.

Mr. Chairman, I rise to strongly oppose H.R. 856 because this is the exact opposite of what its supporters pretend it to be. H.R. 856 is supposed to be a bill for self-determination, not for statehood, which my friend from Rhode Island has every ability, he is for statehood. That is what he wants. If I were for statehood and I was willing to gamble everything for statehood, I would be for this bill because this is a guarantee that statehood is going to win the plebiscite. I can understand that. Let us be clear.

Now I want to be clear about my position, also, Mr. Chairman. I am for independence for Puerto Rico. I am for independence for Puerto Rico. There was a time that the statehooders and the commonwealthers and the whole system would jail people like me for being for independence for Puerto Rico. That is why there are not more people for the independence of Puerto Rico. As they jailed the people of your former fatherland, Ireland, for wishing the independence and the sovereignty of that nation.

I would suggest to everybody what we can oppose, and it is wrong. Supporters of this bill have approached my colleagues on both sides of the aisle, Mr. Chairman, and told them that the passage of this bill only means that Congress authorizes the people of Puerto Rico to express their preference for political status among 3 options.

Some supporters of the bill have played a very cynical game of telling some of my Democrats, "Vote for this bill, and you will have 6 new Democratic Members of the House and 2 new Democratic Senators. That is why we should vote for the bill." That is being and that should be said here, because that is part of the debate and the conversation, and we should fully explain to the people of Puerto Rico how it is that this Congress is arriving at a decision to make their self-determination.

At the same time, some of the very same people have circulated a memorandum full of very strange statistics. Mr. Chairman, beware of strange numbers for they could be telling stranger lies. It is a memorandum entitled "Puerto Rico, Republican Territory," in which some magician tries to convince the uninformed that Puerto Rico will produce 6 Republican Congressmen and 2 Republican Senators.

citizen of the State of the United States of America.

Now, many people have come to my office, and they have argued to me how really it is not different. Folks, it is different. That is what this election will be about. We treat them differently every day. That is what upsets so many people, that citizens of the United States of America can be treated in this fashion as this Congress deliberates action after action after action.

The remedy for that is statehood, or the remedy for that is independence, or the status quo, which would be Commonwealth. Those are the choices at the end of the day that the people of Puerto Rico will have to decide. Those are the choices in a fair and open and just manner that this committee presents to the plebiscite.

The people of Puerto Rico will make a determination of which status they want to determine. If the Olympic team is so important, then I guess they can take Commonwealth. They can continue that. But then they have to look the citizens in the eye and say, but by the same token, you cannot share in the benefits of all the other citizens of the United States.

If it is less important, they might decide that the great athletes of Puerto Rico can run on the American team and participate, and they can share in equal benefits. That is what this is about. And at the end of the day, this bill presents that in a fair and open fashion.

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Ms. VELÁZQUEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, today has been an education for a lot of Americans watching this debate. Perhaps some people have learned about the passions surrounding this debate. Maybe some people have come to understand at least a little bit how proud the people of Puerto Rico are to be American citizens, how proud we are to live in a democracy in which the concept of free and open debate not only survives but thrives.

Of course, Mr. Chairman, I am a product of that freedom. I am an American citizen born on the island of Puerto Rico, came to the mainland, was elected to Congress and stand before this body a full-fledged voting Member of this great legislative body. I have a great respect for this institution, but I am concerned that a process is about to be imposed on the people of Puerto Rico that is anything but democratic.

I appreciate the intention of my colleagues on both sides of the aisle to allow for the self-determination of the people of Puerto Rico. I have said this before and I will say it again. This bill is not about self-determination. It is about statehood. This bill is the product of a process that did not consult the very people it affects the most.

In 1990 a commonwealth status definition was agreed to by the authors of

H.R. 856 that was acceptable to the interested parties. The chairman of the Committee on Resources voted for the definition at the time. The current ranking member of the committee voted for the definition at that time. The definitions were acceptable to the parties that represented the statehood, commonwealth and independent options.

But now it seems that the very definitions that were agreed to unanimously in the House of Representatives are not good enough. My colleagues seem intent now on forcing a vote on Puerto Rico that includes new definitions that many Puerto Ricans strongly disagree with. I will tell my colleagues that if they truly want self-determination for Puerto Rico, they will vote against this bill.

I have heard my colleagues whom I have great respect for tell me that I should vote for independence. I have heard my colleagues tell me that I should vote for statehood. The fact is that I do not really have a choice, because if this plebiscite is held under this bill, we will see a 51st State, not because the people of Puerto Rico want to be a State. If they wanted that, they would have voted that way in the plebiscite of 1993. No, they will vote for statehood because under the definitions in this bill, commonwealth is not really an option.

The authors of this bill have already said that their intention was to eliminate commonwealth status as a viable option and they were successful. In fact, the authors of this bill did not even offer commonwealth as an option in the plebiscite when they originally wrote this bill.

Mr. Chairman, many people in this Chamber will tell us that they know what is best for the people of Puerto Rico. My response is why do we not let Puerto Rico decide what is best for Puerto Rico? Why do we not give our participants equal input in determining how a status bill should be written? Why do we not give all Puerto Ricans the right to vote on that question?

I do not think that this House should be in the business of telling the people of Puerto Rico what is best for the people of Puerto Rico. They should make that decision. That is what self-determination is all about. That is why I ask my colleagues today to oppose this legislation.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think this is a really complicated debate for people who are just learning about it for the first time over the course of today. I have had the benefit of having the last couple of years in the Committee on Resources to listen to this testimony consistently, and to have had the chance to visit Puerto Rico, as I said earlier.

What really came about from my many hours of listening to testimony is this issue that I think is something that makes the gentlewoman from New

York (Ms. VELÁZQUEZ) and the gentleman from Illinois (Mr. GUTIERREZ) so upset, and that is, this Congress decides what the fate of Puerto Rico is whether or not the people of Puerto Rico like it or not.

The thing about it is, I am in total agreement with the sympathies and concerns of the gentleman from Illinois (Mr. GUTIERREZ) and the gentlewoman from New York (Ms. VELÁZQUEZ). I am as outraged as anyone else, as the gentlewoman just said, that this Congress should think that it could make any decision affecting Puerto Rico without the opinions and the people of Puerto Rico being part of that decision-making process. That is why I am for statehood. That is why I am for this bill.

Mr. Chairman, the gentlewoman from New York said that this commonwealth definition was decided by the committee very unfairly. Let us understand, if we decided what the commonwealth definition was based upon the way the commonwealth party wanted it decided, we would have had a little bit of everything we wanted.

I heard this commonwealth definition. I said, "This commonwealth definition sounds pretty good." I said, "It sounds so good I want Rhode Island to have commonwealth status." I bet every other Member in this place would like to have commonwealth status the way the commonwealth party in Puerto Rico wants it to be defined.

But, Mr. Chairman, we have a responsibility not to define commonwealth status in any partisan terms but to define commonwealth status based upon the laws of what commonwealth means. As much as my good friends say that commonwealth status means that we are a nation, that commonwealth status means this or that, or guess what the United Nations said, the proof is in the pudding.

Whenever a bill comes up that relates to Puerto Rico, it is referred to the Committee on Resources. Why? Because the Committee on Resources has jurisdiction over Indian and insular affairs, meaning territories. Meaning no matter what we may say about the Supreme Court decisions, no matter what we may say about U.N. resolutions, the proof is in the pudding.

We are sitting here debating this. We would not be debating this if there was a bilateral pact. If Puerto Rico really had the say in this matter, they would have said, "Hey, U.S. Congress, we don't need you to give us the right to vote. We have the right to vote."

Puerto Rico could not do that because they are under the Territorial Clause of the United States Constitution, like it or not. Mr. Chairman, there is the old Snickers ad that says, "No matter how you slice it, it still comes up peanuts." The fact of the matter is, no matter how you define commonwealth, it still comes up Territorial Clause. That is the bottom line here.

That is why I think this is a good bill, because ultimately the people of