

**STATEMENT OF HON. MARY L. LANDRIEU, U.S. SENATOR
FROM LOUISIANA**

Senator LANDRIEU. I just want to make a brief statement, and I'm going to submit some questions for the record.

I thank you all, gentlemen, for your testimony because this is an important issue for, obviously, Puerto Rico and the Nation. I want to say that I hope, Governor, with all due respect to your testimony, that we not hold out false hopes, that we give the people of Puerto Rico a clear—clear choices. They deserve our utmost respect and confidence and to give them choices that are real and choices that are constitutional. I hope that as we proceed with these discussions, that that will be what we come out with: an opportunity for real choices based on what our Constitution says, and to be respectful of the people of Puerto Rico. I know that is what we all want to do.

So I'm going to just stop there and submit questions for the record and we'll see where we go. And I thank Senators Salazar and Martinez for their leadership.

[The prepared statement of Senator Landrieu follows:]

PREPARED STATEMENT OF HON. MARY L. LANDRIEU, U.S. SENATOR FROM LOUISIANA

Thank you, Mr. Chairman. I am sure you will agree that as the United States promotes democracy abroad, we should pursue it no less vigorously here at home. We need to start today with Puerto Rico.

I do not believe that we should spend more time today echoing the same debate between the local parties from Puerto Rico that we heard in 1998 and 1999, that we heard earlier in 1991 (before I came to Congress), and that Congress has heard going all the way back to 1952 (before I was born).

Puerto Rico has been part of the United States for more than 100 years. It is high time Congress empowered the proud people of Puerto Rico to decide their own future.

I believe that Puerto Rico should become a state. Puerto Ricans cannot, on the one hand, keep their U.S. citizenship, income-tax-free status and access to federal funding while on the other hand be able to enter into trade agreements with foreign countries or choose which laws passed by Congress to follow.

There is no such thing as a free lunch. Puerto Ricans should have full representation in Congress and all of the rights—and responsibilities—that such representation entails.

Otherwise, they should become an independent country with all of the rights—and responsibilities—that such a choice would entail.

As I have said, I believe that the citizens of Puerto Rico will be better off as part of the United States, but I am not afraid to let them decide in a straightforward manner.

Past plebiscites held on this issue have failed because the question has not been stated in a straightforward manner. When "none of the above" is the most popular answer, it is time to rethink what we are asking for.

Personally, I believe that we need to lay out a two pronged question for Puerto Rico: Would you prefer to join the United States as a full state? Or, would you prefer to become an independent country?

However, it does not appear that Congress or the White House is ready to ask that question.

But the President's Task Force did come close by laying out a relatively clear framework for resolving the issue:

Quite simply, it recommends putting a two step process before the people of Puerto Rico:

Step 1) Are you happy with your current, territorial status?

Step 2) If you are not happy, do you wish to be an independent country or a state?

That's pretty straightforward, and that is why I am an original cosponsor of S. 2661, a bill to provide for a plebiscite in Puerto Rico on the status of the territory.

Several of my colleagues on the Committee are cosponsors, and I hope we can move this issue quickly in the 110th Congress.

I believe that we need to restore majority rule and consent of the governed in Puerto Rico. Let's find out if a majority are happy with remaining a territory. If they are, then we can give this a rest for a while. If the majority really doesn't wish to be a territory any more, then we can move forward.

Thank you Mr. Chairman

Senator MARTINEZ. Thank you, Senator Landrieu.

Let me ask you a question and I'd like to get an answer from each of the panelists. Why were the results of the 1993 and 1998 plebiscites so muddled, so confusing, and why is there not a clear direction from the Puerto Rican people when presented with three clear-cut options? Let me begin, from right to left. I want to give Mr. Berríos an opportunity to speak.

Mr. BERRÍOS. It's from left to right.

Senator MARTINEZ. Well, I'm sorry. Depending on which way you—

[Laughter.]

Mr. BERRÍOS. Regarding the commonwealth issue, as usual, in one of the plebiscites, the formulation of a commonwealth was the best of both worlds. Who can vote against that? Well, more than 50 percent of the people did, but when you have things defined in such a manner and all issues stacked against you, after 100 years of intimidation and persecution, particularly with regards to independence, you can imagine the outcome.

Senator MARTINEZ. By the way, you have mentioned intimidation and blackmail now a couple of times; who do you accuse of that? I want to be clear.

Mr. BERRÍOS. Everybody involved in this issue. When it was up to—

Senator MARTINEZ. All right, that's fine.

[Laughter.]

Mr. BERRÍOS. I can give you some examples. I can give you—when it was up to the U.S. Congress in 1945, at the start of the cold war, the Smith Act was immediately appointed for Puerto Rico. And then the Puerto Rican government took it over and put more than 1,500 members of the Independence Party, which seeks independence peacefully, into prison. That's the intimidation I'm referring to.

Senator MARTINEZ. OK. Congressman.

Commissioner FORTUÑO. First of all, Senator, I commend you and Senator Salazar for the bill you have introduced and I thank you all for the interest that you have shown all of the members of the panel.

To address your question, I believe it goes to the crux of why should we be here? Why should we have this process and why should Congress get involved in this? I answer with a question. If one of the options was that you could keep, actually, U.S. citizenship, but you would not have to pay Federal taxes; however, all social programs will be applicable to Puerto Rico, and on top of that, that actually Puerto Rico will decide which laws applies, which Federal laws apply and which ones don't, that Puerto Rico will decide the jurisdiction of the Federal District Courts in Puerto Rico, that Puerto Rico will decide, actually, many of the—you know, even if we go to war or not, when the U.S. is at war; that Puerto Rico,