

**EXPRESSING THE SENSE OF CONGRESS REGARDING THE
COMMONWEALTH OPTION PRESENTED IN THE PUERTO RICAN
PLEBISCITE -- HON. DON YOUNG (Extension of Remarks - September 30,
1994)**

[Page: E2008]

HON. DON YOUNG

in the House of Representatives

FRIDAY, SEPTEMBER 30, 1994

- Mr. YOUNG of Alaska. Mr. Speaker, the Legislative Assembly of Puerto Rico enacted a concurrent resolution asking the United States Congress to respond regarding the viability of the commonwealth option of the November 14, 1993 political status plebiscite, which received a slim plurality of the votes cast. I am pleased to join Senator **Paul Simon** in a bipartisan and bicameral response to the legislature's request, which is appropriate given the Congress' constitutional responsibilities for matters affecting the territories.
- We are introducing a concurrent resolution of the United States Congress regarding the commonwealth option presented in the plebiscite with utmost respect of the people of Puerto Rico, their elected leaders, and the self-determination process. The resolution is made in good faith and with the best of intentions for the people of Puerto Rico, who have been staunch loyal United States citizens for over three-fourths of this century. Any proposed change to the existing fundamental relationship with our fellow United States citizens in Puerto Rico is very important and is not to be treated lightly.
- Of the total votes cast in the plebiscite, 48.6 percent voted for the commonwealth option, 46.3 percent voted for statehood, and 4.4 percent voted for independence. While a plurality of the voters supported commonwealth as defined on the ballot, the majority voted for other status options. Consistent with the plebiscite law, the Legislative Assembly of Puerto Rico petitioned the Congress to express itself concerning the principles of the commonwealth formula.
- In analyzing the substance of the commonwealth option it is necessary to also consider the process which led to the November 14, 1993 plebiscite. In the interest of political comity, the Legislative Assembly of Puerto Rico permitted each of the three political parties advocating one of the three status options of statehood, commonwealth, and independence to provide the status definitions to appear on the plebiscite ballot. The plebiscite law also

provided each option equal public education funding, a mutually agreed limitation on total media expenditures by each party, a freeze on government-agency media expenditures 60 days prior to the plebiscite, and independent oversight of the voting process. However, the law's genuine intent to be fair unintentionally fostered a weakness by permitting historically unprecedented hypothetical status definitions on the ballot.

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- The people were presented a mythical commonwealth option which proposed significant changes to the current relationship between Puerto Rico and the United States, including the execution of a bilateral pact between Puerto Rico and the United States that would be unalterable except by mutual consent, permanent union, the extension of Supplemental Security Income, and equality of food stamps equal to the States without equal fiscal responsibilities. Furthermore, the commonwealth status would guarantee irrevocable United States citizenship, Puerto Rican fiscal autonomy, and a common market, currency, and defense with the United States.
- It should not be surprising, given human nature, that a plurality of the people voted for a guarantee of virtually all of the benefits and assistance of U.S. citizenship without the corresponding duties and obligations. Notwithstanding the option of 'all-the-goodies-without-the-price,' and to the grand credit of the people of Puerto Rico, a combined majority chose status options offering additional rights and responsibilities. A near plurality of voters chose statehood with the same rights, benefits, and responsibilities of the 50 States; a small fraction voted for independence with the inherent rights, powers, and obligations of separate sovereignty.
- It is essential to a meaningful self-determination process for the United States House and Senate to provide the people of Puerto Rico a sense of the Congress concerning the viability of the elements of the commonwealth formula proposed in the November 14, 1993 plebiscite. Therefore, after extensive examinations and scrutiny and based on bipartisan and bicameral deliberations considering the U.S. Constitution and Federal laws as they relate to the commonwealth formula, a concurrent resolution of the United States' House and Senate is being introduced. The commonwealth formula is clearly not an economically or politically viable alternative to the current self-governing, unincorporated territorial status of the Commonwealth of Puerto Rico; and the unalterable bilateral pact that such commonwealth formula proposes as the vehicle for 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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- It is unfortunate that the voters have faced unrealistic and inflated expectations of a supposed commonwealth relationship with the United States. However, this has become an opportunity to set the record straight; to quell the commonwealth fantasy status which continues to be promoted to the detriment of the society it is purported to help. While it is true that the United States-Puerto Rico relationship shares many things in common, no permanent union secured by an unalterable bilateral pact with irrevocable American citizenship is possible under any variation of the proposed commonwealth formula. Our U.S. Constitution provides the only avenue for irrevocable U.S. citizenship, total equality, and permanent union.
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- I want to commend the people of Puerto Rico for their steadfast faith in our constitutional democracy and for adhering to local and Federal laws during the plebiscite process. Last year's act of self-determination is a model for other communities, as it was peaceful while appropriately exuberant. In contrast to the political and civil turmoil in other areas. Puerto Rico truly merits the motto of 'The Shining Star of the Caribbean.'
- Although the plebiscite has not resolved Puerto Rico's status, hopefully the achievement is real progress in self-determination toward realistic and substantiated status options. I will continue to monitor the self-determination aspirations of our fellow citizens in Puerto Rico, as well as the other United States territories, as a solemn obligation of the Congress.
- Following is the full text of the concurrent resolution responding to the Puerto Rico political status plebiscite of November 14, 1993:

[Page: E2009]

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 Rican 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 Rican electorate on November 14, 1993, stated that commonwealth status would guarantee--

- (1) irrevocable United States citizenship;
- (2) Puerto Rican 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 to 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 House of Representatives (the Senate 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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