

with their children and the bad schools in which they were trapped, applied for a meager 1,000 scholarships that would enable those mothers and those fathers to move their children to a better school of their choice.

□ 1030

The people of Washington, D.C., especially those who are not at the top rungs of the socioeconomic ladder, want their children to have the same opportunity as the wealthy people who have their children in Sidwell Friends.

We have a bill that we will bring to the floor here in a few days, a bill that would allow 2,000 scholarships for the very poorest families in America, from among those who apply to be chosen at random, so that those parents can use those scholarships to take their child to that school where the child can succeed.

Let me just say, Mr. Speaker, I have met some of those children who up to this point have been the lucky recipients of the private scholarships, privately funded scholarships made available to their families. By over 60 percent, these bright young boys and girls say they like math and science the best. If we put a bright young mind in a school where they are encouraged, where somebody cares and takes the time, and yes, indeed, offers a little discipline along with that encouragement, we see a bright, happy child.

We will bring that bill to the floor. We will pass that bill. I hope Members on both sides of the aisle can find compassion for the children that overrides their desire to comply with unions, and I hope when we send that bill to the President and he picks up that pen, he will realize he has the lives of 2,000 beautiful children in his hands. He can sign the bill and give them the opportunity, or he can veto the bill and satisfy the unions.

BEFORE WE SPEND OUR FEDERAL SURPLUS, WE BETTER MAKE SURE WE REALLY HAVE ONE

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, every day we hear all kinds of talk now about how we are going to spend the Federal surplus. Before everyone gets all giddy about all this extra cash, however, we had really better take a closer look.

Alan Sloan, the Wall Street editor of Newsweek, recently wrote in the Washington Post, "But get a grip. There is no surplus. If you do math the normal way, instead of Uncle Sam's way, there is nothing resembling a budget surplus on the horizon." Mr. Sloan wrote that all the talk about a surplus comes because we are using Federal budget accounting instead of real world accounting.

As he pointed out, "Virtually the entire difference between Federal math and real-world math involves Social

Security's retirement and disability funds, whose surpluses are masking the deficit in the rest of the budget."

If we were not using the Social Security and many other trust funds to offset or mask the size of the deficit, we would still have a huge deficit on top of an already horrendous \$5.5 trillion national debt.

Mr. Speaker, before we begin celebrating and spending our supposed, alleged surplus, we had better make sure that we really have one. We are very far from it right now.

PRESIDENT CLINTON TURNING HIS BACK ON TAX REFORM

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, earlier this week, President Clinton turned his back on fundamental tax reform by reforming the tax code. He said that getting rid of the current tax code and replacing it with a better one is irresponsible.

The President is finally revealing his true liberal self. As we enter a new century, we need a new tax code. We need a tax code that encourages savings and investment. We need a tax code that is simple, so that our citizens do not need to hire accountants and lawyers to comply with the rules. We need a tax code that takes less money from working families. We need a tax code that gives the American people a break, not manipulates their lives.

For 40 years, the Democrats in this Congress built a tax code that was riddled with loopholes, ridiculous rules, and hard-to-understand regulations, all to control our lives. It is time to tear that system down and build a better, simpler, and fairer tax code for the next century.

THE SOLOMON ENGLISH LANGUAGE EMPOWERMENT AMENDMENT

(Mr. SOLOMON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOLOMON. Mr. Speaker, in just a few minutes this House will begin debate on something that is probably the most important issue that we will take up on the floor this Congress during this entire year. It is the question of whether or not to start in motion the wheels that will begin to admit Puerto Rico as a State to this Union.

I would just hope that all Members, and because of their interest for their constituents, would pay particular attention. I would suggest that they come over here. This debate is going to take 7 or 8 hours on this floor, but it is very, very important.

I will be offering an amendment that will begin to emphasize that based on this premise, for the past two centuries we have forged a Nation out of our dif-

ferent peoples by emphasizing our common beliefs, our common ideals, and perhaps, most importantly, Mr. Speaker, our common language.

Our English language has permitted this country to live up to our motto, our national motto, and that motto is *e pluribus unum*, and it means "out of many, one." The English language is the reason that we have survived these last 200 years. Think about it.

PROVIDING FOR CONSIDERATION OF H.R. 856, UNITED STATES-PUERTO RICO POLITICAL STATUS ACT

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 376 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 376

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 856) to provide a process leading to full self-government for Puerto Rico. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed ninety minutes equally divided and controlled by Representative Young of Alaska, Representative Miller of California, Representative Solomon of New York, and Representative Gutierrez of Illinois or their designees. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 6 of rule XXIII. That amendment in the nature of a substitute shall be considered as read. Points of order against that amendment in the nature of a substitute for failure to comply with clause 5(a) or rule XXI are waived.

SEC. 2. (a) Before consideration of any other amendment, it shall be in order to consider the amendment printed in the Congressional Record and numbered 3 pursuant to clause 6 of rule XXIII. Consideration of that amendment shall be preceded by an additional period of general debate, which shall be confined to the subject of that amendment and shall not exceed one hour equally divided and controlled by Representative Solomon of New York and a Member opposed to that amendment.

(b) Consideration of the amendment printed in the Congressional Record and numbered 2 pursuant to clause 6 of rule XXIII shall be preceded by an additional period of general debate, which shall be confined to the subject of that amendment and shall not exceed thirty minutes equally divided and controlled by Representative Serrano of New York and a Member opposed to that amendment.

(c) Amendments specified in subsections (a) and (b) of this resolution shall be considered as read and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Consideration of those amendments, and all amendments thereto, shall not exceed one hour.

SEC. 3. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from New York (Mr. SOLOMON) is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my good friend, the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for debate purposes only.

Mr. Speaker, House Resolution 376 is an open rule providing for consideration of H.R. 856, which is the United States-Puerto Rico Political Status Act. The rule provides 90 minutes of general debate, equally divided and controlled by the gentleman from Alaska (Mr. YOUNG), the gentleman from California (Mr. MILLER), myself, the gentleman from New York (Mr. SOLOMON), and the gentleman from Illinois (Mr. GUTIERREZ), or their designees.

The rule makes in order the amendment in the nature of a substitute offered by the gentleman from Alaska (Chairman YOUNG) and printed in the CONGRESSIONAL RECORD and numbered 1, which shall be considered as read.

The rule also waives clause 5(a) of rule XXI prohibiting appropriations in a legislative bill against the amendment in the nature of a substitute. The Committee on Rules understands this waiver to be technical in nature, and further understands that the Committee on Appropriations has no objection to it.

Mr. Speaker, this is an open rule. However, the Committee on Rules decided to single out two significant policy amendments for particular treatment for debate on this floor. The committee determined that these amendments should receive a specified debate time and a time certain to close debate

on those amendments and any amendments thereto.

These two amendments are the Solomon amendment, which clarifies the official role of English in government activities, and the Serrano amendment, which relates to eligibility of mainland U.S. citizens of Puerto Rican descent to vote in a referendum.

After general debate on the bill, there will be an additional period of general debate on the Solomon amendment, and then 1 hour of consideration of the amendment.

Mr. Speaker, the rule also provides that the amendment of the gentleman from New York (Mr. SERRANO) will have 30 minutes of additional general debate time, similar to the Solomon amendment, and 1 hour of consideration for the amendment process; in other words, amendments offered to that amendment.

The rule further provides that both the Solomon amendment and the Serrano amendment shall be considered as read and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole, but there will be second degree amendments allowed to it, similar to an open rule process.

Mr. Speaker, the rule also provides that the Chair is authorized to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD that appeared today.

The rule also allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote.

Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, as the Members are well aware, this is an extremely controversial issue. It is controversial among the American people, and it is certainly controversial among the people that reside on the islands of Puerto Rico. Members of the House are divided on this issue, and not necessarily by party.

However, despite our differences over the substance of the legislation, many of us have agreed that the fairest way to consider this very controversial and difficult issue is under an open rule, and I commend Chairman YOUNG for his cooperation in bringing this matter to the floor under these considerations today.

□ 1045

The gentleman is an outstanding Member of this body, and even though he and I will tangle somewhat on the floor, we will remain good friends when we leave here. He and I very rarely ever differ. He and I have fought hundreds of battles on this floor in the last 20 years on the issue of property rights, individual property rights of individual Americans, and we will continue to do that as long as the two of us are left standing on this floor.

Mr. Speaker, I admonished Members who appeared before the committee yesterday to comport themselves in a dignified fashion and to exercise restraint in determining which amendments to offer and how many would be offered. I am pleased to note that the Members who appeared yesterday before the Committee on Rules agreed to offer a finite and limited number of amendments. That means that those in opposition to the bill will probably offer 10 or 12 amendments at the very most. Then there are several amendments by those that might be supportive of the bill itself, that might have some perfecting amendments as well. But other than that, we would expect that this debate would continue through the day, but under no circumstances would carry over into tomorrow.

So we would hope that Members would come here, that they would be dignified in their remarks, and that we would speak to the issues and not get into a lot of superfluous conversation. I would urge support of the rule.

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

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MOAKLEY asked and was given permission to revise and extend his remarks.)

Mr. MOAKLEY. Mr. Speaker, I thank the gentleman from New York (Mr. SOLOMON), my very dear friend, for yielding me the customary half-hour.

Mr. Speaker, I rise in support of this open rule, and I commend my Chairman for allowing the rule to come to the floor in this position.

Mr. Speaker, the issue of self-determination for the people of Puerto Rico has been an issue for many, many decades. This year marks the 100th anniversary of Puerto Rico's being part of the United States.

Eighty-three years ago, Mr. Speaker, in the midst of World War I, Congress extended American citizenship to the residents of Puerto Rico with all of its rights and responsibilities, including being subject to the military draft. Since then, over 200,000 Puerto Ricans have served in this country's various military endeavors. Puerto Ricans presently abide by all American laws passed by this Congress. They are also required to serve on juries. They pledge their allegiance to the flag of the United States.

This bill we consider today, Mr. Speaker, is a bill giving 3.8 million people of Puerto Rico their long-overdue right to self-determination. Contrary to what some people say, this is not a statehood bill. It simply allows the people of Puerto Rico to decide for themselves what kind of relationship they will have with the United States rather than having it forced upon them.

Under this bill, Puerto Rico has several options. They can be integrated into the Union, as has Hawaii, or they can remain a separate Nation as the

Philippines did. And since 80 percent of the voters of Puerto Rico go to the polls, we can be assured that their decision will represent a very strong majority.

Once they make that decision, no matter what that decision may be, I believe we should support them. And I am not the only one who feels that way.

Mr. Speaker, eight years ago I was an original cosponsor of the legislation which passed the House to allow Puerto Ricans to vote on the status of their relationship with this country. Unfortunately, Mr. Speaker, that bill died in the Senate, but it did have the support of the majority of this House.

Self-determination also had the support of one of America's most popular Presidents. I have here, Mr. Speaker, a statement by the idol of the gentleman from New York (Mr. SOLOMON), President Reagan. He supported Puerto Rican self-determination in a statement dated January 12, 1982, which I would like to put in the RECORD.

In his statement, President Reagan says: "Puerto Ricans have fought beside us for decades and have worked beside us for generations. We recognize the right of the Puerto Rican people to self-determination. President Reagan also said that he believed that statehood would benefit both the people of Puerto Rico and their fellow American citizens in the States."

President Clinton supports the legislation, as did every Republican President since Dwight Eisenhower. Mr. Speaker, it is a good idea whose time is long overdue. After 83 years of American citizenship, this country owes these people the right to make their own decision. We owe them self-determination. They are American citizens, Mr. Speaker, and they should be treated as such.

Unfortunately, in addition to Puerto Rican self-determination, which is a very popular idea, there is another issue which is being linked to the bill, the issue of whether the United States will pick an official government language. Although English is certainly the de facto language of our country, the Framers of our Constitution deliberately refused to establish a national religion or a national language. People come from all over the world to live here, and are not linked to one another by common language. They are linked to one another, Mr. Speaker, because of their love of freedom, their love of liberty.

President Reagan said, and I would like the gentleman from New York, my dear friend, the former Marine to hear this, Mr. Reagan said, and I quote, "In statehood, the language and culture of the island, rich in history, would be respected, for in the United States the cultures of the world live together with pride."

In fact, when the Constitution was drafted, there were nearly as many people speaking German in this country as there were speaking English.

English is already the primary language used in business, government, cultural affairs in the United States. But if we require English in all governmental functions, people who call 911 and cannot speak fluent English might be in a lot of trouble.

So rather than mandating English and prohibiting technicians from doing their jobs in life-threatening situations involving non-English speakers, I suggest we recognize the primary role of English in our national affairs, but allow the use of languages in other governmental functions when it is appropriate.

I think what I am trying to say, Mr. Speaker, is that people should be allowed to speak whatever language gets the job done at 911, in police departments, and with emergency and medical technicians. In doing so we would not only be respecting the wishes of our Founding Fathers but also probably saving many lives in the process.

So I urge my colleagues to support this rule, and I would like to just read one other statement which is attributed to Ronald Reagan. It appeared in Roll Call Thursday, February 26. And I quote again from Ronald Reagan who said this January 12, 1982. He said "In statehood, the language and the culture of the island, rich in history and in tradition, would be respected, for in the United States, the cultures of the world live together with pride."

Mr. Speaker, I urge my colleagues to support this rule, to support the bill, and to defeat the English-only amendment.

Mr. Speaker, I include the following for the RECORD:

[The White House, Office of the Press Secretary, Jan. 12, 1982]

STATEMENT BY THE PRESIDENT

When I announced my candidacy for this office more than two years ago, I pledged to support statehood for the Commonwealth of Puerto Rico, should the people of that island choose it in a free and democratic election. Today I reaffirm that support, still confident in my belief that statehood would benefit both the people of Puerto Rico and their fellow American citizens in the 50 states.

While I believe the Congress and the people of this country would welcome Puerto Rican statehood, this Administration will accept whatever choice is made by a majority of the island's population.

No nation, no organization nor individual would mistake our intent in this. The status of Puerto Rico is an issue to be settled by the peoples of Puerto Rico and the United States. There must be no interference in the democratic process.

Puerto Ricans have borne the responsibilities of U.S. citizenship with honor and courage for more than 64 years. They have fought beside us for decades and have worked beside us for generations. Puerto Rico is playing an important role in the development of the Caribbean Basin Initiative and its strong tradition of democracy provides leadership and stability in that region. In statehood, the language and culture of the island—rich in history and tradition—would be respected, for in the United States the cultures of the world live together with pride.

We recognize the right of the Puerto Rican people to self-determination. If they choose statehood, we will work together to devise a

union of promises and opportunity in our Federal union of sovereign states.

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

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume, just to respond to the gentleman from Boston, Massachusetts (Mr. MOAKLEY) my very, very close friend.

Mr. Speaker, I would say, yes, I did serve in the United States Marine Corps back during the Korean War. I did not have the privilege of serving in combat, but I served with a great many Puerto Rican citizens of the United States and to this day they are some of the greatest friends that I have.

Unfortunately, they are divided on this issue just as the rest of the Puerto Rican people are, those that are still alive, some of which I talked to just in the last 48 hours. It breaks down where one-third of them are for statehood, one-third of them are for commonwealth, and surprisingly, one-third of them are for independence. I did not think that would be that high, but that is the issue.

Mr. Speaker, I take a little umbrage at the gentleman, my good friend, pointing to the ads that appeared in Roll Call, and not just in Roll Call but in the Washington Times and all kinds of papers. Millions of dollars have been spent by lobbyists trying to force a particular issue on this Congress, and I do not think the Congress is going to listen to that today because they are a pretty astute body.

But concerning my hero Ronald Reagan and, yes, he is my hero and he will forever be, even in spite of his physical condition today. It is so sad. But President Reagan, yes, he did. He supports self-determination, but he does not support this bill or its deliberately skewed language favoring statehood.

Mr. Speaker, let me read this letter that I just received dated February 27, and it is from the Ronald Reagan Foundation. It says, "Dear Congressman Solomon, thank you for your request to clarify President Reagan's participation in the current debate on Puerto Rican statehood. As I am sure you understand, President Reagan is no longer participating in campaigns of any kind." Despite the unauthorized use of his name, appearing in that Roll Call, "photograph and quotes in a recent ad in the Washington Times and Roll Call, he is not now nor will he ever be taking any position on H.R. 856, the issue of statehood for Puerto Rico, or self-determination for the Puerto Rican people." And it goes on to say, "I hope this clarifies that issue."

Mr. Speaker, I was not going to get into a debate on this during the rule because I was hopeful that we could move on to the general debate time itself so that we would not be interrupted by other votes. But there are many things that have held this country together over the last 200 years. Many of them, as I quoted before, "e pluribus unum" means out of many

one. It means patriotism, it means pride, it means volunteerism. But above all it means that we speak a common language in this country.

We are a melting pot of the entire world, of every ethnic background in the entire world, and we are proud of that. But had we let these various languages become a part of our American culture, this democracy would not be here today. And if my colleagues do not believe it, come up to my congressional district which borders on Canada, and see how we are faced with a situation in Quebec that literally tears that country asunder. We just cannot allow that to happen. And that is why at the appropriate time I will be offering an amendment that will clarify the English-first language in this country.

Having said all of that, I appreciate the remarks of the gentleman from Massachusetts (Mr. MOAKLEY).

Mr. Speaker, I yield such time as he may consume to the gentleman from Alaska (Mr. YOUNG), one of the men I respect most in this body, chairman of the Committee on Resources, and the single representative from the great State of Alaska.

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

Mr. YOUNG of Alaska. Mr. Speaker, I rise in support of the rule for consideration of the United States-Puerto Rico Political Status Act, H.R. 856.

The proposed open rule is consistent with the process which is followed by the Committee on Resources in the development of this bill to resolve the United States political status problem with Puerto Rico.

This was an effort to reach out and include as many sectors as possible in a fair manner in which the facts were openly aired and examined without respect to special interests or local political considerations.

I can confirm that as the chairman of the House committee of jurisdiction for territorial affairs, the committee followed and completed every legislative step in the development of this initiative during the past 4 years from 1995 to the present time.

Five extensive hearings with the broadest participation possible were held in Washington and Puerto Rico. Testimony was heard from individuals with many different views on the future relationship of Puerto Rico and the United States. Special attention was given to allow the three principal parties in Puerto Rico, each representing the status of commonwealth, independence, or statehood, to present their preferred definition with their respective status options.

Subsequent deliberations by Members of Congress were complete and exhaustive. All the issues have been raised and debated.

Once Members examined the complexity of the problems, they realized that this bill is the most viable way to address the problems facing the United States due to failure to permanently resolve Puerto Rico's status.

The bill's self-determination process in H.R. 856 is a carefully crafted three-

stage process, a three-stage process leading to full self-government for Puerto Rico as a separate sovereign nation or a State of the Union if the majority of the people are ready to change the current form of local self-government as the Commonwealth of Puerto Rico.

□ 1100

Congress and the Americans of Puerto Rico will be required to vote in each of the three stages of the bill. I want to stress that. Congress and the Americans of Puerto Rico will be required to vote in each of the three stages of the bill, an initial referendum, a 10-year transition plan, and the final implementation act. If there is no majority for change, then the status quo continues and United States citizens of Puerto Rico are consulted again by referendum at least once every 10 years.

The Committee on Resources overwhelmingly approved and reported it twice, first in the 104th Congress and now in the 105th Congress. I firmly believe it is appropriate and necessary for the full House to now consider the United States-Puerto Rico Political Status Act, H.R. 856.

In carrying out congressional responsibilities under the Constitution for territories, Congress will be able to directly respond to the request of the Legislature of Puerto Rico to the 105th Congress to define the status choices and authorize a process to resolve Puerto Rico's political status dilemma. I support this rule, and I will discuss in debate the merits of all amendments that come before us.

I want my colleagues to understand this is nothing new. This is a project I worked on, my committee has worked on, the people of Puerto Rico have worked on for the last 4 years. It is time to act. It is time for this Congress, this House, to pass this legislation for America, for the people of Puerto Rico. This rule is a good rule, and I urge passage of the rule but, more than that, the defeat of some amendments and final passage of this legislation, long overdue for the people of Puerto Rico.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume. Maybe I did not make myself clear. I am not insinuating in any way that former President Ronald Reagan is for this bill. All I want to do was to read a statement he put out in a press release. Once a President speaks, use of that language is never unauthorized because that is his statement. It is history. Once again, he said, in statehood, the language and culture of the island, rich in history, rich in tradition, would be respected, for in the United States the cultures of the world live together with pride. Ronald Reagan.

The reason I wanted to make it so plain is because I know my dear friend, the gentleman from New York (Mr. SOLOMON), idolizes President Reagan, and rightly so. I just wanted to be sure he knew what the President's thoughts were when he did address the Puerto Rican situation.

Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. SERRANO).

(Mr. SERRANO asked and was given permission to revise and extend his remarks.)

Mr. SERRANO. Mr. Speaker, I rise in strong support of this rule and in strong support of the bill which we are dealing with today. This is indeed a historic moment because, make no mistake about it, this is the first time that a rule has come on this floor accompanying a bill of this nature that will, in my opinion, begin a process to end what I and many other people consider, and all should consider, the present colonial status of Puerto Rico.

In order to do this, we have to put forth a process. This rule puts forth a process for the debate, and the bill puts forth the process for ending the colonial status. We have to immediately attack that which is being said either with a lack of information or viciously to defeat the bill, which is that this bill leads Puerto Rico towards statehood. How can it do that if this Congress is not committing itself at this point to any of the three options?

What this Congress is saying is, we will allow you in consultation with us to take a vote, and then the results of that vote will become our consideration here on the House floor. Some may be afraid that the vote would come out against the option they favor. That is democracy. Some may be afraid that the option somebody favors will never be dealt with. We can only find out. But I assure my colleagues that nothing will happen unless we approve this rule and approve this bill. In fact, I often tell people, I have a 31-year-old daughter and a 4-year-old granddaughter. I suspect that if this bill fails today, my grandchildren, as adults, will still be discussing the colonial status of Puerto Rico.

As we get close to the year 2000, and once in a while we listen to the U.N., the U.N. has suggested that all countries unload their territories and colonies before 2000. The greatest democracy on Earth still holds close to 4 million people in that kind of a situation. I do not care if statehood wins. I do not care if independence wins. I do care every day when I get up and I realize that the children of Puerto Rico are all members of a colony. It is good for the U.S. Government to change this. It is good for the Puerto Rican people to change it.

So I congratulate the gentleman from Alaska (Mr. YOUNG) for bringing this bill, and I congratulate my colleague the gentleman from New York (Mr. SOLOMON) for this rule. I will not agree with the gentleman from New York (Mr. SOLOMON) on everything today, and I will not agree on many things during the session with the gentleman from Alaska (Mr. YOUNG), but we agree on this beyond anything else, and that is why I was proud to add my name as a co-prime sponsor early on.

Rican Government is controlled by statehood supporters who know from past balloting and current polling that they would lose a fair up and down vote on statehood.

The statehood supporters have maneuvered the Committee on Resources into constructing a ballot that will not reflect the will of the people. This is because the definition of "commonwealth" in the bill describes a colonial status that is unacceptable to commonwealthers, leaving them no choice but to boycott the election since they oppose all 3 options offered by the bill.

Back in Puerto Rico, statehood supporters are gloating about how the definition being used in the bill will guarantee a victory for statehood even though they know the majority of people do not support statehood. They are right about the outcome of this bill, but they are wrong to do this to the people of Puerto Rico.

The phony pro-statehood majority produced by this bill then sets in motion a mandatory statehood vote in Congress next year and two more votes in Puerto Rico. But even then, that far down the road to statehood, H.R. 856 still does not provide the people of Puerto Rico an up or down vote, a yes or no vote as to whether or not they want to become a State.

Why are we so afraid to treat the people of Puerto Rico as we have every other State that has entered the Union? This is what we have done to every other people who wanted to join the Union. We have given them a yes or no vote on statehood. Why are people now trying to maneuver it so the people of Puerto Rico do not have this opportunity? Because they know that the people of Puerto Rico, given the opportunity, will vote "no" on statehood.

Mr. Speaker, the fair way to handle this is the way we have always done it, is to give the people a chance for an up or down vote. If this is a first step toward statehood, if this is a first step toward treating the Puerto Rican people as all other citizens of the United States, they should be treated just as every other group trying to join the United States were treated. H.R. 856 rejects the simple, fair way that was good enough for everybody else and substitutes a skewed ballot with fore-ordained results. We should not stand for this unfair, undemocratic process. We should reject H.R. 856 while accepting the rule.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ).

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ).

The SPEAKER pro tempore (Mr. PEASE). The gentlewoman from New York (Ms. VELÁZQUEZ) is recognized for 2 minutes.

Ms. VELÁZQUEZ. Mr. Speaker, I rise in strong opposition to the bill. I thank the gentleman from New York (Mr. SOLOMON) for providing the only thing

that is fair about this bill, that is, to provide a rule that will provide a free and open debate. That is what this bill needs.

Mr. Speaker, this is not about self-determination. This is legislation that has been drafted by the statehood supporters. They were the ones who provided the definition for the commonwealth, indeed denying access to the democratic process by not allowing 48 percent of the people of Puerto Rico to participate in this debate. Forty-eight percent of the people of Puerto Rico supported commonwealth 5 years ago when the last plebiscite was held. But here we are presenting to the House floor legislation that will favor the statehood for Puerto Rico.

Mr. Speaker, make no mistake. By voting on this legislation, we are imposing statehood to the people of Puerto Rico. It is a shame that today by providing in the commonwealth definition that citizenship is statutory, it is shameful, it is a lack of respect to the people of Puerto Rico, it is a lack of respect to the men and women who have died, who have fought defending this country, and it is to say to even the supporters of the Commonwealth of Puerto Rico, you cannot support the Commonwealth of Puerto Rico because we will take the citizenship away from you. This is not about self-determination. This is about making Puerto Rico the 51st State of the Nation.

Mr. MOAKLEY. Mr. Speaker, I yield the balance of my time to the gentleman who represents the northern part of Puerto Rico, that is, Providence, Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me the time. I appreciate the chance to address the point of the gentlewoman from New York (Ms. VELÁZQUEZ) about this bill because it was addressed earlier by the gentleman from Chicago, Illinois (Mr. GUTIERREZ) about the fact that this process was not fair. It is ironic that this process was not fair because it did not include the commonwealth definition. Yet in the bill itself, the commonwealth has an opportunity to vote for the status quo in this legislation.

But let me address the issue that she brought up. The reason why this is so awful to the gentlewoman from New York (Ms. VELÁZQUEZ) and people of Puerto Rican descent is the same reason it is awful for people who feel that we ought to have statehood for Puerto Rico. That is, without statehood the people of Puerto Rico are put down.

Just as she said, without statehood, the people of Puerto Rico can have their citizenship denied, because it will be up to this Congress in its constitutional authority, given the fact that Puerto Rico is a territory under the territorial clause of this United States Constitution, that at any time this Congress can take away the citizenship of the people of Puerto Rico. At any time the people of Puerto Rico can

have the Solomon language imposed on them.

The irony with the gentleman from Illinois (Mr. GUTIERREZ) saying "I wish this was in Spanish" is that the only way to guarantee the people of Puerto Rico that they have a right to speak their own language is if they get to become a State. Because if they are a State, they have the rights under the 10th Amendment of the United States Constitution. They reserve the power to decide what their local language will be, just as every other State in this Union is able to do.

The irony is, unless Puerto Rico becomes a State, they will not be able to decide what their language will be, they will not ever be able to vote for the things that we vote on regularly that affect them. The irony in this debate is that we keep hearing that this process is unfair.

Let us understand. The gentleman from Mississippi (Mr. WICKER) said that we already had a referendum. Unfortunately, Mr. Speaker, the problem is it does not matter what Puerto Rico does. The whole purpose of this debate is that the Congress has to give its approval so that Puerto Rico can decide.

They cannot decide now. They never had the decision. Those plebiscites were not sanctioned by the United States Congress. And because they were not sanctioned by the United States Congress, they have no meaning. Why? Because, once again, Puerto Rico is under the territorial clause of the United States Constitution, meaning until they become a State or until they become an independent nation, they cannot choose for themselves.

That is why we are putting this bill forward, because we believe they ought to be able to decide for themselves. That is what this debate is all about. I want to commend the gentleman from Alaska (Mr. YOUNG), and I want to commend the gentleman from Massachusetts (Mr. MOAKLEY). I want to thank them for having this debate and allowing this debate to come on the floor.

I need to repeat this. We can argue until we are blue in the face about any other issue. Just understand this. Puerto Rico is under the territorial clause of the United States Constitution. I am a member of the Committee on Resources. The Committee on Resources has jurisdiction over territories and commonwealths and Native American reservations. Have my colleagues ever heard of that before? It is called the territorial clause. We have to vote on a bill to allow the people of Puerto Rico the right to make a choice.

I am really looking forward to this debate because the fact of the matter is, if we understand the simple fact that this is simply about giving the congressional authority to the people of Puerto Rico so they can make up their own mind, then I think this debate will become clearer.

Let me just conclude by saying with respect to English as the mandatory

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Clyburn
Coble
Coburn
Collins
Combest
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Conyers
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Crapo
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Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
Englsh
Ensign
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallely
Ganske
Gedenson
Gekas
Cephardt
Gilchrest
Gillmor
Gilman
Goodlatte
Gordon
Goss
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
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Hayworth
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Hilliard
Hinchey
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Hoekstra
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Hostettler
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Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Ingalls
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)
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LaTourrette
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Lewis (CA)
Lewis (GA)
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Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-
McDonald
Miller (CA)
Miller (FL)
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Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Nussle
Oberstar
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Owens
Oxley
Packard
Pallone
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
Santolin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schumer
Scott
Serrano
Shadegg
Shaw
Shays
Sherman
Shuster
Siskisky
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)
Metcalfe
Norwood
Obey
Petri
Regula

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

NOT VOTING—19

Chenoweth
Doolittle
Ewing
Frank (MA)
Gibbons
Gonzalez
Harman

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

Shinkus
Stark
Tahrt
Torres
Towns

□ 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, 286 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

was heard, and that we ultimately agreed on definitions that are fair and accurate. They are included in Mr. YOUNG's substitute, and I support that substitute strongly.

Rarely have we seen more intense lobbying on an issue. It is obvious that opinions are divided on Puerto Rico's status and on this legislation. But let them address some of the misconceptions and misrepresentations that are being circulated about this bill, because Members should not be confused and should not be deceived into voting on this subject based on inaccuracies.

No one in this Chamber is more qualified than I to speak about how we addressed the Commonwealth issue. I so strongly advocated inclusion of a Commonwealth option that I was accused of being pro-Commonwealth. The definition of Commonwealth supplied by that party, which is similar in many respects to the definition on the ballot during the 1993 referendum in Puerto Rico, is not accurate and is not acceptable to the Congress. It is not acceptable that Puerto Rico would be eligible for full participation in all federal programs without paying taxes; it is not acceptable that Puerto Rico would pick and choose which federal laws apply on the island; it is not acceptable that Puerto Rico would be free to make its own foreign treaties.

I appreciate that this is what the supporters of "enhanced Commonwealth" want. But the Congress is not prepared to give such unprecedented rights to Puerto Rico while denying them to every state in the Union. Nevertheless, I offered that definition in the Resources Committee so that it would be clear what is and is not acceptable to the Congress. It was overwhelmingly, and bipartisanship, defeated. And Congress should not offer an option to the voters of Puerto Rico that we are not prepared to embrace.

The definition of Puerto Rico now included in the substitute by Mr. YOUNG may not be utopian, but it is historically and Constitutionally accurate.

There are some who argue that this bill is unfair because it fails to recognize that Puerto Rico is a "nation." Puerto Rico, like many other areas of the United States, has a unique history and unique culture; that is in part what makes our country so remarkable and enduring. But Puerto Rico is not a nation in any sense under U.S. law or international law. Our refusal to recognize Puerto Rico as a "nation" in H.R. 856 is not a slight; it is accurate.

There are some who oppose this bill because they do not want America to "wake up tomorrow" and find out Puerto Rico is going to be the 51st state. This bill provides for a plebiscite to choose among three options, only one of which is statehood. Even if that option is chosen, there is a transition period of up to a decade during which a plan for achieving statehood would be developed, and then voted on in the Congress and in Puerto Rico. And Congress also will vote on an admissions act. So no one should be under a misimpression that this legislation railroads statehood.

Some have raised concerns that admitting Puerto Rico at some point in the future will cost some states seats in this House. I personally support increasing the size of the House to 441 seats to accommodate the 6 new seats Puerto Rico would occupy. In any event, that is a statutory decision to be made by the Congress, just as Congress increased

the size of the House permanently when other multi-Member territories were admitted in the 19th and early 20th century.

There are those who argue that Puerto Rico would cost the federal government money were it to become a state. I would hope that the financial status of citizens would not be an issue in determining whether they are accorded the full rights of citizenship. I thought we had resolved that issue by declaring the poll tax and property ownership unconstitutional. And we should be careful about applying such a standard: as of FY 1996, 29 states—more than half—received more federal expenditures than they paid in taxes. Let's not impose a standard on Puerto Rico that we wouldn't apply to other states.

I also have noted some questions as to why the bill calls for periodic referenda should either permanent status—independence or statehood—not be selected. Let us be clear that the bill authorizes additional referenda, it does not mandate them. The purpose of the referenda is to determine a permanent status, and commonwealth is generally recognized not to meet that test. Should the voters of Puerto Rico decide to continue as a commonwealth, they could do so indefinitely.

Lastly, let me address what has unfortunately become a centerpiece of this debate: whether we should, in this legislation, mandate English as the official national language.

The House voted on that legislation in 1996; the leadership could bring it before the full House again at any time. But this is not the time or place to do it. The Solomon amendment declares English to be the national language, but it imposes a series of additional unconstitutional burdens on the people of Puerto Rico, requiring that "all communications with the federal government by the government or people of Puerto Rico shall be in English"; requiring that "English will be the sole official language of all federal government activities in Puerto Rico"; imposing English as the "language of instruction in public schools."

We don't need to single out Puerto Rico like this, to inflame this debate and insult the 500-year-old culture of 4 million Americans. We have a reasonable alternative amendment that is going to be introduced by Congressmen DAN BURTON, BILL MCCOLLUM, DON YOUNG and myself that takes a different, and fairer, approach. The Clinton Administration supports our substitute.

Our amendment says Puerto Rico, if it becomes a state, will be treated exactly like every other state. If Congress decides that English is to be the official language and passes a comprehensive law to that effect, then Puerto Rico will be covered just like every other state. But let's not single out Puerto Rico in a divisive and unconstitutional manner for special treatment.

Our amendment also calls for Puerto Rico to promote the teaching of English because that language is clearly the language that allows for the fullest participation in all aspects of American life. And we call for inclusion in any transition plan of proposals and incentives for promoting English proficiency in the schools and elsewhere in Puerto Rico. Surely, we can reasonably address this issue in an equitable manner without passing a confrontational and unfair insult to our fellow countrymen and women.

The time has come to tell the people of Puerto Rico that the rest of the nation of which

they are a part is prepared to hear their views and respond to their desires. That we will stand by our historic and legal tradition that inclusion in America is not dependent on one's background or ethnicity, but on a common allegiance to this nation and its Constitution. After being a part of the United States for 100 years, after sending its sons to war five times in this century, it is time that this Congress recognized the right of Puerto Rico to determine its future in a democratic fashion. That is the purpose and the policy contained in H.R. 856, and I call on the House today to pass this bill, and defeat the divisive Solomon amendment.

Mr. SOLOMON. Mr. Chairman, I yield myself such time as I may consume.

In April of 1775, hundreds of brave men stormed the bridges of Lexington and Concord, setting in motion a revolutionary struggle for liberty that culminated in my hometown of Saratoga, New York, in the greatest victory for individual freedom and democracy in all of human history. That blood-stained victory of our forefathers has left the legacy that you and I and all of us call America.

Liberty and justice and democracy, these are words that do more than describe our Nation's ideals and principles. They are the very essence of this country of ours. These ideals are able to thrive and to dominate the political and economic landscapes of the United States because of the people's devotion to its unit as a Nation, to an idea that there is something unique, something distinct about being an American.

Throughout my military service, my small-business career and the last 31 years in public office, I have dedicated my life to further the principles of freedom and democracy and self-determination throughout this world. Like all of my colleagues, I have been blessed to live in this most free and democratic Nation in the world, and sometimes you ought to travel overseas into the former Soviet Union and see how much they respect this democracy of ours. It was a product of blood and sweat and commitment to principle, of those who have gone before us.

While serving in the United States Marine Corps during the Korean era, I was privileged to serve side by side with so many Puerto Rican Americans, great people, great personal friends of mine, and to be stationed for a time on the island of Viacus in Puerto Rico where I made some of my closest friendships that today still exist, and during that time I was able to gain a personal affection for the people of Puerto Rico and for their love of liberty and their distinct culture. As a result Puerto Rico and its people hold a very warm space in my heart.

Today the House considers a bill which may lead to a dramatic and permanent change in the lives of these U.S. citizens. It is billed by its supporters as a bill to permanently resolve the political status of Puerto Rico through a process of self-determination. But however lofty and worthy the objectives of this bill, it is a flawed measure

that flips the very principles of self-determination and democracy on their heads, Mr. Chairman. In establishing a self-determination process for Puerto Rico, Congress, under the U.S. Constitution, must answer to two distinct yet equally important interests, my colleagues should listen to this, the citizens of Puerto Rico and the citizens of the United States. I believe this bill as currently drafted fails to answer to either interest, either the Puerto Rican citizens or the American citizens on this mainland, for this bill actually violates self-determination. Read the conference, read the report of this bill which was authored by the gentleman from California (Mr. MILLER).

I strongly support allowing the citizens of Puerto Rico to vote on the future of their political status. In fact, they actually do not need to get permission from this Congress of the United States to do so. In fact, they already did in 1952, in 1967, and again in 1993. However, I firmly believe that in order for a political process to deliver self-determination, it must always allow for the participation of all of its citizens, not just some. This bill as currently drafted not only requires, but listen to this, it demands that Puerto Rico hold a plebiscite before the end of this year, 1998. Who are we to tell them? In that referendum the citizens of Puerto Rico will be asked to choose between commonwealth, between separate sovereignty and statehood. This seems to be simple enough. However, Mr. Chairman, there is a catch to it.

Members of this House should be aware that the Statehood Party of Puerto Rico supports the ballot definition of statehood in this bill, and the Puerto Rican Independence Party supports the ballot definition of independence in this bill. However, the Commonwealth Party, the party that actually won every past referendum on political status, does not support the definition of commonwealth in this bill. And ask yourself why not?

In fact, the definition of commonwealth was written not just once but twice by the supporters of the statehood option without the approval of the vast majority of the people in Puerto Rico, the Commonwealth Party. What this means is that the largest political party in Puerto Rico is faced with a grave choice under this bill. They can either choose to campaign, to support, to vote for a ballot definition that directly contradicts the very premise of their political party's existence, or they cannot participate in the referendum. They have chosen not to participate, and that is a terrible shame.

So first and foremost, the House is debating a measure designed to determine Puerto Rico's political status in which one of the three local political parties, in fact the largest in Puerto Rico, will not even participate. How is that going to take an accurate and democratic measure of the political choices of those 3.8 million U.S. citizens there? The fact is, it is not.

Mr. Chairman, back in 1990, the last time this House considered similar legislation, all of the parties were supportive of the process and supported that bill because it was a fair bill. I voted for it. It sailed through the House under suspension of the rules only to be stalled in the other body. Today we debate a controversial bill not just here in the United States, but also in Puerto Rico.

One final comment on this bill's self-determination problems, Mr. Chairman. As this bill currently stands, it requires Puerto Rico permanently to hold this referendum every 10 years until statehood gets 50 percent plus 1. Then the transition and implementation process begins. Since the current support for independence hovers around 5 percent and for statehood around 45 percent, the likely outcome of a forced decennial vote seems likely to be statehood with hardly half the population supporting it.

This bill also contains certain constitutional pitfalls. Mr. Chairman, Members should listen carefully to what I am about to say because their constituents want to know this. Under this bill, if the citizens of Puerto Rico choose statehood in the first referendum, the constitutional protections given States begin to apply to Puerto Rico upon the President's submission of a transition plan taking Puerto Rico from commonwealth to statehood.

What this means is that the process of integrating Puerto Rico into this Union begins with a vote of the transition bill. Members better remember that. According to the Supreme Court in *Balzac v. People of Puerto Rico*, way back in 1922, once the process of integration begins, it is very difficult to reverse, and we will not reverse it.

The catch with this provision is that under this bill, Congress will be required to vote on this transition plan as early as early next year. While Puerto Rico may not officially join the Union for another 5 or 6 or 7 or 10 years, the vote to begin the admissions process could take place as early as next year, and there would be no turning back at that point.

Such a voting strategy is almost identical to that done when we gave away the Panama Canal to Panama and when Great Britain gave Hong Kong back to China. Members better start thinking about that because their constituents are thinking about it. A vote to do it occurs now, while it actually changes hands sometime in the future. That is what we are voting on here today.

Mr. Chairman, our constituents want to know, they want us to listen and to be careful about this. With the referendum required to be held before the end of this year, this bill requires the President to send Congress transition legislation within 180 days of that referendum. That means if that referendum is held in December, as late as December of this year, within 180 days the President is ordered to send us a tran-

sition bill. Within 5 days of the receipt of that bill, the majority leaders of the House and the Senate are required to introduce the bill. And within 120 days of introduction, a vote occurs on the bill on the floor of this House of Representatives, which could happen next July or August or September or October or November or December of 1999. That is how close this is.

In essence, this bill sets up a process whereby the citizens of Puerto Rico are forced to vote until they choose statehood, and then the process kicks in to high gear under expedited procedures as I have just outlined.

Yes, it is true that it may take up to 10 years, as the bill says, for the process to run its course, but the bulk of the actual process occurs up front, and Members had better understand it.

The most serious constitutional reservation of this bill involves the treatment of the rights enjoyed by the people of Puerto Rico currently under the commonwealth status. The ballot contained in the bill states that Congress may determine which rights under the United States Constitution are guaranteed to the people of Puerto Rico.

This statement is wrong at several levels. First, it rests upon the remarkable proposition that Congress has the authority to deprive the people of Puerto Rico of any and all of their constitutional rights. This provision of this bill is demonstrably false, Mr. Chairman, because even Puerto Rico, if it were an unincorporated territory, the people of Puerto Rico would be still guaranteed fundamental constitutional rights. That is why so many people in Puerto Rico support commonwealth.

The description of the citizenship rights of Puerto Rico is similarly flawed. It states that Puerto Ricans are merely statutory citizens and implies that their citizenship may be revoked by Congress. Well, the people of Puerto Rico are United States citizens within the meaning of the 14th amendment. Get the amendment out. Read it. The 14th amendment. These points were clearly enunciated yesterday by our colleague, the chairman of the House Committee on the Judiciary, Subcommittee on the Constitution. We have it over here, if Members want to read it.

Third and finally, this bill fails to clearly lay out how assimilation would occur under the bill for either Puerto Rico or the United States, and this is the most important part of this entire debate. As I stated earlier, I have a great deal of respect for the pride and for the culture of the people of Puerto Rico. They are wonderful people. I believe, as do many of my colleagues, that Puerto Rico is a nation, it is unique and distinct in its own right, and Puerto Rico has every right to preserve and enhance this rich heritage of culture and history. That is their right.

But if the citizens of Puerto Rico freely choose to seek statehood, they should understand clearly, and I think my good friend the gentleman from Illinois (Mr. GUTIERREZ) made this point

earlier, what are the assimilation expectations of the American people, of the 260 million Americans in this country? Puerto Rico deserves a clear, concise and direct discussion of these issues. They have not had that. They do not know what the assimilation would be. Admitting a State requires the assimilation of a territory within the Union of States, and language differences are the number one barrier to actual assimilation. The bill before us today contains the most vacuous statement of language policy that I have ever seen.

□ 1245

How will the average citizen of Puerto Rico understand what this means if we cannot even understand what it means ourselves? And I would ask every Member back in their offices to pick up the bill and read it. In this regard, the bill's language regarding English is weak, it is inadequate, and must be clarified for the benefit of the people of the island of Puerto Rico because they need to know what they are getting into.

My fellow colleagues, it was Winston Churchill who stated that the gift of common language is a priceless inheritance and, Members, not explicitly stating what role Puerto Rico's inherited Spanish language and our common tongue, English, would play in a State of Puerto Rico, I believe, would be a grave mistake for everyone.

To rectify this I intend to, later in the debate, offer an amendment regarding the role of the English language, which I believe very clearly explains this issue to both the American people and to the people of Puerto Rico.

Now, some of my friends are going to argue that I have specifically selected the statehood option for the bulk of my criticism with this bill and that it is merely a process bill which includes that as an option. Let me make something perfectly clear. For my constituents in upstate New York, who are wedged between Canada and New York City, between Quebec and New York City, the statehood option for Puerto Rico is the choice with the most far-reaching and permanent consequences. It is a permanent relationship that requires assimilation, and that choice needs to be decided by an overwhelming majority of the citizens of Puerto Rico before my constituents and before my colleagues' constituents will agree to let them join the Union.

It must be clear to our good friends in Puerto Rico that if they choose statehood, it is still within Congress' powers as representatives of this country to say no. Statehood may be an option at some point in the future, but the American people are going to have to examine that situation at that time, and that time is today. We cannot force a decision on the citizens of Puerto Rico and the citizens of Puerto Rico cannot force the United States to accept a decision.

The Puerto Rican people deserve to know exactly what they are voting on

and the American people deserve to know the ramifications of each of those options. Until this bill becomes an actual self-determination bill, passes constitutional muster in all of its components, and fundamentally addresses the issue of assimilation, I will oppose this bill. And I hope we can clarify it by adoption of my amendment later on this afternoon.

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

Ms. VELÁZQUEZ. Mr. Chairman, I rise as the designee of the gentleman from Illinois (Mr. GUTIERREZ), and I yield myself such time as I may consume.

Mr. Chairman, I rise today to express my strenuous opposition to H.R. 856, the United States-Puerto Rico Political Status Act. Mr. Chairman, I think that we can all agree that the people of Puerto Rico must be given the right to self-determination. Unfortunately, H.R. 856 does not accomplish this.

This bill is the product of a flawed legislative process that was designed to produce a very specific result. It was written without consulting all the parties that have a very real interest in its outcome.

Proponents of H.R. 856 will try to say that this is a bill about self-determination. They are misleading their colleagues. Instead, H.R. 856 is a one-sided bill that is biased in favor of Puerto Rican statehood. It was written by the party that supports statehood in a way that promotes statehood without consulting all the participants in this very, very sensitive process.

Under H.R. 856, Puerto Ricans will be given the choice between statehood, Commonwealth status or separate sovereignty, yet the Commonwealth option does not even guarantee citizenship. Why was citizenship not statutory back in 1990 when this House voted for this bill? I do not understand what happened since 1990.

The authors of this legislation have said that our citizenship is statutory. Simply put, this means that our citizenship can be taken away. Tell that to the widows of men who fought and died in foreign wars so that citizenship of all Americans will be guaranteed. Mr. Chairman, tell that to my uncle, who fought valiantly in Korea for my colleagues and for me and for all Americans everywhere.

Furthermore, if the people of Puerto Rico were to choose Commonwealth status, the bill will require further plebiscites until either statehood or separate sovereignty wins. This double standard applied to Commonwealth shows how the deck is stacked in favor of statehood. Under those conditions, not even the most forceful defender of Commonwealth status will vote for it.

Many people forget that the original version of this bill did not even include a Commonwealth option. The party that supports Commonwealth status had no input in the drafting of H.R. 856 and has been repeatedly shut out of the process. Amazingly, the president of

the Commonwealth party learned about the bill's definition of Commonwealth from a reporter.

In fact, the statehood party had to rewrite the Commonwealth definition after a poll in a major Puerto Rican newspaper showed that 75 percent of Puerto Ricans supported the inclusion of a fair and balanced Commonwealth option, which this bill lacks. Today, and I repeat, today in Puerto Rico a new poll was released that shows that 65 percent of the people of Puerto Rico reject this bill.

Mr. Chairman, it is an outrage to the democratic process that the definition for Commonwealth status was written by the very party that opposes it. It is like allowing Republicans to decide who could appear on a Democratic ballot.

Five years ago, the people of Puerto Rico held a plebiscite on this issue and chose to maintain their current status. This is a situation that the losers in that contest do not seem willing to accept. Yet the outcome was an important one. It reaffirmed the permanent United States citizenship of the people of Puerto Rico that is guaranteed under the Constitution. It acknowledged the bilateral nature of the U.S.-Puerto Rico relationship. It confirmed the autonomous status of Puerto Rico, which can only be changed by mutual consent.

The supporters of H.R. 856 are rejecting each and every one of these arguments when they say that citizenship can only be protected under statehood. Puerto Ricans are American citizens and we are proud to be American citizens. We do not need a plebiscite to prove that we are Americans any more than the people of Massachusetts or Virginia do.

This bill is not the result of a democratic process. It does not define all the choices to the satisfaction of the very people who will participate in this plebiscite. By defeating this bill we will be sending a message that we truly honor the idea of self-definition for the people of Puerto Rico.

Mr. Chairman, I urge my colleagues to not be fooled by the arguments of the other side. A vote for H.R. 856 is a vote for statehood, not a vote for self-determination.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. MCCOLLUM).

(Mr. MCCOLLUM asked and was given permission to revise and extend his remarks.)

Mr. MCCOLLUM. Mr. Chairman, we have embarked on one of the more significant debates this Congress will have in this 2-year period, maybe one of the more significant debates that we can have because we are trying to find a way to resolve concerns we all have about a part of the United States. Make no mistake about it, Puerto Rico, is part of the United States.

In my State of Florida, which is right next door, it is a neighbor, it is a very

friendly neighbor, the people of Puerto Rico are citizens of the United States. There are no Customs checks or boundaries between our country and theirs or my State and Puerto Rico.

Puerto Rico is a Commonwealth. It is a funny kind of status to most of us because we do not think of it in that way very often, at least I do not. I know that anybody who lives in Puerto Rico can come live at my State or Texas or Minnesota or New York, anywhere, any time they want to. That is fine.

Travel is free. People talk to each other all the time. There is a common bond that is there. And I think it is important for us as we debate this bill today to recognize the depth of this relationship and the importance of it and the tenderness of it.

The people of Puerto Rico have sacrificed many times over for the United States. Many men have given their lives in the service of this country from Puerto Rico over the years. We have been partners for years and years and years.

I believe it is very, very important that we give the people of Puerto Rico, as this bill does, an opportunity to determine what they wish us to consider in this Congress in the coming years regarding their future status.

It is not, as has been said before, that this legislation would determine whether or not Puerto Rico were to be a State or not. It is to give to the people of Puerto Rico a plebiscite, a vote, an opportunity to say yes to statehood, we would like you to consider that, Congress, or, no, we would rather stay in the Commonwealth status, or possibly we would rather be independent.

If this is not resolved in favor of statehood or independence now, it provides a vehicle for there to be future opportunities for the people of Puerto Rico to speak out on this issue and to debate all of those things that have been discussed today that need to be debated. There needs to be that kind of debate. That is what it is all about.

Yes, if Puerto Rico becomes a State, there will be expectations on both sides. We need to have a further airing of that. That is what the plebiscite debate in Puerto Rico would be all about.

Certainly assimilation in that broad sense of the word has always been part of the American tradition. But we assimilate immigrants into this country, and Puerto Ricans are not immigrants. They are citizens. But we assimilate immigrants into this country, and, ultimately, make them citizens every year, every day. We have done it since the beginning of the nations history.

We should not be concerned about the challenges involved in it. I do not think either side should be concerned. But we should be open about it. We should discuss it, and we should have a fair debate about it. But above all else, we need to be sure that the people of Puerto Rico get the chance to have that debate first.

So I urge my colleagues in the strongest sort of way to vote for this

resolution today to give the Puerto Rican people that opportunity.

I would like to make a couple of comments, too, about who has supported this in the past. We have heard people debate, what did Ronald Reagan or George Bush say about it? Well, when the Puerto Rican statehood plebiscite was being discussed in November 1993, Ronald Reagan said,

My friends, as you consider whether or not you wish to continue being a part of the United States, I want you to know one thing, the United States will welcome you with open arms.

We've always been a land of varied cultural backgrounds and origins, and we believe firmly that our strength is our diversity.

There is much Puerto Rico can contribute to our Nation, which is why I personally favor statehood. We hope you will join us.

Thank you and God bless you.

So I think that it is important that we understand that the history has been of this Nation that many, many, many people have urged statehood on Puerto Rico in the past. But, again, that is not the purpose of the plebiscite. It is for the people of Puerto Rico to decide that.

We are also going to hear the question about English being discussed out here. The gentleman from New York (Mr. SOLOMON), a moment ago, was discussing that question.

I favor English as the official language of the United States. I have been a cosponsor of bills to do that for a long time. All 50 States, and if we get a 51st State, the 51st State, too, should abide by that. That should be our official language. We should put it in the statute of the books of this country to say that. But to attach it to this bill sends the wrong signal.

We are interested in seeing Puerto Rico treated as everybody else. If we actually have an official language statute ever become law, and I hope it does, it should apply to all of the territories, the Commonwealths, the possessions of the United States. It should be known that English is the official language of the United States. But I do not believe it should be adopted on this bill today.

I would urge the support for the substitute amendment that I am helping cosponsor later on.

The CHAIRMAN. Who rises as the designee for the gentleman of California (Mr. MILLER)?

Mr. ROMERO-BARCELÓ. I do, Mr. Chairman.

Mr. SOLOMON. Mr. Chairman, we have a Member that has to get back to a hearing, so I would take him out of order.

Mr. Chairman, I yield 4 minutes to the gentleman from Virginia (Mr. GOODLATTE.)

(Mr. GOODLATTE asked and was given permission to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Chairman, I rise in strong opposition to H.R. 856 because I have serious reservations about the constitutionality of this legislation which authorizes the Commonwealth of

Puerto Rico to hold a referendum to determine Puerto Rico's political future and prescribes the wording of the ballot to be submitted to the voters.

Under the Act, the voters of Puerto Rico purportedly may choose to maintain the current Commonwealth status, to become a State, or to become an independent Nation. The ballot language mandated by the Act, however, severely mischaracterizes and denigrates Puerto Rico's current Commonwealth status.

□ 1300

The ballot language mandated by the act, however, severely mischaracterizes and denigrates Puerto Rico's current commonwealth status. These repeated misstatements clearly appear to be designed to ensure that the statehood option prevails. Any doubt on this vanishes when the act's prescribed ballot is read in conjunction with other provisions of the act.

For instance, the act calls for a referendum every 10 years until the statehood option prevails. And the legislative history, the committee report is openly hostile to the current commonwealth status. Thus, a referendum using the prescribed ballot would deny the people of Puerto Rico an informed and accurate choice concerning their future political status and would reveal nothing about the true sentiments of the people of Puerto Rico on this important question.

The most serious misstatements contained in the act relate to its treatment of the rights enjoyed by the people of Puerto Rico under commonwealth status. The ballot contained in H.R. 856 states that Congress may determine the rights under the United States Constitution that are guaranteed to the people of Puerto Rico. This statement is wrong.

The act's description of the citizenship rights of the people of Puerto Rico is similarly flawed. The act states that Puerto Ricans are merely statutory citizens and implies that their citizenship may be revoked by Congress. The people of Puerto Rico, however, right now are United States citizens within the meaning of the 14th Amendment of the United States Constitution.

The ballot language mandated by H.R. 856 also mischaracterizes Puerto Rico's current political status. The act describes Puerto Rico as an unincorporated territory of the United States. Beyond the pejorative connotations associated with this term, which was used to describe the United States' colonial possessions, this description is inappropriate because the United States Supreme Court has held that Puerto Rico, like a State, is an autonomous political entity sovereign over matters not ruled by the Constitution. But these falsehoods are to be right on the ballot, mischaracterizing the commonwealth's status, when Puerto Ricans vote.

The purpose of the proposed referendum is to learn the sentiments of the

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.

It sounds strange to me. The gentleman from New York (Ms. VELÁZQUEZ), a Puerto Rican; the gentleman from Illinois (Mr. GUTIERREZ), of Puerto Rican descent; the gentleman from New York (Mr. SERRANO); and even the Resident Commissioner has decided to sit on our side of the aisle, the main proponent of this bill, and he is in the Democratic Caucus. Let us not play games with one side or the other getting some advantage over this, because that is not respectful. Mr. Chairman, this is a strange manner in which to conduct a serious debate on the future of a whole people.

Self-determination is a serious matter. The sacred right of self-determination has to be exercised in a totally democratic, open and above-board fashion. The true sovereignty of any nation, and Puerto Rico is indeed a nation, rests with its people. I think that the Members of this Congress should understand what the people of Puerto Rico believe, because this is something that is going to affect them.

They did a poll in Puerto Rico, *El Nuevo Día*, that is *The New Day*, the largest paper of circulation in Puerto Rico; by the way, owned by a statehooder. They asked the people. On the nationality question, 65 percent of the people see themselves as Puerto Rican and not American, 65 percent of the people in Puerto Rico; 62 percent of the people consider their Nation to be Puerto Rico and not the United States.

But at the same time, 75 percent consider their American citizenship to be very important. Strange, you say, that sounds like a contradiction. It is the contradiction of colonialism, obviously. But it is also what the authors of this understand very well. On the one hand, they tell you, Puerto Rico is not a nation, it is just a group of people. It is this little tropical island that sits out there somewhere in the Caribbean.

But let me tell everybody in this room, the people of Puerto Rico which you are deciding today their options, consider themselves as a Nation. They consider to have a nationality, that nationality being Puerto Rican. You should understand that. You should understand that very, very clearly.

At the same time they want to keep their American citizenship. I think that that is very clear. Just March 4, they asked the people of Puerto Rico what they think about the Young bill. They asked the people of Puerto Rico. They said 35 percent reject the Young bill, 33 percent support the Young bill, and another third do not have an opinion on the Young bill. It says if Puerto Ricans within the great diaspora of Puerto Rico, that is Puerto Ricans in the United States, do not get to vote on this, over half of them say we should reject the Young bill.

□ 1315

That is the people of Puerto Rico. But let me go further, Mr. Chairman, because I think it is very, very, very

important that we understand what is going on here.

Look, there is a value I hold even dearer than my wish for the independence of Puerto Rico, and that is the respect that I have for the true aspirations of the Puerto Rican people. That is their inalienable right of the people of Puerto Rico to their self-determination.

That is precisely why I oppose this bill so strongly. H.R. 856 is exactly the opposite. It is a bill, read it, it is a bill that is cleverly designed to obtain an artificial majority for statehood for Puerto Rico and to lead Congress down an irreversible path, first through the incorporation of Puerto Rico, and then to the admission of Puerto Rico as the 51st State of this great union. In fact, some opponents of H.R. 856 call this a trap.

Now, Congress makes an offer of statehood to the people of Puerto Rico. The only requirement, the only requirement, is that a simple majority vote in favor of statehood. But the ballot is so stacked in favor of statehood that I am going to read a quote, and please, listen to this quote:

The Resident Commissioner, CARLOS ROMERO-BARCELÓ, said, "Victory for statehood is guaranteed because the definition of 'commonwealth' does not include fiscal autonomy and does not include U.S. citizenship, a guarantee. The definition of Commonwealth in this bill is that of a territory. We just left the word 'territory' out." Quote—end quote of the Resident Commissioner of Puerto Rico here.

So I am not saying this bill is stacked in favor of statehood; the very proponent, the Resident Commissioner of Puerto Rico, has stated this publicly, and that is wrong, to play politics, partisan politics.

Mr. Chairman, I want to thank the gentleman from Alaska (Mr. YOUNG), and I want to thank the gentleman from California (Mr. MILLER), because both gentlemen have been decent with me. When I asked to participate in their hearings, they both know that they had to override objections of certain Members to allow me to participate in their committee, but they did. The gentleman from California (Mr. MILLER) and the gentleman from Alaska (Mr. YOUNG) have always listened to me, have always come and said, "Luis, what do you think? Let us talk about this."

I know that the gentleman from California (Mr. MILLER) tried to fix this. I know he did. He did make every attempt to fix this, and I know that he went to everybody and tried to bring people together. He testified so yesterday, and I know it to be a fact. Unfortunately, it was not able to be done. It was not able to be done. This has to be a process of consensus, of building people together.

Mr. Chairman, do you know something? That is why I did not yield, because when I asked for the opportunity to speak about this issue, I was ob-

jected to time and time again. I will respect the wishes of those who wish to speak to this issue that have respected the wishes of the people of Puerto Rico and all Members of this House, but do not expect treatment from me which others have disregarded for others.

Once the people of Puerto Rico vote for statehood under this rather unfair game plan, the Commonwealth Party has said it cannot participate in the plebiscite. That is going to be a problem. You have got about 48 percent of the people who say if you do it this way, we are not going to participate in this thing.

Now, I am going to make one last statement and then reserve the balance of my time. Look, this is serious. This is serious. If you approve this Young bill, do you know what you have said? You have said that 3.8 million Puerto Ricans do not have the protection of the 14th Amendment of the Constitution of the United States. You have said that their American citizenship is not guaranteed.

I will tell you what people will say. They will never take it away. This Congress would never take an action.

Do you know something? My dad did not get to see me until I was a year old, I would say to the gentleman from New York (Mr. SOLOMON), because when he was called to duty, he served. He served, Mr. Chairman.

How can we say that my dad and tens of thousands of other Puerto Ricans who have served this Nation, right, that their citizenship is statutory, can be taken away from them at a whim of Congress? I do not believe that.

As a matter of fact, in the 1950 Nationality Act, this Congress approved something that says the 50 states and Puerto Rico, anyone born there, is protected by the 14th Amendment and are citizens of this country. That is what the 1950 Nationality Act says.

So do not come back here and say that commonwealth is statutory citizenship, because, you know something? I want Puerto Rico to be a free and independent nation, and in that I disagree with my colleague, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ). The gentleman wants it to be assimilated and a state, but I think it is important, it is important, that the people of Puerto Rico have the definitions that they can have.

Lastly, in 1993, when the Resident Commissioner's party was in power in Puerto Rico, the Statehood Party, they controlled the two houses, the House and the Senate, and they controlled the governorship. They had a plebiscite in Puerto Rico.

Why, when they controlled all the rules in Puerto Rico, was the Commonwealth status not not a territory? Why was not the citizenship not statutory when that came up?

Why is it? As a matter of fact, in 1990 we unanimously accepted some definitions here, 1990, and none of these considerations. Do you want to know why? Because they want to stack the cards.

If the people of Puerto Rico want statehood, I will be the first one to come here and support statehood for Puerto Rico, but it has got to be a fair process. People can laugh and people can chide, because they do not understand the seriousness of this matter. This is about the 14th Amendment. This is about my dad, this is about my wife, Soraida, born in Moca, Puerto Rico; and I do not intend to go back to her tomorrow and say her citizenship is any less than mine. She was born a citizen of this country, and I am going to protect her right. It is not statutory, it is protected.

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

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. GEPHARDT), the minority leader.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Chairman, there is no right more fundamental to our democracy than the right of people to decide their political future. American democracy was conceived in the great struggle of the Revolutionary War, and it originated out of a fight for self-determination by the American colonists to be able to control their own affairs.

We have long asserted this right, not only for Americans, but for people all over the world. We have insisted that this is a universal human right that every human being should enjoy. So certainly it should and must be a fundamental right for people living under the American flag as American citizens. Yet almost 4 million American citizens, the people of Puerto Rico, have not enjoyed this right.

We have the opportunity to ensure today that American citizens who have sacrificed their loved ones in our wars, who serve our country in and out of uniform, and who obey our laws, should have a say in their political future. The people of Puerto Rico deserve an opportunity to vote on their future political status, and this bill simply gives them that opportunity. The choice should be theirs, and this Congress should respect that outcome.

This is a simple issue of basic human rights. The bill should easily become law. But today there are many in this Congress who want to hold this legislation hostage to an extreme agenda.

The Solomon English-only legislation, which House Republicans pushed through 2 years ago, but which died in the Senate and which has laid dormant ever since, would impose English-only restrictions that are unnecessary and divisive. While immigrants from all ethnic groups understand the importance and the necessity of learning English, the Solomon amendment does nothing to make this happen any quicker or easier.

The fact that some have raised this issue today is a slap in the face to the people of Puerto Rico, who love Amer-

ica and love their heritage. Instead of enforcing political rights, this amendment would undermine them by weakening the Voting Rights Act and ending bilingual access. Instead of expanding access to government, the Solomon amendment chills communications between Members of Congress and constituents. It imposes unique requirements on the people of Puerto Rico that Congress has not imposed on citizens of any other State of the United States.

Mr. Chairman, I urge the Members to support the bipartisan substitute that is being put forward by the leadership of this committee. It recognizes that it is in the best interests of our Nation and our citizens to promote the teaching of English, and it sets the goal of enabling students to achieve English language proficiency by the age of 10. It does not threaten free and open speech and communication of public safety, and it does not single out the people of Puerto Rico for unique, extraordinary requirements that we ask of no other State in the United States of America.

Finally, it is time to get on with the business at hand. It is time to extend the same rights to the people of Puerto Rico that billions of other people around the world take for granted. Puerto Rico has been a member of our American family for over 100 years. The people of Puerto Rico have waited long enough to finally decide their own destiny. More than a half decade ago Franklin Roosevelt said this to Congress. He said, "Freedom means the supremacy of human rights everywhere." Our support, he said, goes to those who struggle to gain those rights or keep them.

Mr. Chairman, we have a magnificent opportunity today, a bipartisan opportunity, an opportunity to extend the magic and the blessing of freedom and human rights and self-determination to the almost 4 million citizens of the United States, the people of Puerto Rico. Vote against the Solomon amendment, vote for the bipartisan substitute, and vote for this legislation for the meaning of America to be brought to the people of Puerto Rico.

Mr. MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Guam (Mr. UNDERWOOD).

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1 minute to the gentleman from Guam.

The CHAIRMAN. The gentleman from Guam (Mr. UNDERWOOD) is recognized for 2½ minutes.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I would like to apologize to the gentleman. In my passionate plea for Puerto Rico, I forgot the great Territory of Guam. We are working very close together. It slipped my mind. So I do apologize to the gentleman.

Mr. UNDERWOOD. Mr. Chairman, reclaiming my time, I thank the gen-

tleman for entering that into the RECORD.

Mr. Chairman, I stand in strong support of H.R. 856 and urge my colleagues to vote for this very important legislation. I applaud the work of the gentleman from Alaska (Chairman YOUNG), the gentleman from California (Mr. MILLER), and my fellow statutory citizen, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ).

H.R. 856 is significant because it establishes Federal responsibility in a process of self-determination for the people of Puerto Rico that would lead to decolonization. The Treaty of Paris, which ceded Puerto Rico and Guam to the U.S. in 1898, clearly gave the responsibility to this body for determining the political status of the inhabitants of these territories. Until this body does this, these areas will continue to remain colonies, 100 years since the end of the Spanish-American War. Until we do this, there will not be clarity in the ultimate political status of these unincorporated territories.

□ 1330

The bill before us clearly states that the Federal Government has the responsibility to act within a specific time frame and in unequivocal terms so that the process itself does not lead to more frustration and uncertainty. The Federal responsibility must be consistent with a modern 21st century understanding of decolonization, and it must lead to a process which forces expeditious action.

Today, 100 years after the Spanish-American War, the U.S. Congress has the unique opportunity and the moral obligation to resolve Puerto Rico's quest for a clear political status for its citizens. It is the right thing to do.

Mr. Chairman, if Members support democracy and the principle of fairness, I urge Members to vote for 856. It is the right thing to do for the citizens of the Caribbean island, to demonstrate that this country is second to none in the exercise of self-determination, that we are second to none in honoring our treaty obligations, and that we are second to none in the full implementation of democracy.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank the gentleman from Puerto Rico for yielding time to me.

I rise in strong support of this legislation. I rise in strong support for the substitute that will be put forth to the Solomon amendment, and in opposition to the Solomon amendment.

Since 1985 I have served on the Helsinki Commission, which was charged since 1976 to oversee the implementation of the Helsinki Final Act. Within that act it said that the international community ought to respect the self-determination of peoples.

It is one of the most troubling issues that confronts the international community and the emerging democracies

around the world. It is difficult because we need to determine what group, what size, how many do you need for self-determination. Does it need to be an identifiable, geographic area? If so, how large? It is an issue that we deal with in Yugoslavia.

Always, always, always the United States is on the side of those who aspire to make their own decisions. On this floor we have heard some very articulate expressions on both sides of this issue, from people who know the politics of Puerto Rico far more than I. But I know that those articulate people will debate this issue vigorously, and it will be the people of Puerto Rico who make this decision, as it should be. But it is important that this Congress express at home, within our own Nation, that same conviction on behalf of self-determination that we express around the world.

I would hope that we would overwhelmingly, in a bipartisan way, pass this legislation. I want to commend the gentleman from Alaska (Mr. YOUNG) for his leadership on this issue, and the gentleman from California (Mr. MILLER), and indeed, the delegate from Puerto Rico, and all of those who participate in this debate.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I thank the gentleman from Puerto Rico for yielding me this time.

Mr. Chairman, I rise in support of the bill before us today. I rise in opposition to the Solomon amendment. I rise in support of the bipartisan substitute.

Mr. Chairman, the essence of the bill before us today is to allow the people of Puerto Rico to make the decisions about their own destiny, what we like to refer to as self-determination.

For the last few decades we have talked long and often hard about the importance of self-determination in all parts of the world: in Russia, in Cuba, around the globe. It is now time to talk about self-determination for one of our nearest neighbors.

This is not that complicated. That is the beauty of democratic elections. Members have heard here today that there are lots of points of view about this issue within Puerto Rico. Those differences can be resolved by democratic elections. That is what we are here today to do, not to impose any particular form of government, be it statehood, independence, or Commonwealth status, but rather, to let the people, the people themselves decide what form of government they believe is most desirable.

The point is that today Puerto Ricans can fight in our wars but cannot elect the Commander in Chief. They can contribute to Social Security, and they do, but they cannot receive Social Security benefits. We need to change this, and we need to use our time-honored democratic processes to do that.

Mr. Chairman, let me talk for a moment about this notion embodied in

the Solomon amendment of English only. We all recognize that English is the common language of our country. It is the dominant language of our country. But who was it that decided that to be an American you had to speak the language of the British Isles? I am not sure that makes sense.

We were a country founded on tolerance, multiculturalism. It seems to me we can make room for those people who speak other languages. We left the Old World to create the New World for precisely this reason, to leave the conformities and traditions of the Old World behind. I think it is time we move forward to true multiculturalism and accept the fact that we do not have to have an ordered language in our society. I urge the adoption of the bill before us.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BONILLA).

(Mr. BONILLA asked and was given permission to revise and extend his remarks.)

Mr. BONILLA. Mr. Chairman, the debate we are hearing today reminds me of the demagoguing we heard back when the new majority took over in January of 1995. We tried to do some things that were right for the country, and we were demagogued as those who were trying to end the school lunch program, as those who were trying to eliminate Medicare, and as those who were trying to hurt the environment. We all knew that was not true, but yet the demagoguing continued.

The demagoguing continues today by those who are opposed to this bill, who say that it is going to somehow create a State, a new State, instantly. That is false. That is demagoguing.

There is also demagoguing about how this bill might be promoting bilingualism. That is not true at all, but nonetheless the arguments continue. They say this is anti-Commonwealth. That is also not true. The demagogues know it but they continue to make these arguments, in spite of the truth and substance of what we are trying to accomplish here today.

For those who think somehow that this is going to end the official language of the world, it is also a case of demagoguing. English is the official language of the world. One hundred fifty seven of 168 airlines have English as their official language. There are 3,000 newspapers printed in English in the country of India. Six members of the European Free Trade Association all conduct their business in English, despite the fact that none of the six members are from English-speaking nations. Three hundred thousand Chinese speak English in their own country. Forty-four countries have English as their official language.

The size of the English language, the number of words in the English language, is about 1 million. If we count the insects, and entomologists say there are a million known insects that could also become words, if we added

them to our language, you could make 2 million words that would be part of the English language, compared to other languages, like German, that has about 184,000, and French, that has about 100,000 words.

For those fear-mongers who think we need some kind of amendment on this bill to help us promote English, English is already the official language of the world. We do not need an amendment to tell us that. It is going to continue to be the official language of the world. We should support H.R. 856, and all proudly, because of what it stands for, and not be fear-mongering about what it might do to the great language of English that is used worldwide.

I say to my friends, let us stop the demagoguing, let us stop the fear-mongering that we have injected into this debate. Lighten up and support H.R. 856.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, this is truly a historic debate in this Congress. This is my sixth year as a Member of this Congress. It is the first time we are really talking about an issue about the fundamental union of our States. That is really what we are talking about.

In this Chamber over the last 100 years, and before that in the other Chamber just down the hall for 100 years before that, or just about, this is the kind of debates that went on. Unless it was one of the first original 13 colonies, each State went through a process. There were different debates and different things that went through that process. But that is where we are now.

I think part of the acknowledgment of this bill is something that obviously is controversial, but I think the fact, and people can debate it, is that the status of Commonwealth is an unstable equilibrium. In a sense, the bill acknowledges that. It can continue, but it cannot continue indefinitely. The process of the legislation specifically puts that into statute, and that is why it is critical that this legislation pass.

I would mention that the amendment by the gentleman from New York (Mr. SOLOMON), I think we should acknowledge what the amendment offered by the gentleman from New York (Mr. SOLOMON) attempts to do. We need to be direct about this.

This amendment is really not germane to this bill. It is an issue that in and of itself can be discussed and debated, but to turn English into the official language of the United States is not about this bill. It does not deserve to be on this bill, and it is inappropriately on this bill. I think we have to understand the reason it is on this bill is to kill the bill.

However anyone in this Chamber feels about that particular issue, and I know it is a passionate issue, I urge the

defeat of the Solomon amendment and the support of the substitute offered by the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. MILLER) and others to assure that this historic opportunity is taken advantage of.

Mr. Chairman, H.R. 856 will enable Congress to administer and determine the status of Puerto Rico in the same manner this institution has been administering and decolonizing territories since the Northwest Ordinance of 1789. The historical constitutional practice of the United States has been to decolonize non-state territories which come under U.S. sovereignty by either full incorporation leading to statehood (as in the case of Alaska and Hawaii) or separate nationhood (Philippines).

For too long Puerto Rico has been diverted from the historical process of decolonization. Because local self-government was established under P.L. 81-600 in 1952, Congress has pretended that Puerto Rico could be administered permanently as a territory with internal constitutional self-government. However, the local constitution did not create a separate nation as the pro-commonwealth party in Puerto Rico argues. Puerto Rican born Americans are still disenfranchised in the federal political system which is supreme in the territory as long as the U.S. flag flies over the island.

Puerto Rico is not a "free associated state" in the U.S. constitutional sense or under international law as recognized by the United States. Puerto Rico remains a colony. That is not my choice of words, that is the term used by the McKinley Administration to describe Puerto Rico. It is also the term used by the former chief justice of the Puerto Rico Supreme Court who was one of the architects of the commonwealth constitution.

Because H.R. 856 will define the real and true options that the Congress and the people in Puerto Rico have to resolve the status question, I strongly support this bill. Informing the voters in the territory of the real definition of commonwealth, statehood and separate sovereignty including free association is necessary because of the misleading adoption in 1952 of the Spanish words for "free association" by the pro-commonwealth party to describe the current commonwealth status. No wonder people are confused!

Only when people understand the real options can there be informed self-determination, and only when there has been informed self-determination can Congress then decide what status is in the national interest. Then the status of Puerto Rico can be resolved if there is agreement on the terms for status change. If not the status quo continues, but the process to decolonize Puerto Rico will exist. Then Puerto Rico's colonial status will continue only as long as the people of Puerto Rico are unable to choose between statehood and independence on terms acceptable to Congress.

To promote a better understanding of the nature of free association, I would like to share the following background paper on free association written by the U.S. Ambassador who negotiated free association treaties for President Reagan. The U.S. has a free association relationship with three Pacific island nations, and this status is very different from the free association espoused by the so-called "autonomists in Puerto Rico"—who want to be a separate sovereign nation but also keep U.S. nationality and citizenship.

That "have it both ways" approach to free association was attempted in the case of the Micronesian Compact of Free Association, but the State Department, Justice Department and Congress rejected that model as unconstitutional and unwise. It was an attempt to "perfect" the legal theory of the Puerto Rican commonwealth as a form of permanent self-government, a nation-within-a-nation concept that has always failed and always will because the U.S. constitution does not allow a Quebec-like problem in our Federal system.

Ambassador Zeder's explanation of free association as an option for Puerto Rico makes the ground rules for this form of separate sovereignty very clear and easy to understand. I include his statement for the RECORD.

The statement referred to is as follows:

UNDERSTANDING FREE ASSOCIATION AS A FORM OF SEPARATE SOVEREIGNTY AND POLITICAL INDEPENDENCE IN THE CASE OF DECOLONIZATION OF PUERTO RICO

(By Ambassador Fred M. Zeder, II)

Consistent with relevant resolutions of the U.N. General Assembly, Puerto Rico's options for full self-government are: Independence (Example: Philippines); Free Association (Example: Republic of the Marshall Islands); Integration (Example: Hawaii). See, G.A. Resolution 1514 (1960); G.A. Resolution 1541 (1960); G.A. Resolution 2625 (1970).

For purposes of international law including the relevant U.N. resolutions international conventions to which the U.S. is a party, the current status of Puerto Rico is best described as substantial but incomplete integration. This means that the decolonization process that commenced in 1952 has not been fulfilled.

As a matter of U.S. domestic constitutional law, a territory within U.S. sovereignty which has internal constitutional self-government but is not fully integrated into the national system of political union on the basis of equality remains an unincorporated territory, and can be referred to as a "commonwealth." (Example: Puerto Rico and the Northern Mariana Islands).

For purposes of U.S. constitutional law, independence and free association are status options which are created and exist on the international plane. Thus, instead of the sovereign primacy of Congress under the territorial clause, the sources of constitutional authority with respect to nations with separate sovereignty include the article II, section 2 treaty-making power and the applicable article I, section 8 powers of Congress such as that relating to nationality and immigration law.

Relations between the U.S. and a nation which is independent or in free association are conducted on the basis of international law. Thus, independence and free association are status options which would remove Puerto Rico from its present existence within the sphere of sovereignty of the United States and establish a separate Puerto Rican sovereignty outside the political union and federal constitutional system of the United States.

Instead of completing the integration process through full incorporation and statehood, either independence or free association would "dis-integrate" Puerto Rico from the United States. This would terminate U.S. sovereignty, nationality and citizenship and end application of the U.S. Constitution in Puerto Rico. In other words, the process of gradual integration which began in 1898, and which was advanced by statutory U.S. citizenship in 1917 and establishment of constitutional arrangements approved by the people in 1952, would be terminated in favor of either independence or free association.

Under either independence or free association, the U.S. and Puerto Rico could enter into treaties to define relations on a sovereign-to-sovereign basis. Free association as practiced by the U.S. is simply a form of independence in which two sovereign nations agree to a special close relationship that involves delegations of the sovereign powers of the associated to the United States in such areas as defense and other governmental functions to the extent both parties to the treaty-based relationship agree to continue such arrangements.

The specific features of free association and balance between autonomy and interdependence can vary within well-defined limits based on negotiated terms to which both parties to the arrangement have agreed, but all such features must be consistent with the structure of the agreement as a treaty-based sovereign-to-sovereign relationship. In U.S. experience and practice, even where free association has many features of a dependent territorial status the sources and allocation of constitutional authority triggered by the underlying separation of sovereignty, nationality and citizenship causes the relationship to evolve in the direction of full independence rather than functional re-integration.

Free association is essentially a transitional status for peoples who do not seek full integration, but rather seek to maintain close political, economic and security relations with another nation during the period after separate sovereignty is achieved. Again, this could be accomplished by treaty between independent nations as well. Thus, free association is a form of separate sovereignty that usually arises from the relationship between a colonial power and a people formerly in a colonial status who at least temporarily want close ties with the former colonial power for so long as both parties agree to the arrangements.

Free association is recognized as a distinct form of separate sovereignty, even though legally it also is consistent with independence. Specifically, free association is consistent with independence because, as explained below, the special and close bilateral relationship created by a free association treaty or pact can be terminated in favor of conventional independence at any time by either party.

In addition, the U.S. and the international community have recognized that a separate nation can be a party to a bilateral pact of free association and be an independent nation in the conventional sense at the same time. For example, the Republic of the Marshall Islands is party to the Compact of Free Association with the United States, but has been admitted to the United Nations as an independent nation.

Thus, the international practice regarding free association actually is best understood as a method of facilitating the decolonization process leading to simple and absolute independence. Essentially, it allows new nations not prepared economically, socially or strategically for emergence into conventional independence to achieve separate nationhood in cooperation with a former colonial power or another existing nation.

Under international law and practice including the relevant U.N. resolutions and existing free association precedents, free association must be terminable at will by either party in order to establish that the relationship is consistent with separate sovereignty and the right of self-determination is preserved. This international standard, also recognized by the U.S., is based on the requirement that free association not be allowed to become merely a new form of internationally accepted colonialism.

Specifically, free association is not intended to create a new form of territorial status or quasi-sovereignty. It is not a "nation-within-a-nation" relationship or a form of irrevocable permanent union, but is, again, a sovereign-to-sovereign treaty-based relationship which is either of limited duration or terminable at will by either party acting unilaterally.

In other words, both parties have a sovereign right to terminate the relationship at any time. The free association treaty may provide for the terms and measures which will apply in the event of unilateral termination, but the ability of either party to do so can not be conditioned or encumbered in such a manner that the exercise of the right to terminate the relationship effectively is impaired or precluded.

For that reason, the territory and population of each nation involved must be within the sovereignty, nationality and citizenship of that nation, and the elements and mechanisms of the free association relationship must be defined consistent with that requirement. Separate and distinct sovereignty and nationality must be established at the time of decolonization and preserved under the relationship or the ability of either party to terminate will be impaired.

Thus, the major power may grant to people of the free associated nation special rights normally associated with the major power's own citizenship classifications, such as open immigration and residence rights.

However, these arrangements are subject to the same terminability as the overall relationship, and thus may be either for a limited duration or subject to unilateral termination by either party at any time.

Consequently, there can be no permanent mass dual nationality because this would be inconsistent with the preservation of the underlying separate sovereignty. Any special rights or classifications of the major power extended to the people of a free associated nation are more in the nature of residency rights and do not prevent either nation from exercising separate sovereignty with respect to the nationality of its own population.

Upon termination of the free association relationship by either party, any such classifications or special residency rights will be subject to unilateral termination as well. Both during and after any period of free association, the people of each of the two nations will owe their allegiance to and have the separate nationality of their own country. Any attempt to deviate from these norms of international law and practice would undermine the sovereignty of both nations, and would impair the right of self-determination which must be preserved to ensure the relationship is based on consent rather than coercion.

In summary, the United States recognizes each of the three U.N. accepted status options for Puerto Rico to achieve full self-government. One of those options, integration, is within U.S. sovereignty and the federal political union, the other two, independence and free association, exist without U.S. sovereignty, nationality and citizenship.

Obviously, Puerto Rico can not act unilaterally to establish a new status. This is so not only because of U.S. sovereignty and the authority of Congress under the territorial clause, but also because Puerto Rico seeks the agreement of the U.S. to the terms under which any of these options would be implemented. This means Congress must agree to the terms under which a new status is defined and implemented.

There is no right on the part of Puerto Rico unilaterally to define its relationship with the United States. Nor would it be consistent with U.S. commitments to respect the right of self-determination for non-self-

governing people under U.S. administration to dispose of the territory of Puerto Rico in a manner which does not take into account the freely expressed wishes of the residents.

Thus, as the two parties which must define and carry out a future relationship based on consent and the right of self-determination which each must exercise, Congress, on behalf of the United States, and the people of Puerto Rico, acting through their constitutional process, must decide whether decolonization will be completed through completion of the process for integration into union or separation and nationhood apart from the U.S. for Puerto Rico.

Mr. GUTIERREZ. Mr. Chairman, I yield 2½ minutes to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY of Massachusetts. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I have been impressed in this debate thus far about the determination of us as Members of Congress to provide for real self-determination for the great people of Puerto Rico. I think it is fundamentally important to the Puerto Rican people themselves and to all of us as Americans, when we talk about the most important issue, perhaps, that we can determine in this Chamber, as to whether or not and who we define as American citizens, that we are clearly saying to the Puerto Rican people that they are welcome as not only citizens of this country, but they are in fact welcome as a 51st State.

But, and I mean a serious but, for anyone who has taken the time to visit Puerto Rico, to not just visit there in the sense of getting a nice suntan, but going there and talking with the Puerto Rican people and gaining a better understanding of their own identification, the truth of the matter is there are millions of Puerto Ricans that consider themselves to be Puerto Ricans, Puerto Ricans first.

American citizens, yes. They are willing to fight and die for this country. But I do not consider myself a Massachusettan first and then an American, I consider myself to be an American.

I think that we as American citizens ought to fundamentally be wide enough in the breadth of our knowledge and our sense of other human beings to allow them their own self-identification. That means that we ought to respect those that believe in the Commonwealth party.

I have a great many friends that are commonwealthers and statehooders. But I have great respect for the Commonwealth party, and I believe that this bill unfairly slants the way we define Commonwealth by bringing up issues as to whether or not this means that Puerto Rican people are going to be forever faced with determinations by this body as to whether or not we are going to consider them to be citizens, whether or not we are going to tax them, a whole series of questions that effectively undermines one group of Puerto Ricans that over and over again has stood up for equality status versus statehood.

If the people of Puerto Rico claim and vote for statehood, I would be the first in this Chamber to vote with them and to give them their vote and voice here in the Congress of the United States. But if in fact they choose Commonwealth status, then let us respect that as well, and let us make this an evenhanded debate that does not slight one side or the other, but gives this important issue the respect it is due.

□ 1345

Mr. SOLOMON. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. GILMAN), the honorable chairman of the Committee on International Relations. (Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I thank the gentleman from New York (Mr. SOLOMON) for yielding me this time. Mr. Chairman, I rise today in support of H.R. 856, the United States-Puerto Rico Political Status Act, allowing Puerto Ricans to determine their future political status.

Mr. Chairman, I rise today in support of H.R. 856, the United States-Puerto Rico Political Status Act, which will allow Puerto Ricans to determine their future political status.

This bill would give the U.S. citizens of Puerto Rico the right to self-determination. I believe every U.S. citizen should be afforded that opportunity.

The right to self-determination is a foundation or our freedoms. By voting against this bill, we would be sending a message that we don't believe other citizens should be given the opportunity and privilege of voting that we enjoy.

Puerto Ricans have served and died in wars defending democracy for years, yet they cannot elect a President or participate in the legislative process. This is unjust and un-American. Voting for H.R. 856 will entrust 3.8 million Hispanic Americans who reside in Puerto Rico with the power of an educated vote on self-determination.

Furthermore, voting for H.R. 856 does not confer statehood to Puerto Rico, but merely establishes a referendum that sets the terms and clarifies the choices to allow Puerto Ricans to determine their future political status. With regard to the language of the island, Puerto Rico recognized English as an official language of the local government in 1902—longer than any other American domain. English is the language of the local and federal governments, courts, and businesses, and is also in the curriculum of all the schools on the island of Puerto Rico.

As chairman of the International Relations Committee, I recognize the importance of supporting democratic principles abroad. Supporting H.R. 856 were enormously help to strengthen U.S. relations with Latin American nations. It is equally important to support these democratic standards here in America, by voting for a non-binding referendum.

For these reasons, I urge my colleagues to join in voting for H.R. 856, and grant Puerto Ricans the right to self-determination.

Mr. ROMERO-BARCELO. Mr. Chairman, I yield 1 minute to the gentleman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) for yielding me this time.

Mr. Chairman, a matter of self-determination should be a matter that brings unanimous consent in this body, and it pains me to see divisions and splits. If the bill is imperfect, there are many hurdles yet to go: additional island votes, additional congressional votes provided by the bill. Also, the vote to be taken in Puerto Rico is non-binding.

Above all, we cannot get ahead of the Puerto Rican people. In 1993, we in the District of Columbia had a historic vote on statehood. That is not what this vote is about. It is about allowing the Puerto Rican people to decide what affiliation they themselves desire. This is what we say we want people around the world to decide.

I represent half a million people in the District of Columbia who identify with Puerto Ricans because we too are treated as less than full Americans, living here right under the noses of the Congress of the United States. We know what it is like to fight and die in wars while suffering denials of concomitant rights.

The District has even fewer rights than Puerto Ricans because we do not have the right to self-government. We in the District feel a deep kinship which demands for self-determination around the world, and especially self-determination among our own in Puerto Rico.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Chairman, as we debate this, there are 20,000 Puerto Ricans serving in the Armed Forces of the United States. In this century, 200,000 have taken the pledge to defend our country. As recently as the Vietnam war, almost as many Puerto Ricans as Mississippians gave their lives for our country. And as recently as the Gulf War, when American casualties were miraculously low, four Puerto Ricans died for the United States of America.

Mr. Chairman, if that is not the price to pay for the privilege of deciding whether or not they want to be a State, then what is? They have paid the price. They deserve the right to make that decision.

Mr. Chairman, I urge my colleagues to please vote in favor of this bill.

Mr. SOLOMON. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. HORN), one of the Members that would probably be considered the least partisan of all on both sides of the aisle.

(Mr. HORN asked and was given permission to revise and extend his remarks.)

Mr. HORN. Mr. Chairman, I thank the gentleman from New York (Mr. SOLOMON), chairman of the Committee on Rules, for yielding me this time.

Mr. Chairman, I feel very strongly in support of the amendment offered by

the gentleman from New York. I will support it. But I will also vote against this bill.

We have a wonderful Resident Commissioner here from Puerto Rico. There is excellent representation from Guam, the District of Columbia, Virgin Islands, American Samoa. But I think this is just wrong public policy. We should not be raising false expectations of any group. I think the one way to do it is to say right now, let us not kid ourselves, this is not a good idea.

Puerto Rico is the result of the Spanish-American War. It has a wonderful people. What the gentleman from Mississippi said is absolutely correct. Many of them have given their lives for our country. There are also wonderful people in Guam, Saipan, the Virgin Islands, American Samoa, and the District of Columbia.

Mr. Chairman, I would say to the gentlewoman from the District of Columbia (Ms. NORTON) that we can solve the District's problem very easily and do what Congress did in the Nineteenth Century when it ceded back to Virginia that part of the District of Columbia which had been carved out of Virginia. Give it back to Maryland, and the District would have full representation.

But Puerto Rico should never have been a territory. Cuba was never a territory. Cuba has been independent. Granted, the Marines occupied them and a number of other countries from time to time. But we should have left Cuba independent. We did. We should have left Puerto Rico independent. We did not. And we need not continue that error forever.

We kept our promise to the Philippines that they would be independent in 1946. There is many a Filipino life of the Philippine Scouts, Philippine Army, that helped the United States in the sad, sad days of 1941 when the Japanese Empire extended its military and Naval forces southward in Asia.

Many of the 50,000 Cambodians in my City of Long Beach have talked to me and asked if Cambodia could become a State. Now, that would be a wonderful idea. They are wonderful people. No people except the Jews, the Kurds, the Armenians, and a few others have had to go through the hell that the people of Cambodia have gone through. One million were killed by Pol Pot. But as I have told them, it does not make sense for them to be a State of the United States. We have to draw the line.

And for those who have small States and want the second representative, just forget about it if six representatives come in from anywhere, Puerto Rico or any other territory that seeks statehood.

The niceness of the people and their heroism, we should honor. But we should not be getting ourselves entangled in situations that will be another Quebec, no matter how much we teach the English language. And, frankly, we have to say "no" from the beginning. Let us not make a major mistake. Vote

"yes" for the Solomon amendment and "no" on the passage of the bill.

The CHAIRMAN. The gentleman from Illinois (Mr. GUTIERREZ) has 1 minute remaining; the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) has 3½ minutes remaining; the gentleman from Alaska (Mr. YOUNG) has one-half minute remaining; and the gentleman from New York (Mr. SOLOMON) has one-half minute remaining.

PARLIAMENTARY INQUIRY

Mr. SOLOMON. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SOLOMON. Mr. Chairman, I believe under the procedures of the House that it would be appropriate at this time for the gentleman from Illinois (Mr. GUTIERREZ) to use up his time, then the gentleman from Puerto Rico, then myself, and then reserving the close for the chairman of the committee. Would that not be in order? I would suggest it, at any rate.

The CHAIRMAN. The Chair will recognize Members to close general debate in reverse of the order in which the Members opened. Therefore, the Chair will recognize Members to close debate as follows: The gentleman from Illinois (Mr. GUTIERREZ), the gentleman from New York (Mr. SOLOMON), the gentleman from California (Mr. MILLER), and the gentleman from Alaska (Mr. YOUNG).

Mr. GUTIERREZ. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I think the gentleman from Mississippi (Mr. TAYLOR) was very eloquent when he spoke about the thousands of Puerto Ricans that have given their lives in the armed forces. And the gentleman ended his statement by saying they should be able to vote for statehood. Indeed, they should.

That is not the question here. The question is should not they be able to vote for other statuses also, and should we stack the deck against them and in favor of statehood? Listen. I want everybody to understand this. We cannot have self-determination if the people who are going to have the plebiscite do not agree with the definitions, if we say to those people when they walk into the ballot box, and this is what we are asking them to do: statehood, citizenship guaranteed; commonwealth, maybe, including those thousands and thousands that have served in the Armed Forces that are citizens today. That is weighting it against, and it is unfair.

So if we are going to bring up the courage, if we are going to bring up the commitment and the service, let them decide in a fair manner what their future is. And I remind my colleagues, this is not a group of people. It is not a territory. It is a nation. They feel that they are a nation. Puerto Rico is a separate and distinct country.

Mr. SOLOMON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, briefly, the reason I have opposed this bill in its present

form is because it sets in motion a procedure that would possibly bring Puerto Rico into the Union with a simple vote of 50 percent plus 1. When Alaska came in, 83 percent of the people wanted statehood. When Hawaii came in, 94 percent of the people wanted statehood. We cannot have another Quebec on our hands like Canada. If the overwhelming majority of the people of Puerto Rico want statehood, I will be the first to stand up here to fight for their admittance. Until that time, I think we should oppose this bill.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 1 minute to the gentleman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Chairman, I thank the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) for yielding me this time.

Mr. Chairman, I rise in strong support of H.R. 856, and oppose the Solomon amendment and support the Miller substitute.

Mr. Chairman, I commend the gentleman from Alaska (Mr. YOUNG) for his leadership in this matter. His State and my State went through years and years of agony, of pleading with this Congress to be admitted as a complete partner, as a State. We went through much this same type of argument on many side issues. And I regret that my dear friends are in opposition to this proposal on the grounds that they do not feel that the ballot is fairly stated.

The central issue here is that the people of Puerto Rico are being given the decision-making opportunity. They have to cast their ballots one way or another. The issue of statehood versus commonwealth will be clearly debated by the people.

Mr. Chairman, I feel that this is an issue which goes to the very heart of this democracy and the people of Puerto Rico ought to be given the right to vote.

Mr. Chairman, H.R. 856 is the first congressionally recognized framework that establishes a referendum for the people of Puerto Rico to determine whether they choose to be a commonwealth, state, or independent nation.

H.R. 856 is not a bill granting statehood, it is a bill to allow American citizens to determine their political future. Some argue against H.R. 856 because they do not like the definition of commonwealth or simply do not support statehood and do not want to see the same rights and benefits accorded all states given to Puerto Rico. We do not know how the people of Puerto Rico will vote. However, we owe our fellow Americans the chance to decide for themselves what relationship they wish to have with the United States.

For example, some say the bill's definition of Puerto Rico's current territorial or "commonwealth" status is not attractive as statehood. Each status has its advantages and disadvantages. If a majority of the residents of Puerto Rico were to choose to remain a commonwealth under H.R. 856, their relationship with the United States would not change.

There are some who oppose the possibility of Puerto Rico becoming a state because both Spanish and English are the official languages of Puerto Rico. These opponents wish to "as-

similate" Puerto Rico into the United States and believe the only way to "assimilate" these residents is to declare English as the official language. This is not true. At least four territories: Louisiana, New Mexico, Oklahoma, and Hawaii were admitted as states with constitutional provisions protecting the rights of French, Spanish, Native American, and Native Hawaiian speaking residents. How can we impose different standards of Puerto Rico.

Many would have us believe that Puerto Rico residents have no interest in speaking or teaching or conducting business in English. This is simply not true. For example:

85 percent of Post-Secondary school students speak English and Spanish.

English is used in all official communications by federal agencies on the island. All documents presented before the United States District Court for the District of Puerto Rico are in English. Court proceedings in the Federal Court are conducted in English.

Since 1900 the public school system has offered bilingual education. English is taught from Kindergarten through 12 grade.

The Puerto Rico Department of Education is implementing a program to strengthen the bilingual skills of public school students. This program consists of a strong emphasis on reading English and Spanish starting in Kindergarten; English textbooks in math and science; English immersion programs; as well as teacher exchange programs between the continental United States and Puerto Rico to improve English teaching skills.

32 professions in Puerto Rico require their members to take licensing examinations in English. They include Accounting, Architecture, Engineering, Medicine, and Optometry. Puerto Rico's largest weekly newspaper, The Caribbean Business, and the Pulitzer Prize-winning The San Juan Star, the third largest daily newspaper, are both completely in English.

Even with this English foundation already existing in Puerto Rico, H.R. 856 stresses the need for a continued English presence by stating that "English shall be the common language of mutual understanding in the United States."

Proposing an "English-only" amendment to H.R. 856 opens up an issue larger than Puerto Rico. An amendment declaring English as the official language of the United States affects every state. This is an unnecessary amendment that is larger than the bill at hand and should be debated standing alone and not attached to H.R. 856.

English is by far our Nation's common language. According to the U.S. Census Bureau, 95 percent of Americans currently speak English "well" or "very well." It is because English is already the language of the U.S. and its people, and because there is no threat that English will be subsumed by other languages, that I do not think English-Only amendments affecting all Americans should be enacted.

For the past 100 years, the people of Puerto Rico have served America with loyalty, pride and commitment. They have a right to decide what form of relationship Puerto Rico should have with the United States. I support a plebiscite. Hawaii as a Territory also was accorded U.S. citizens status and later voted to become a state. The people of Puerto Rico should also decide this for themselves. H.R. 856 allows them to do so.

I urge the passage of H.R. 856.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Chairman, I rise in strong support of H.R. 856. To me this is a question of equity and fairness. There are nearly 4 million Puerto Ricans who are American citizens who are denied the right to self-determination. This bill simply starts a process. It is nothing more, nothing less.

We will be able to find out from this process what Puerto Ricans want. We can then respond to that process. This is only fair. The people of Puerto Rico did not ask to be a part of this country 100 years ago, remember. They became a part by the Spanish-American War, and as was pointed out, they have been loyal citizens. They have the same right to self-determination as all Americans do.

Mr. Chairman, I represent a district in the Bronx, in Westchester County in New York. We have many, many Puerto Ricans living there and the people are positively excited about the fact that their brethren on Puerto Rico will have the opportunity to have this dialogue. As my colleague from Hawaii said, the people of Alaska and Hawaii went through much the same thing. Much of the arguments that were raised against them coming into the Union are being raised now.

We do not favor any one thing. We want the process to start. The people of Puerto Rico deserve nothing less.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I guess we should be discussing here an amendment as to whether this Nation should be allowed to invade any country that does not speak English. That is the problem.

Mr. Chairman, there has been so much demagoguery here. When they discuss it they say that we are not allowing the people that support commonwealth to vote because we say that citizenship is statutory. What else is it? There is a Constitution of the United States that says that those born in a State are citizens and also those that are naturalized are citizens. The Constitution does not say anything else.

So it is by law in 1917 that established that those born in Puerto Rico shall be citizens of the United States, so we are citizens by a statute. And that statute cannot be repealed to deny those that are citizens the right of citizenship. But that statute can be repealed to say and amended to say that those that are born from the year 2,000 on will no longer be citizens by reason of birth, and the people of Puerto Rico should know that under commonwealth that could happen. We say it will probably not happen because it is the policy of the Nation to maintain those that are born in Puerto Rico from now on also as citizens, but they must know the truth.

The people of the commonwealth have been voting for lies for many,

many years and they have been misled. The United Nations was misled when this country went to the United Nations and said Puerto Rico has achieved a full measure of self-government. All of my colleagues know that I am here and I cannot vote. I cannot even vote for this bill that is so important for the people of Puerto Rico.

Mr. Chairman, all we are asking is give us an opportunity for self-determination. Give us an opportunity to vote whether we want to stay as we are or we want to be a State or we want to be independent. This is self-determination, what we have fought for on foreign soils all over the world.

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Mr. YOUNG of Alaska. Mr. Chairman, I yield myself the balance of my time.

Again, this is our opportunity, as we close this debate to thank everybody participating in the debate for their decorum and their honesty and their strong beliefs. I believe that this is the correct way to go. I believe it is the right thing to do. This is justice.

I will strongly oppose the Solomon amendment. I will support the bipartisan amendment of BURTON-YOUNG-MILLER, and I suggest respectfully that this is the right thing for Congress today. And as we stop this great century and begin a new century, the right thing to do for the Americans of Puerto Rico and the great United States of America.

Mr. LAZIO of New York. Mr. Chairman, I rise in support of the Puerto Rico Political Status Act. The bill would grant the four million U.S. citizens living in Puerto Rico the right to determine their own future.

This year marks the one hundredth anniversary of Puerto Rico's accession into the United States at the end of the Spanish-American War. Over that time, Puerto Rico has made major contributions to this nation, including the service of more than 200,000 of its young men and women in the armed forces of the United States. More than 8,000 have given their lives in defense of our nation's freedom. Given the many contributions residents of Puerto Rico have made to the United States, I support this initiative for Puerto Rico's self-determination.

The self-determination process of H.R. 856 ensures that the people of Puerto Rico and the people of the United States, through their representatives in Congress, will each have a voice in the three stages of resolving Puerto Rico's political status. As you know, the bill allows residents of Puerto Rico to determine the political status of their island by a democratic referendum process. Under the bill, voters choose either to retain the current commonwealth structure for local self-government as a territory, separate sovereignty, or statehood.

This bill does not mandate that Puerto Rico become a state. The bill would leave the decision to the local residents to exercise their collective voice and determine the future of Puerto Rico. However, should residents favor statehood, the bill outlines a transition plan that includes incentives and opportunities for residents to learn English.

Mr. Chairman, the United States is known the world over as the promoter and keeper of

political freedom. We must allow the United States citizens living in Puerto Rico to determine their political future as well.

Mr. BUNNING. Mr. Chairman, I rise in opposition to H.R. 856, the United States-Puerto Rico Political Status Act.

Back during my baseball days, I actually lived in Puerto Rico for two years. And I think I have some idea about life on the island. It has a long, rich history, and a vibrant culture. Living there was a wonderful experience.

But, I think that it's this history and culture that dictate that Puerto Rico should be independent from the United States. No matter how hard the proponents of statehood, or those who support continuing commonwealth status, argue their case, I don't think they can reconcile the fact that Puerto Rico has strong traditions that profoundly separates it from America.

It is a separation that cannot be bridged.

I recognize that on the surface there are similarities between America and Puerto Rico. Politically and economically some links have been forged during Puerto Rico's years as an American Commonwealth.

But these connections are only skin deep. Beyond that the customs and culture of Puerto Rico are predominantly their own, or much more closely identified with other Latin or Hispanic cultures.

The vast majority of its residents speak Spanish, not English. And in the most recent referendum, held just five years ago, the residents were profoundly divided over their island's future. None of the options— independence, statehood, or commonwealth status—received even a majority vote, much less a ringing endorsement.

If an overwhelming majority of residents wanted to join the United States that would be one thing. But the indecision among Puerto Ricans simply reflects the fact that the distance between the U.S. and Puerto Rico is much greater than the 950 miles of ocean that separate San Juan from Miami.

Mr. Chairman, I think Puerto Rico should be independent. I don't think it should be a state, and I don't think it should be a commonwealth. And I think that no matter what we do here today, there is no way we can overcome the fact that America and Puerto Rico are separated by profound differences.

The bill before us today claims to present us with a choice for helping Puerto Ricans determine their future. But, it is a false choice because no matter how long we debate this matter in Congress, and no matter how many referenda are held in Puerto Rico, their is only one inevitable outcome—Independence.

Mr. FALEOMAVAEGA. Mr. Chairman, I rise today in support of the Young-Miller substitute for H.R. 856, the United States-Puerto Rico Political Status Act.

The political status of Puerto Rico has been a topic of discussion of the Committee on Resources, and its predecessor Committees, for decades. My interest in Puerto Rico began in the 1970's when I was a member of the staff of Congressman Phil Burton of California. I learned then of the political divisions within Puerto Rico, and those political divisions are still in existence.

From my perspective, all three political parties in Puerto Rico make persuasive arguments in support of their respective positions, and I believe all three are viable political options. Additionally, I believe a political status of

free association is a possibility for Puerto Rico to consider at some point in the future, but given the present political makeup of the commonwealth, I do not believe it should be included on the ballot at this time.

Before I make my specific comments on H.R. 856, I want to note for the record that I think it is critically important that throughout this process, as an institution, Congress must present itself as fair and as evenhanded as possible. When I speak of self-determination for Puerto Rico, in my mind, that means the people of Puerto Rico choose their own course, and in making that choice all options should be available for the people of Puerto Rico to consider.

Even though Congress has plenary authority over Puerto Rico, I believe it would be a serious mistake for the Congress to impose its will upon the people of Puerto Rico without fair and equitable consultation with the Puerto Rican leaders and the people. I place such high concern on this issue because it is my sense that if Congress is not scrupulously evenhanded in this regard, three things can happen. First, the U.S. citizens in Puerto Rico lose their trust in the process and in Congress as an institution. Second, if events do not go as smoothly as Congress might hope, it will be the Congress that will be blamed for the problems, and rightfully so. Third, we all know political status is an emotional issue in Puerto Rico. The Commonwealth has a long history of fair and impartial elections with voting percentages which are the envy of every state of the United States. If the political status selection process were perceived as unfair, I fear the consequences of even the perception of partiality, and again, I believe Congress would have to take its share of the blame and responsibility.

Mr. Chairman, as I see it, the underlying problem, if it is a problem at all, is that over 90% of the people of Puerto Rico are almost evenly split on which political course they should follow. As a result of this, no one group can obtain a majority of votes. Until that changes, any affirmative action Congress takes will not be in accordance with the wishes of the majority in Puerto Rico. Given those facts, I believe it is neither wise, nor good policy, to tilt the scales, just to acquire a majority.

I do have a few concerns with this legislation I want to note. I have said repeatedly that I do not like the idea of one political group defining another political group's definition of itself. To a certain extent, we have that problem in this bill—the bill contains a definition of Commonwealth status, but it was not drafted and is not supported by the political party which supports that status. It is difficult to ask a political organization to vote for or support a status its members do not support, and that is a serious concern I have with this bill. The situation is complicated by the apparent reluctance of the Popular Democratic Party to provide a definition of "Commonwealth" which could be included in the bill.

Because of the opposition of the one of the major political parties to a key definition in the bill, it was not an easy decision for me to support this bill. I support the definitions contained in the Young-Miller substitute, but want to note that I do not consider the definition of Commonwealth as describing a static relationship

as some have stated. Rather, I believe it describes the current dynamic relationship between the people of Puerto Rico and the people of the United States, which can and should be changed over time.

Secondly, while some may not consider Puerto Rico's current relationship with the United States to be a permanent one, it does not make sense to force a change on the people of Puerto Rico which they do not want. It would be a serious mistake to encourage the people into a "permanent" political status that will not best serve their long-term interests.

Third, Mr. Speaker, is the issue of the use of the English and Spanish languages in Puerto Rico. Coming from an insular area in which Samoan and English are spoken I see nothing to gain and much to lose by forcing the citizens of Puerto Rico to give up part of their Spanish heritage by prohibiting them from speaking to each other in Spanish.

On the other hand, we will not be well served as a nation if the vast majority of the citizens of one of our states do not speak English, and speak it well. The example of Quebec, Canada has been often discussed these last few weeks, but that is not the only example. I would also point to the problems in the Balkans and in many countries in sub-Saharan Africa. This is a very difficult issue which I believe is appropriately addressed in the Burton-Miller-Young amendment, and I support that amendment.

Mr. RAHALL. Mr. Chairman, I rise in support of H.R. 856, legislation which would provide a framework by which the people of Puerto Rico may determine their political status.

Various speakers during today's debate will discuss a number of aspects of this legislation and the sensitive issues it raises.

However, as the ranking Democratic Member on the Subcommittee on Surface Transportation, I will limit my remarks to how Puerto Rico is currently being treated under the federal highway and transit programs, and what the process of self-determination could mean to the island.

Today, the people of Puerto Rico are the beneficiaries of federal highway dollars even though they do not pay any federal motor fuel taxes into the Highway Trust Fund.

On the surface, that may appear to be a good deal of Puerto Rico and a bad deal for the rest of the country.

Yet, our contribution to the highway infrastructure of the island is relatively small. Indeed, over the six-year life of ISTEA, starting with 1992 and ending with 1997, Puerto Rico received \$492 million in federal highway dollars.

It is interesting to note that with a population of about 3.8 million people, Puerto Rico received considerably less than Hawaii, a State with similar characteristics in terms of the factors used to apportion federal highway dollars to the States.

With a much smaller population of 1.2 million, Hawaii received a little more than \$1.2 billion in federal highway dollars during ISTEA compared to the \$492 million sent to Puerto Rico.

On the other hand, if we simply look to population, Connecticut with about 3.3 million people received \$2.2 billion over ISTEA compared to Puerto Rico's \$492 million.

As such, while Puerto Rico, which pays no federal motor fuel taxes, receives federal highway dollars, the amount is nowhere near it

would receive if it was a State and its residents contributed into the Highway Trust Fund.

In fact, under existing formulas, if Puerto Rico was a State it would receive back in federal highway dollars far more than what it contributes in motor fuel taxes as is the case with Hawaii, Connecticut and many other States.

Is there a pressing need to make transportation improvements in Puerto Rico, yes, certainly.

Anyone who has driven the streets of Santruce, of Rios Piedras, of Bayamon or anywhere else in San Juan knows of the massive congestion which plagues that city.

This is not to say that the government is not making efforts to make improvements.

For example, Tren Urbano is one of if not the best new transit start anywhere in the United States. Yet, the federal share currently is only 30% of that project while other, less deserving transit projects, have federal share of at least 50% with some up to 80%.

Why is this? I think in part it is due to the resourcefulness of the governor and his administration. But I also think it is in part because they feel there may be limits to the extent of federal transit dollars they can seek under Commonwealth status.

In conclusion, I would observe that the people of Puerto Rico have shed their blood in defense of the United States. For over 100 years they have been a junior partner in the development of the greatest Democracy in the world that is this country. The relationship has been mutually beneficial.

However, I believe it is time, once again, for the people of Puerto Rico to make a determination as to their political status.

Do they want a full seat at the table that is these United States, to be a full and equal partner, or do they want to continue to sit at that table on a small stool as a commonwealth, or do they want to go their own way as a separate nation.

That is what this legislation is about.

I urge a yes vote on H.R. 856.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD and numbered 1 is considered as an original bill for the purpose of amendment and is considered as having been read.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "United States-Puerto Rico Political Status Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title, table of contents.

Sec. 2. Findings.

Sec. 3. Policy.

Sec. 4. Process for Puerto Rican full self-government, including the initial decision stage, transition stage, and implementation stage.

Sec. 5. Requirements relating to referenda, including inconclusive referendum and applicable laws.

Sec. 6. Congressional procedures for consideration of legislation.

Sec. 7. Availability of funds for the referenda.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Puerto Rico was ceded to the United States and came under this Nation's sovereignty pursuant to the Treaty of Paris ending the Spanish-American War in 1898. Article IX of the Treaty of Paris recognized the authority of Congress to provide for the political status of the inhabitants of the territory.

(2) Consistent with establishment of United States nationality for inhabitants of Puerto Rico under the Treaty of Paris, Congress has exercised its powers under the Territorial Clause of the Constitution (article IV, section 3, clause 2) to provide by several statutes beginning in 1917, for the United States citizenship status of persons born in Puerto Rico.

(3) Consistent with the Territorial Clause and rulings of the United States Supreme Court, partial application of the United States Constitution has been established in the unincorporated territories of the United States including Puerto Rico.

(4) In 1950, Congress prescribed a procedure for instituting internal self-government for Puerto Rico pursuant to statutory authorization for a local constitution. A local constitution was approved by the people of Puerto Rico, approved by Congress, subject to conforming amendment by Puerto Rico, and thereupon given effect in 1952 after acceptance of congressional conditions by the Puerto Rico Constitutional Convention and an appropriate proclamation by the Governor. The approved constitution established the structure for constitutional government in respect of internal affairs without altering Puerto Rico's fundamental political, social, and economic relationship with the United States and without restricting the authority of Congress under the Territorial Clause to determine the application of Federal law to Puerto Rico, resulting in the present "Commonwealth" structure for local self-government. The Commonwealth remains an unincorporated territory and does not have the status of "free association" with the United States as that status is defined under United States law or international practice.

(5) In 1953, the United States transmitted to the Secretary-General of the United Nations for circulation to its Members a formal notification that the United States no longer would transmit information regarding Puerto Rico to the United Nations pursuant to Article 73(e) of its Charter. The formal United States notification document informed the United Nations that the cessation of information on Puerto Rico was based on the "new constitutional arrangements" in the territory, and the United States expressly defined the scope of the "full measure" of local self-government in Puerto Rico as extending to matters of "internal government and administration, subject only to compliance with applicable provisions of the Federal Constitution, the Puerto Rico Federal Relations Act and the acts of Congress authorizing and approving the Constitution, as may be interpreted by judicial decision." Thereafter, the General Assembly of the United Nations, based upon consent of the inhabitants of the territory and the United States explanation of the new status as approved by Congress, adopted Resolution 748 (VIII) by a vote of 22 to 18 with 19 abstentions, thereby accepting the United States determination to cease reporting to the United Nations on the status of Puerto Rico.

(6) In 1960, the United Nations General Assembly approved Resolution 1541 (XV), clarifying that under United Nations standards

regarding the political status options available to the people of territories yet to complete the process for achieving full self-government, the three established forms of full self-government are national independence, free association based on separate sovereignty, or full integration with another nation on the basis of equality.

(7) The ruling of the United States Supreme Court in the 1980 case *Harris v. Rosario* (446 U.S. 651) confirmed that Congress continues to exercise authority over Puerto Rico pursuant to the Territorial Clause found at Article IV, section 3, clause 2 of the United States Constitution; and in the 1982 case of *Rodriguez v. Popular Democratic Party* (457 U.S. 1), the Court confirmed that the Congress delegated powers of administration to the Commonwealth of Puerto Rico sufficient for it to function "like a State" and as "an autonomous political entity" in respect of internal affairs and administration, "sovereign over matters not ruled by the Constitution" of the United States. These rulings constitute judicial interpretation of Puerto Rico's status which is in accordance with the clear intent of Congress that establishment of local constitutional government in 1952 did not alter Puerto Rico's fundamental status.

(8) In a joint letter dated January 17, 1989, cosigned by the Governor of Puerto Rico in his capacity as president of one of Puerto Rico's principal political parties and the presidents of the two other principal political parties of Puerto Rico, the United States was formally advised that "... the People of Puerto Rico wish to be consulted as to their preference with regards to their ultimate political status", and the joint letter stated "... that since Puerto Rico came under the sovereignty of the United States of America through the Treaty of Paris in 1898, the People of Puerto Rico have not been formally consulted by the United States of America as to their choice of their ultimate political status".

(9) In the 1989 State of the Union Message, President George Bush urged the Congress to take the necessary steps to authorize a federally recognized process allowing the people of Puerto Rico, for the first time since the Treaty of Paris entered into force, to freely express their wishes regarding their future political status in a congressionally recognized referendum, a step in the process of self-determination which the Congress has yet to authorize.

(10) On November 14, 1993, the Government of Puerto Rico conducted a plebiscite initiated under local law on Puerto Rico's political status. In that vote none of the three status propositions received a majority of the votes cast. The results of that vote were: 48.6 percent for a commonwealth option, 46.3 percent statehood, and 4.4 percent independence.

(11) In a letter dated December 2, 1994, President William Jefferson Clinton informed leaders in Congress that an Executive Branch Interagency Working Group on Puerto Rico had been organized to coordinate the review, development, and implementation of executive branch policy concerning issues affecting Puerto Rico, including the November 1993 plebiscite.

(12) Under the Territorial Clause of the Constitution, Congress has the authority and responsibility to determine Federal policy and clarify status issues in order to resolve the issue of Puerto Rico's final status.

(13) On January 23, 1997, the Puerto Rico Legislature enacted Concurrent Resolution 2, which requested the 105th Congress "... to respond to the democratic aspirations of the American citizens of Puerto Rico" by approving legislation authorizing

"... a plebiscite sponsored by the Federal Government, to be held no later than 1998".

(14) Nearly 4,000,000 United States citizens live in the islands of Puerto Rico, which have been under United States sovereignty and within the United States customs territory for almost 100 years, making Puerto Rico the oldest, largest, and most populous United States island territory at the southeastern-most boundary of our Nation, located astride the strategic shipping lanes of the Atlantic Ocean and Caribbean Sea.

(15) Full self-government is attainable only through establishment of a political status which is based on either separate sovereignty and nationality or full and equal United States nationality and citizenship through membership in the Union.

SEC. 3. POLICY.

(a) CONGRESSIONAL COMMITMENT.—In recognition of the significant level of local self-government which has been attained by Puerto Rico, and the responsibility of the Federal Government to enable the people of the territory to freely express their wishes regarding political status and achieve full self-government, this Act is adopted with a commitment to encourage the development and implementation of procedures through which the permanent political status of the people of Puerto Rico can be determined.

(b) LANGUAGE.—English is the common language of mutual understanding in the United States, and in all of the States duly and freely admitted to the Union. The Congress recognizes that at the present time, Spanish and English are the joint official languages of Puerto Rico, and have been for nearly 100 years; that English is the official language of Federal courts in Puerto Rico; that the ability to speak English is a requirement for Federal jury services; yet Spanish rather than English is currently the predominant language used by the majority of the people of Puerto Rico; and that Congress has the authority to expand existing English language requirements in the Commonwealth of Puerto Rico. In the event that the referendum held under this Act result in approval of sovereignty leading to Statehood, it is anticipated that upon accession to Statehood, English language requirements of the Federal Government shall apply in Puerto Rico to the same extent as Federal law requires throughout the United States. Congress also recognizes the significant advantage that proficiency in Spanish as well as English has bestowed on the people of Puerto Rico, and further that this will serve the best interests of both Puerto Rico and the rest of the United States in our mutual dealings in the Caribbean, Latin America, and throughout the Spanish-speaking world.

SEC. 4. PROCESS FOR PUERTO RICAN FULL SELF-GOVERNMENT, INCLUDING THE INITIAL DECISION STAGE, TRANSITION STAGE, AND IMPLEMENTATION STAGE.

(a) INITIAL DECISION STAGE.—A referendum on Puerto Rico's political status is authorized to be held not later than December 31, 1998. The referendum shall be held pursuant to this Act and in accordance with the applicable provisions of Puerto Rico's electoral law and other relevant statutes consistent with this Act. Approval of a status option must be by a majority of the valid votes cast. The referendum shall be on the approval of 1 of the 3 options presented on the ballot as follows:

"Instructions: Mark the status option you choose as each is defined below. Ballot with more than 1 option marked will not be counted.

"A. COMMONWEALTH.—If you agree, mark here

"Puerto Rico should retain Commonwealth, in which—

"(1) Puerto Rico is joined in a relationship with and 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.

"(2) Under this political relationship, Puerto Rico like a State is an autonomous political entity, sovereign over matters not ruled by the Constitution of the United States. In the exercise of this sovereignty, the laws of the Commonwealth shall govern in Puerto Rico to the extent that they are consistent with the Constitution, treaties, and laws of the United States. Congress retains its constitutional authority to enact laws it deems necessary relating to Puerto Rico.

"(3) Persons born in Puerto Rico have United States citizenship by statute as secured by the Constitution. It is the policy of the United States that citizenship will continue to be granted to persons born in Puerto Rico. The rights, privileges, and immunities provided for by the United States Constitution apply in Puerto Rico, except where limited by the Constitution to citizens residing in a State.

"(4) Puerto Rico will continue to participate in Federal programs and may be enabled to participate equally with the States in the programs where it is not now participating equally contingent on the payment of contributions, which may include payment of taxes, as provided by Federal law.

"B. SEPARATE SOVEREIGNTY.—If you agree, mark here

"The people of Puerto Rico should become fully self-governing through separate sovereignty in the form of independence or free association, in which—

"(1) Puerto Rico is a sovereign Republic which has full authority and responsibility over its territory and population under a constitution which is the supreme law, providing for a republican form of government and the protection of human rights;

"(2) the Republic of Puerto Rico is a member of the community of nations vested with full powers and responsibilities for its own fiscal and monetary policy, immigration, trade, and the conduct in its own name and right of relations with other nations and international organizations, including the rights and responsibilities that devolve upon a sovereign nation under the general principles of international law;

"(3) the residents of Puerto Rico owe allegiance to and have the nationality and citizenship of the Republic of Puerto Rico;

"(4) The Constitution and laws of the United States no longer apply in Puerto Rico, and United States sovereignty in Puerto Rico is ended; thereupon birth in Puerto Rico or relationship to persons with statutory United States citizenship by birth in the former territory shall cease to be a basis for United States nationality or citizenship, except that persons who had such United States citizenship have a statutory right to retain United States nationality and citizenship for life, by entitlement or election as provided by the United States Congress, based on continued allegiance to the United States: *Provided*, That such persons will not have this statutory United States nationality and citizenship status upon having or maintaining allegiance, nationality, and citizenship rights in any sovereign nation, including the Republic of Puerto Rico, other than the United States;

"(5) The previously vested rights of individuals in Puerto Rico to benefits based upon past services rendered or contributions made to the United States shall be honored by the United States as provided by Federal law;

"(6) Puerto Rico and the United States seek to develop friendly and cooperative relations in matters of mutual interest as agreed in treaties approved pursuant to their

respective constitutional processes, and laws including economic and programmatic assistance at levels and for a reasonable period as provided on a government-to-government basis, trade between customs territories, transit of citizens in accordance with immigration laws, and status of United States military forces; and

"(7) a free association relationship may be established based on separate sovereign republic status as defined above, but with such delegations of government functions and other cooperative arrangements as may be agreed to by both parties under a bilateral pact terminable at will by either the United States or Puerto Rico.

"C. STATEHOOD.—If you agree, mark here

"Puerto Rico should become fully self governing through Statehood, in which—

"(1) the people of Puerto Rico are fully self-governing with their rights secured under the United States Constitution, which shall be fully applicable in Puerto Rico and which, with the laws and treaties of the United States, is the supreme law and has the same force and effect as in the other States of the Union;

"(2) the State of Puerto Rico becomes a part of the permanent union of the United States of America, subject to the United States Constitution, with powers not prohibited by the Constitution to the States, reserved to the State of Puerto Rico in its sovereignty or to the people;

"(3) United States citizenship of those born in Puerto Rico is recognized, protected and secured in the same way it is for all United States citizens born in the other States;

"(4) rights, freedoms, and benefits as well as duties and responsibilities of citizenship, including payment of Federal taxes, apply in the same manner as in the several States;

"(5) Puerto Rico is represented by two members in the United States Senate and is represented in the House of Representatives proportionate to the population;

"(6) United States citizens in Puerto Rico are enfranchised to vote in elections for the President and Vice President of the United States; and

"(7) English is the official language of business and communication in Federal courts and Federal agencies as made applicable by Federal law to every other State, and Puerto Rico is enabled to expand and build upon existing law establishing English as an official language of the State government, courts, and agencies."

(b) TRANSITION STAGE.—

(1) PLAN.—(A) Within 180 days of the receipt of the results of the referendum from the Government of Puerto Rico certifying approval of a ballot choice of full self-government in a referendum held pursuant to subsection (a), the President shall develop and submit to Congress legislation for a transition plan of not more than 10 years which leads to full self-government for Puerto Rico consistent with the terms of this Act and the results of the referendum and in consultation with officials of the three branches of the Government of Puerto Rico, the principal political parties of Puerto Rico, and other interested persons as may be appropriate.

(B) Additionally, in the event of a vote in favor of separate sovereignty, the Legislature of Puerto Rico, if deemed appropriate, may provide by law for the calling of a constituent convention to formulate, in accordance with procedures prescribed by law, Puerto Rico's proposals and recommendations to implement the referendum results. If a convention is called for this purpose, any proposals and recommendations formally adopted by such convention within time limits of this Act shall be transmitted to Con-

gress by the President with the transition plan required by this section, along with the views of the President regarding the compatibility of such proposals and recommendations with the United States Constitution and this Act, and identifying which, if any, of such proposals and recommendations have been addressed in the President's proposed transition plan.

(C) Additionally, in the event of a vote in favor of United States sovereignty leading to Statehood, the President shall include in the transition plan provided for in this Act—

(i) proposals and incentives to increase the opportunities of the people of Puerto Rico to learn to speak, read, write, and understand English fully, including but not limited to, the teaching of English in public schools, fellowships, and scholarships. The transition plan should promote the usage of English by the United States citizens of Puerto Rico, in order to best allow for—

(i) the enhancement of the century old practice of English as an official language of Puerto Rico, consistent with the preservation of our Nation's unity in diversity and the prevention of divisions along linguistic lines;

(ii) the use of language skills necessary to contribute most effectively to the Nation in all aspects, including but not limited to Hemispheric trade;

(iii) the promotion of efficiency to all people in the conduct of the Federal and State government's official business; and

(iv) the ability of all citizens to take full advantage of the economical, educational, and occupational opportunities through full integration with the United States; and

(ii) the effective date of incorporation, thereby permitting the greatest degree of flexibility for the phase-in of Federal programs and the development of the economy through fiscal incentives, alternative tax arrangements, and other measures.

(D) In the event of a vote in favor of Commonwealth, the Government of Puerto Rico may call a Special Convention to develop proposals for submission to the President and the Congress for changes in Federal policy on matters of economic and social concern to the people of Puerto Rico. The President and the Congress, as appropriate, shall expeditiously consider any such proposals. The Commonwealth would assume any expenses related to increased responsibilities resulting from such proposals.

(2) CONGRESSIONAL CONSIDERATION.—The plan shall be considered by the Congress in accordance with section 6.

(3) PUERTO RICAN APPROVAL.—

(A) Not later than 180 days after enactment of an Act pursuant to paragraph (1) providing for the transition to full self-government for Puerto Rico as approved in the initial decision referendum held under subsection (a), a referendum shall be held under the applicable provisions of Puerto Rico's electoral law on the question of approval of the transition plan.

(B) Approval must be by a majority of the valid votes cast. The results of the referendum shall be certified to the President of the United States.

(c) IMPLEMENTATION STAGE.—

(1) PRESIDENTIAL RECOMMENDATION.—Not less than two years prior to the end of the period of the transition provided for in the transition plan approved under subsection (b), the President shall submit to Congress a joint resolution with a recommendation for the date of termination of the transition and the date of implementation of full self-government for Puerto Rico within the transition period consistent with the ballot choice approved under subsection (a).

(2) CONGRESSIONAL CONSIDERATION.—The joint resolution shall be considered by the Congress in accordance with section 6.

(3) PUERTO RICAN APPROVAL.—

(A) Within 180 days after enactment of the terms of implementation for full self-government for Puerto Rico, a referendum shall be held under the applicable provisions of Puerto Rico's electoral laws on the question of the approval of the terms of implementation for full self-government for Puerto Rico.

(B) Approval must be by a majority of the valid votes cast. The results of the referendum shall be certified to the President of the United States.

SEC. 5. REQUIREMENTS RELATING TO REFERENDA, INCLUDING INCONCLUSIVE REFERENDUM AND APPLICABLE LAWS.

(a) APPLICABLE LAWS.—

(1) REFERENDA UNDER PUERTO RICAN LAWS.—The referenda held under this Act shall be conducted in accordance with the applicable laws of Puerto Rico, including laws of Puerto Rico under which voter eligibility is determined and which require United States citizenship and establish other statutory requirements for voter eligibility of residents and nonresidents.

(2) FEDERAL LAWS.—The Federal laws applicable to the election of the Resident Commissioner of Puerto Rico shall, as appropriate and consistent with this Act, also apply to the referenda. Any reference in such Federal laws to elections shall be considered, as appropriate, to be a reference to the referenda, unless it would frustrate the purposes of this Act.

(b) CERTIFICATION OF REFERENDA RESULTS.—The results of each referendum held under this Act shall be certified to the President of the United States and the Senate and House of Representatives of the United States by the Government of Puerto Rico.

(c) CONSULTATION AND RECOMMENDATIONS FOR INCONCLUSIVE REFERENDUM.—

(1) IN GENERAL.—If a referendum provided in section 4(b) or (c) of this Act does not result in approval of a fully self-governing status, the President, in consultation with officials of the three branches of the Government of Puerto Rico, the principal political parties of Puerto Rico, and other interested persons as may be appropriate, shall make recommendations to the Congress within 180 days of receipt of the results of the referendum regarding completion of the self-determination process for Puerto Rico under the authority of Congress.

(2) ADDITIONAL REFERENDA.—To ensure that the Congress is able on a continuing basis to exercise its Territorial Clause powers with due regard for the wishes of the people of Puerto Rico respecting resolution of Puerto Rico's permanent future political status, in the event that a referendum conducted under section 4(a) does not result in a majority vote for separate sovereignty or statehood, there is authorized to be further referenda in accordance with this Act, but not less than once every 10 years.

SEC. 6. CONGRESSIONAL PROCEDURES FOR CONSIDERATION OF LEGISLATION.

(a) IN GENERAL.—The majority leader of the House of Representatives (or his designee) and the majority leader of the Senate (or his designee) shall each introduce legislation (by request) providing for the transition plan under section 4(b) and the implementation recommendation under section 4(c) not later than 5 legislative days after the date of receipt by Congress of the submission by the President under that section, as the case may be.

(b) REFERRAL.—The legislation shall be referred on the date of introduction to the appropriate committee or committees in accordance with rules of the respective Houses.

The legislation shall be reported not later than the 120th calendar day after the date of its introduction. If any such committee fails to report the bill within that period, that committee shall be automatically discharged from consideration of the legislation, and the legislation shall be placed on the appropriate calendar.

(c) CONSIDERATION.—

(1) After the 14th legislative day after the date on which the last committee of the House of Representatives or the Senate, as the case may be, has reported or been discharged from further consideration of such legislation, it is in order after the legislation has been on the calendar for 14 legislative days for any Member of that House in favor of the legislation to move to proceed to the consideration of the legislation (after consultation with the presiding officer of that House as to scheduling) to move to proceed to its consideration at any time after the third legislative day on which the Member announces to the respective House concerned the Member's intention to do so. All points of order against the motion to proceed and against consideration of that motion are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the legislation is agreed to, the respective House shall immediately proceed to consideration of the legislation without intervening motion (exception one motion to adjourn), order, or other business.

(2)(A) In the House of Representatives, during consideration of the legislation in the Committee of the Whole, the first reading of the legislation shall be dispensed with. General debate shall be confined to the legislation, and shall not exceed 4 hours equally divided and controlled by a proponent and an opponent of the legislation. After general debate, the legislation shall be considered as read for amendment under the five-minute rule. Consideration of the legislation for amendment shall not exceed 4 hours excluding time for recorded votes and quorum calls. At the conclusion of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the legislation and amendments thereto to final passage without intervening motion, except one motion to recommit with or without instructions. A motion to reconsider the vote on passage of the legislation shall not be in order.

(B) In the Senate, debate on the legislation, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 25 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees. No amendment that is not germane to the provisions of such legislation shall be received. A motion to further limit debate is not debatable.

(3) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to the legislation described in subsection (a) shall be decided without debate.

(d) CONSIDERATION BY OTHER HOUSE.—(1) If, before the passage by one House of the legislation described in subsection (a) that was introduced in that House, that House receives from the other House the legislation described in subsection (a)—

(A) the legislation of the other House shall not be referred to a committee and may not be considered in the House that receives it otherwise than on final passage under subparagraph (B)(ii) or (iii); and

(B)(i) the procedure in the House that receives such legislation with respect to such legislation that was introduced in that House shall be the same as if no legislation had been received from the other House; but

(ii) in the case of legislation received from the other House that is identical to the legislation as engrossed by the receiving House, the vote on final passage shall be on the legislation of the other House; or

(iii) after passage of the legislation, the legislation of the other House shall be considered as amended with the text of the legislation just passed and shall be considered as passed, and that House shall be considered to have insisted on its amendment and requested a conference with the other House.

(2) Upon disposition of the legislation described in subsection (a) that is received by one House from the other House, it shall no longer be in order to consider such legislation that was introduced in the receiving House.

(e) Upon receiving from the other House a message in which that House insists upon its amendment to the legislation and requests a conference with the House of Representatives or the Senate, as the case may be, on the disagreeing votes thereon, the House receiving the request shall be considered to have disagreed to the amendment of the other House and agreed to the conference requested by that House.

(f) DEFINITION.—For the purposes of this section, the term "legislative day" means a day on which the House of Representatives or the Senate, as appropriate, is in session.

(g) EXERCISE OF RULEMAKING POWER.—The provisions of this section are enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives and, as such, shall be considered as part of the rules of each House and shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedures of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 7. AVAILABILITY OF FUNDS FOR THE REFERENDA.

(a) IN GENERAL.—

(1) AVAILABILITY OF AMOUNTS DERIVED FROM TAX ON FOREIGN RUM.—During the period beginning October 1, 1997, and ending on the date the President determines that all referenda required by this Act have been held, from the amounts covered into the treasury of Puerto Rico under section 7652(e)(1) of the Internal Revenue Code of 1986, the Secretary of the Treasury—

(A) upon request and in the amounts identified from time to time by the President, shall make the amounts so identified available to the treasury of Puerto Rico for the purposes specified in subsection (b); and

(B) shall transfer all remaining amounts to the treasury of Puerto Rico, as under current law.

(2) REPORT OF REFERENDA EXPENDITURES.—Within 180 days after each referendum required by this Act, and after the end of the period specified in paragraph (1), the President, in consultation with the Government of Puerto Rico, shall submit a report to the United States Senate and United States House of Representatives on the amounts made available under paragraph (1)(A) and all other amounts expended by the State

Elections Commission of Puerto Rico for referenda pursuant to this Act.

(b) GRANTS FOR CONDUCTING REFERENDA AND VOTER EDUCATION.—From amounts made available under subsection (a)(1), the Government of Puerto Rico shall make grants to the State Elections Commission of Puerto Rico for referenda held pursuant to the terms of this Act, as follows:

(1) 50 percent shall be available only for costs of conducting the referenda.

(2) 50 percent shall be available only for voter education funds for the central ruling body of the political party, parties, or other qualifying entities advocating a particular ballot choice. The amount allocated for advocating a ballot choice under this paragraph shall be apportioned equally among the parties advocating that choice.

(c) ADDITIONAL RESOURCES.—In addition to amounts made available by this Act, the Puerto Rico Legislature may allocate additional resources for administrative and voter education costs to each party so long as the distribution of funds is consistent with the apportionment requirements of subsection (b).

The CHAIRMAN. Before consideration of any other amendment, it shall be in order to consider Amendment number 3 printed in the RECORD, which shall be preceded by an additional period of general debate confined to the subject of that amendment. That debate shall not exceed 1 hour, equally divided and controlled by the gentleman from New York (Mr. SOLOMON) and a Member opposed.

Consideration of Amendment number 2 printed in the RECORD shall be preceded by an additional period of general debate confined to the subject of that amendment. That debate shall not exceed 30 minutes, equally divided and controlled by the gentleman from New York (Mr. SERRANO) and a Member opposed. Amendments specified in section 2(a) and 2(b) of House Resolution 376 shall be considered read and shall not be subject to a demand for division of the question. Consideration of each of those amendments and any amendments thereto shall not exceed 1 hour.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for any recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

It is now in order to debate the subject matter of the amendment offered by the gentleman from New York (Mr. SOLOMON).

The gentleman from New York (Mr. SOLOMON) and a Member opposed, each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. SOLOMON).