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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PEASE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 4, 1998.

I hereby designate the Honorable EDWARD A. PEASE to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

We are grateful, O God, that in a world that often is marked by perplexity and confusion, there are proud moments of renewal that encourage us in the depths of our souls and help us to see a brighter and more noble future. Whenever we anticipate new ideas, new responsibilities, new aspirations or ambitions, our hearts and minds, our very beings can be invigorated and sustained by the opportunities before us. Of all your gifts, gracious God, for which we give boundless thanks, it is for the gift of life with all its wonder and all its glory. Make us conscious of this very special gift so that we will lead lives of gratitude and of praise. This is our earnest prayer. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New Jersey (Mr. SAXTON) come forward and lead the House in the Pledge of Allegiance.

Mr. SAXTON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 one-minute speeches on each side.

IRA PLAN TO ENTER SOCIAL SECURITY SWEEPSTAKES

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

Mr. SAXTON. Mr. Speaker, on February 27, 1997, I introduced with Majority Leader ARMEY a bill to expand the IRA system.

In today's Congressional Daily, the headline is ''Kasich Enters IRA plan into Social Security Sweepstakes.'' This is good news. It goes on to say House Budget Chairman KASICH today floated a plan to use part of the windfall, meaning the surplus in our budget, to establish a government system of individual retirement accounts. This is good news.

H.R. 891 would increase the amount that one could contribute over a period of years from today's maximum of $2,000 to $7,000 annually. It would also increase the salary threshold from today's level to $110,000, including all Members of the middle class. It would also permit withdrawals for a number of purposes, including medical expenses and education costs, in addition to those already permitted.

This is a good bill. I urge all my colleagues to become cosponsors.

DEMOCRATS WANT TO IMPROVE PUBLIC SCHOOLS

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, the Democratic leadership in the House and Senate are unveiling the details of legislation today to improve America's public schools. Our plans are in marked contrast to the Republican leadership that continues to stress tuition vouchers and other efforts that will provide less funding for public schools. Last session the Republicans went so far as to advocate abolishing the Department of Education.

Democrats want to give America's towns and cities the ability to reduce class size through hiring an additional 100,000 new qualified teachers. Reducing class size is the best way to raise student achievement, and smaller classes also provide for better discipline.

Democrats also want to address the need for renovations to school buildings and new construction. We will provide tax incentives to help States and local districts accelerate the pace of new construction and renovation.

Mr. Speaker, Republicans do not believe in public education. The Democrats, on the other hand, want the Federal Government to improve America's public schools.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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TAX CODE NEEDS OVERHAUL

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

Mr. GIBBONS. Mr. Speaker, the President referred to the proposed overhaul of the Tax Code as irresponsible. He went on to say that the Republican effort to reform the Nation's current income tax code would be simply reckless for the economy and families.

Mr. President, I respectfully disagree. In my opinion, it would be irresponsible for Congress not to overhaul this Tax Code. It would be irresponsible for this Congress to allow such an inequitable, punitive Tax Code to continue to stifle the economic growth in this country. Mr. President, I feel it is irresponsible for you and your administration to blatantly stump for the status quo when the status quo represents a tax collection agency that is abusive to innocent working men and women, intrusive into the lives of each and every taxpayer, and callous to every American citizen.

Although it is not clear at this point which type of alternative tax system would be best for this country, what is clear, however, is that the current tax system is broken and must undergo a complete overhaul. Mr. President, the only irresponsible action is your support for an unconscionable, unfair and defective tax system.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded that they are to address their remarks to the Chair and not to other government officials.

PUBLIC EDUCATION PROVIDES OPPORTUNITY FOR THE FUTURE

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

Mr. GREEN. Mr. Speaker, America has a deep and strong commitment to public education. Education is a need for all Americans. Public education needs to be available for all Americans, not just a select few. In America we try to provide education for everyone.

Vouchers take away valuable resources from public education and provide it only to that select few. This program is not about school choice. It is about destroying the public education system and leaving the majority of America's youth without a choice and without a good education.

Today we have a fine group of young Texans from El Paso who attend public schools, who are here with us in Washington. Public education provides an opportunity for their future. It provides opportunity to many families not only in my own district but throughout our Nation who choose public education.

MARRIAGE TAX ELIMINATION ACT

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

Mr. WELLER. Mr. Speaker, today I rise to ask the question of why should we pass the Marriage Tax Elimination Act. I think it is best explained with a series of questions.

Do Americans feel that it is fair that a working married couple pays higher taxes just because they are married? Do Americans feel that it is fair that 21 million married working couples pay an average of $1,400 more than an identical working couple living together outside of marriage? Do Americans feel that it is right that our Tax Code actually provides them an incentive to get divorced?

Twenty-one million married working couples pay on the average of $1,400 more in taxes just because they are married. In the south suburbs of Chicago, that is 1 year's tuition at a community college. That is 3 months worth of day care.

The Marriage Tax Elimination Act now has 238 bipartisan cosponsors. It would immediately eliminate the marriage tax penalty. The marriage tax penalty is unfair and it is wrong. Let us eliminate the marriage tax penalty and do it now.

ON THE CUTTING EDGE IN DEALING WITH RAPISTS

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

Mr. TRAFICANT. Mr. Speaker, the Oklahoma Senate passed a bill to allow castration of convicted rapists. That is right. Castration. Opponents say it is cruel. Victims say it is about time. I say hats off, and anything else off, to the Oklahoma Senate. Maybe, just maybe, Mr. Speaker, rapists will not only think twice, they will start thinking 3 and 4 times before they brutalize our constituents.

I also would like to say that no matter how you slice this, Mr. Speaker, Oklahoma is on the cutting edge when it comes to dealing with rapists. For those who say, ''How do you really feel, Jim?'' I recommend that Oklahoma go a step further. Put it into law, then hire Lorena Bobbitt to administer the program.

I yield back whatever might be left after Oklahoma is done with rapists.

AMERICANS WANT FAIRER, SIMPLER TAX SYSTEM

(Mr. JONES asked and was given permission to address the House for 1 minute.)

Mr. JONES. Mr. Speaker, on Monday the President indicated that he will not support efforts to sunset the Internal Revenue Code and to replace it with a fairer, simpler tax system. His statement has caused me a great concern, especially since I do not know how much longer American families and businesses can afford to shoulder the tremendous tax burden they are currently facing. Taxes are simply too high, and the Internal Revenue Code is too lengthy and too complicated.

Polls prove that a fairer, simpler tax system is what the American people want. I know from speaking to the people in my district that it is not only what they want, it is what they need. I urge the President to join those of us who are working to give the American people the tax relief they deserve, want and need. It is past time for a fairer, simpler tax system in this country.

SELF-DETERMINATION FOR PUERTO RICO

(Ms. VELÁZQUEZ asked and was given permission to address the House for 1 minute.)

Ms. VELÁZQUEZ. Mr. Speaker, today is a very important day for the people of Puerto Rico, but it is a more important day for the democratic process. This afternoon the House of Representatives will debate H.R. 856, the United States-Puerto Rico Self-Determination Act. This bill sets up a plebiscite that will determine the future status of Puerto Rico.

The American people should know that this bill was designed to guarantee statehood for Puerto Rico because it was written by the party that supports statehood. I will say this again. If H.R. 856 becomes law, Puerto Rico will be the 51st State, whether or not the people of Puerto Rico want it to be.

H.R. 856 is not the result of a democratic process. By defeating this bill, we will be sending a message that we truly honor the idea of self-determination for the people of Puerto Rico. I urge my colleagues not to 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.

BUDGET SURPLUS

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

Mr. WELDON of Florida. Mr. Speaker, the Congressional Budget Office, known in Washington as the CBO, announced yesterday that the Federal budget is expected to have a surplus of $8 billion this year. That will be the first time in Washington there has been a balanced budget since 1969, 29 years ago.

Now, of course the liberals will be happy to have a surplus because they want to take that money and spend it on new programs and bigger social programs from Washington, D.C. Conservatives will be happy because they want to pass more tax cuts so that the middle class can keep more of their money.

Demagogues will be happiest of all, because they can tell more lies about

protecting Social Security, knowing full well that Social Security is a pay-as-you-go system with the money going out as fast as it comes in. They are counting on the fact that most people will have no idea exactly how a pay-as-you-go system works.

But American taxpayers should be the happiest of all, because a balanced budget means lower interest rates, which means people can buy houses more easily, and cars. It is a good day for the American people.

WELCOME TO THE LAMP-LIGHTERS, EL PASO SINGING GROUP

(Mr. REYES asked and was given permission to address the House for 1 minute.)

Mr. REYES. Mr. Speaker, this morning I stand here proudly and would like to welcome a group of young people from El Paso, Texas. This is a group of singers that is called the Lamplighters, that sings a positive message about life.

This group was formed in 1987 at Henderson middle school through the vision of Mr. Jim Marshall and the support of the principal, Mr. Ralph Chavis. The Lamplighters are a group that is made up of 40 middle school students ages 11 to 15, and they are sitting in the gallery to my left. They are here getting a firsthand look at democracy in action.

The Lamplighters sing a collection of 25 songs that include themes such as biculturalism, success, friendship, search for the truth, believing in themselves and understanding God. Their mission is to light up life with positive themes through song, a goal they always accomplish with every performance, such as this morning performing for the Texas delegation.

□ 1015

Today I welcome the Lamplighters to Washington, D.C., where I am pleased they are here, and I know that they will experience firsthand and appreciate the excitement of democracy in action. Welcome.

SUNSET THE CURRENT TAX CODE

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

Mr. THUNE. Mr. Speaker, I was disappointed this week to hear the President label Republican efforts to sunset the Internal Revenue Code as irresponsible. I want to tell you my definition of irresponsible. Last year only one in five calls to the IRS customer hotline got through. That is irresponsible.

The IRS sends out 8 million pages of forms and instructions each year, enough to circle the Earth 28 times. That is irresponsible.

Every year, Money Magazine asks 50 different tax preparers to prepare a 1040 form for a sample family. No two preparers ever arrive at the same answer, and the results vary by thousands of dollars. That is irresponsible.

I am proud to be a cosponsor of legislation to sunset the Internal Revenue Code. There is nothing radical about accountability from a government agency or working towards a fairer, flatter Tax Code. If you want a true definition of irresponsibility, look at our current Tax Code. Maintaining the status quo is the most irresponsible thing that we could do to our Nation and to our future.

REFORM THE IRS

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

Mr. ETHERIDGE. Mr. Speaker, this House must reform the IRS. The outrageous recently released GAO report documents that the IRS unfairly singles out taxpayers in the South for random audits. The GAO reports that 47 percent of the random tax audits during the past 3 years were in 11 Southern states that represent only 29 percent of the population. More than 85 percent of those audits had incomes of less than $25,000, many of whom depend upon the Earned Income Tax Credit for our working poor.

Why should an individual be three times more likely to be audited in North Carolina than in the State of Massachusetts? North Carolinians are honest people. Why should they be subjected to this kind of treatment? As a former small businessman and a Southern taxpayer, I am outraged at this report and call for immediate action to reform the IRS.

Mr. Speaker, I am pleased to join my colleagues on the Democratic side and those on the Republican side in passing IRS reform last year. The findings of that report provide some clear examples of why our esteemed colleagues in the other body should quit dragging their feet and join the House in passing reform.

HUMAN RIGHTS ABUSES CONTINUE IN SUDAN

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

Mr. PITTS. Mr. Speaker, I rise today to speak to the massive human rights abuses occurring in Sudan. The Khartoum Government, the National Islamic Front, is waging a war on the Christian and Animist South. The Northern army has committed horrifying atrocities against individuals and communities, including moderate Muslims who do not adhere to the Khartoum agenda. Women and children are sold into slavery. Young boys are conscripted to combat their own villages. Pastors often are thrown into wells, doused with oil, and lit on fire to burn to their death.

Much of the humanitarian aid in Sudan is distributed through Khartoum Government forces, who force conversion to extremist Islam in exchange for food.

On May 23, 1997, Northern authorities detained and imprisoned Mr. Faisal Abadallh, a Sudanese Christian accused of evangelism. In January of 1998, authorities charged Mr. Abadallh with 12 offenses, three of which could lead to the death penalty.

Mr. Speaker, the President acted wisely in imposing sanctions on Sudan in 1997. However, we must not leave the issue at that point. It is outrageous that this terrible suffering continues. Our Nation should continue to speak out.

SUPPORT THE SCHOOL INFRASTRUCTURE BILL

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, it is appropriate this morning that we had in our chamber students from El Paso, Texas, the Lamplighters, formed from Henderson Middle School, the constituents of my colleague from Texas, the gentleman from Texas (Mr. REYES), because today is an important day for Americans. We heard just recently a disturbing study about the imbalance of the performance of our students in America in math and science. Well, today we stand on the side of our students and on the side of learning by offering to the American people a school infrastructure bill that will begin to go throughout this Nation and fix the leaking roofs, the falling roofs, the expanded crowdedness that we have in our school districts across the Nation.

The school infrastructure bill that the Democrats will be offering today will say once and for all that we want our children in America to learn in safe and secure conditions. Then we will add another 100,000 teachers to our communities, 100,000 trained individuals committed to teaching our children, committed to preparing them for the 21st century.

I ask my colleagues in this body to support this legislation and stand on the side of our children.

LIBERALS OPPOSE TAX REFORM

(Ms. PRYCE of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PRYCE of Ohio. Mr. Speaker, what does a liberal do when confronted with a tax cut? He opposes it. He condemns it. He becomes outraged at the very idea that Washington could get along with a little less and a family could do with a little more.

I opened up the Washington Post to find the headline, President Bashes GOP Tax Plan. Then turning to the New York Times, I find this headline: Clinton Attacks GOP Tax Overhaul Plan.

It appears that the days of working on a bipartisan basis with the Republican Congress are over. Liberals are upset. In fact, they are mad at the President for finally helping to pass a tax cut for middle-class families last year. So the liberals will not let the President continue down the road of tax relief, IRS reform, and overhaul of the Tax Code.

I guess the New Democrats at the White House are no longer calling the shots these days. It is too bad. The American people want tax reform.

IMPROVING EDUCATION

(Ms. HOOLEY of Oregon asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HOOLEY of Oregon. Mr. Speaker, sometimes standing on the floor of the House of Representatives is like standing in an echo chamber. As soon as one member says they want to do something to help rebuild our public schools and provide a better education for our children, everybody starts saying it.

Well, Mr. Speaker, it is time to stop talking about it and to start doing something about it. That is why we have introduced legislation that would reduce class sizes by hiring an additional 100,000 qualified teachers, and legislation that would give states and local school districts help with new school construction and new renovation.

I believe these bills are a great opportunity for every legislator who says they care about education to follow up their words with actions. If Members are serious about making improvements in our education system, I urge them to cosponsor these bills.

BEING TRUTHFUL ABOUT THE BALANCED BUDGET

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

Mr. BLUNT. Mr. Speaker, we did get good news yesterday, and that good news was that for the first time in 30 years, the Federal Government is about to pay its bills. For the first time in 30 years, we are about to run a surplus, not a deficit.

But we also need to remember that we run two sets of books here in Washington. One is the external set of books, the books that reflect the money that comes in and the money that goes out into all funds, and the second set of books reflects what we are doing to continue to borrow from the Social Security Trust Fund and from the Highway Trust Fund.

Mr. Speaker, we need to not only balance the budget on that one set of books, but we need to balance the budget on the second set of books as well. Do not continue to increase the debt; do not spend this new money, this external surplus, on new programs; stop borrowing from the Social Security Trust Fund and stop borrowing from the Highway Trust Fund. Pay all the bills and be truthful with the American people, and treat the trust funds like they are truly trust funds.

TARGETED TAX CUTS NEEDED

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

Mr. MORAN of Virginia. Mr. Speaker, I came to the well because I have heard one speaker after another from the other side suggest that the President came out against tax cuts and that the natural reaction of the Democratic Party is to be opposed to tax cuts.

I would remind my colleagues that in fact the President has proposed a number of tax cuts, and that in fact a majority of the Democrats voted for tax cuts as part of the balanced budget agreement. What we are opposed to is eliminating the Tax Code, as the other side has proposed, without anything to replace it. That could wreak havoc on our economy.

Imagine when banks and the real estate community have to determine what would be the real cost of homes, for example, if you did not have a mortgage interest deduction, or any number of other assets if you did not have depreciation expenses.

We are in favor of tax cuts, but targeted tax cuts; tax cuts for families who are finding it difficult to afford child care expenses, or higher education expenses. Targeted tax cuts is what we need, not irresponsible elimination of the Tax Code.

CONTRACT WITH AMERICA A SUCCESS

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

Mr. KINGSTON. Mr. Speaker, in 1994, along the campaign trail, Republicans said that if the Republican Party became the majority, that we would pass a legislative agenda called the Contract with America within the first 100 days of the 1995 session.

Washington pundits and the typical status quo Washington liberals said, number one, they would not; number two, they could not; and then when the process was going on, they said they should not. All the Democrats fought it, kicking and screaming and yelling, saying it was going to lead to economic disaster, and all voted against welfare reform and voted against tax cuts for the middle class.

What happened? Within 100 days, the Contract with America passes, and what is the result? In 1995, the deficit, $164 billion; 1996, the deficit, $107 billion; 1997, the deficit, $22 billion; and in 1998, just announced, a surplus of $8 billion.

Where are all those Democrats who said that the Contract with America was going to be an economic disaster, who fought tax cuts for the middle class? The proof is that the budget is balanced, it worked, and I hope next time they do not fight us.

IMPROVING AMERICA'S PUBLIC SCHOOLS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, last week the Washington Post reported some grim news: The scores of Americans high school seniors ranked near the bottom in a rigorous new international exam in math and science.

This is unacceptable. Our schools clearly need help, and this body needs to get moving. Democrats are eager to get to work to reduce our class sizes, to repair crumbling schools, to put computers in classrooms and to provide an atmosphere in which our children can learn.

But my Republican colleagues, what they want to do is they want to throw out public education, to end public education as we know it. What they want to do is one more time make education the purview of the rich and of the wealthy. They also want to have tax cuts, tax cuts for the wealthiest Americans, one more time.

Let us put our kids first, and not last. Education should be our top priority, public education, the great equalizer, which has allowed all of us to be able to live up to and work to our potential, no matter where we are on the socioeconomic scale. Let us get to work on education. Let us improve America's public schools.

MAKING AMERICAN EDUCATION THE ENVY OF THE WORLD

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

Mr. ARMEY. Mr. Speaker, I do not think there is any disagreement in America that perhaps the most sacred responsibility we have is the education of our children, and I do not think there is any doubt in anybody's mind that the best way to beat the world and to be the envy of the world in the education of our children is to have the very, very best public education system in the world. There is no one I know that wants anything less than the very, very best public education for our children.

But, unhappily, Mr. Speaker, we have some children that are being left behind today. In Washington, D.C., we have some very, very good schools, and in Washington, D.C. we have some catastrophically bad schools.

Just a few months ago, 7,500 families, distressed about what was happening

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 different 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 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 roll 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.

I do not move back from that commitment. I support the Young bill with every bit of strength in this body, because after 100 years with the U.S. and 405 years with Spain, it is time that Puerto Rico knew whether it can join the community of nations as an independent Nation or gain sovereignty by joining the Union.

Either one is correct. The present is not. I support the rule. Vote for it. And I will support the bill strongly today. I am sure that if I am given time, you will hear from me a few times during the day today.

Mr. MOAKLEY. Mr. Speaker, I yield 6 minutes to the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ).

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Speaker, I rise to support the rule for this H.R. 856. Today this House will consider the United States-Puerto Rico Political Status Act. For the people I represent, the 3,800,000 United States citizens living in Puerto Rico, the enactment of this legislation would be the single most important political development in 100 years. Yet many of my colleagues may wonder why this legislation is necessary and why they or their constituents should care about Puerto Rico.

They should care because, geography aside, no citizen and no constituency in this Nation is an island. They should care because the rights and privileges denied to one group of citizens threaten the rights and privileges enjoyed by the entire body politic. They should care because as individuals and as a Nation, to paraphrase the English author C.S. Lewis, we are defined by the choices we make. Incrementally, in seemingly insignificant small steps, we make decisions, and those decisions define us. Our choices tell us who we are.

The fundamental choice before this House today is this: Do we cherish the principles of our democracy enough to put an end to 100 years of colonialism and extend the right of full self-determination to the U.S. citizens of Puerto Rico? A century ago when the victorious United States signed the Treaty of Paris ending the Spanish-American War, it acquired Puerto Rico as a possession. Article 9 of the treaty stated that the civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress. Subsequent Supreme Court decisions have ruled that Puerto Rico's status is that of an incorporated territory subject to the plenary authority of Congress under the territorial clause of the Constitution.

Exercising its powers, Congress granted citizenship to the residents of Puerto Rico by statute in 1917. And in 1950, with the passage of the Puerto Rico Federal Relations Act, Congress authorized the people of Puerto Rico to draw up a Constitution and organize a local government.

Let us be clear about what the Puerto Rico Federal Relations Act did and did not do. After nearly a half century of obfuscation, some partisans would have us believe that Puerto Rico's current commonwealth status is the product of a bilateral pact between Puerto Rico and the United States and that the island is really a free associated State or an associated Republic. But the unvarnished truth is that Puerto Rico's colonial status remains unchanged. As a territory, we are self-governed in local matters not covered by Federal laws, but we have never exercised self-determination.

The Congressional record is clear. The intent of the Puerto Rico Federal Relations Act was to create a provisional government until the issue of status was resolved, and if anything was decided in the 1993 plebiscite, it is that for the first time since the United States arrived on our shores, Puerto Rico is being ruled by Congress under an agreement that does not have the support of the majority of the people of Puerto Rico. We are being governed without the consent of the governed.

Like Dorothy in the Land of Oz, we could sit here, click our heels three times, and wish the problem would disappear. Where would it go, to Kansas? But it will not. The fact is that only Congress has the authority to resolve this dilemma, and only Congress can create an environment in which Puerto Ricans can legitimately address this issue.

This is precisely what the United States-Puerto Rico Political Status Act is designed to do. This legislation does not endorse one political choice over another. It is status neutral. All it seeks to do is create constitutionally sound and congressionally approved definitions of status options to be considered by the people of Puerto Rico.

The bill proposes a timetable for referendums on status, and it makes provisions, should they prove necessary, for a smooth transition to and for the implementation of a new political status. These measures are critical if the status process is to go forward and if self-determination by the people of Puerto Rico is to have any meaning of legitimacy. The people of Puerto Rico, to borrow words of Israel's Golda Meir from 1946, only want that which is given naturally to all peoples of the world, to be masters of our fate. That for which the Puerto Ricans fought side by side with our fellow citizens in the mainland, defending other countries on foreign shores, to stand for the right of people's self-determination, is being denied to 3.8 million U.S. citizens.

Some of my colleagues in this House whose districts include large Puerto Rican communities would deny us this. But unlike my constituents, these expatriate Puerto Ricans enjoy voting representation in Congress and the right to vote in Presidential elections, and although the economic, social and political affairs of the residents of Puerto Rico are in great measure controlled by the government in which we have little to say, they would still deny the right to vote and the right to voting representation by opposing this bill.

All of my colleagues here today have the privilege of voting yes or no on the United States-Puerto Rico Political Status Act. Yet I am the sole Representative of this House for 3.8 million U.S. citizens in Puerto Rico. I cannot vote. This is the defining legislation for my constituents, and I cannot vote. This legislation would end 100 years of Puerto Rico's colonial relationship with the Nation, yet I cannot vote.

I ask you, do you cherish the principles of our democracy enough to dismantle 100 years of colonialism and extend the right of full self-determination to the U.S. citizens of Puerto Rico? I hope you do, for our sake and for the Nation's sake.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume just to respond somewhat to the last several speakers.

Just responding to the statement of the gentleman from Massachusetts (Mr. MOAKLEY) about the position of President Ronald Reagan on this bill, I did not read the last sentence in this letter from his Chief of Staff Joanne Drake. It says, I hope this clears up any misunderstandings that these ads may have caused. These ads did not receive the authorization of Ronald Reagan to run.

□ 1115

Now, let me also state for the gentleman from Massachusetts (Mr. MOAKLEY) that I had another idol, too, that I idolized very much, and he used to sit in that chair up there. He was a good friend of the gentleman's, and his name was Tip O'Neill. He was one pretty tough hombre, but he was pretty fair to us in the minority and that is why I also respected him a great deal

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, I would point out to the gentleman that he just used a non-English word. Is the gentleman sure he wants to put that in the RECORD, ''hombre''?

Mr. SOLOMON. Well, Mr. Speaker, reclaiming my time, let me also respond a little bit on the colonialism issue by my very, very good friend, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ). And I was willing to even yield him an additional minute if he had needed it. But it really hurts a lot of our feelings on both sides of the aisle to talk about this issue of colonialism because, my colleagues, there is no colonialism.

If the people of Puerto Rico overwhelmingly want statehood in this country, I will be the first to help lead the fight to bring them in, just as we did for the Northern Marianas, for the Marshall Islands, for Palau and for Micronesia. When the issues came up, we

pushed for them to make a decision one way or the other, but we did not try to jam one particular idea on them.

And, consequently, the Marshall Islands and Palau and Micronesia became sovereign Nations under a free association with the United States whereby we do help them, they provide military bases to us, and there is a very close relationship. But under no circumstances did we try to keep them in a colonial position.

The Northern Marianas chose to stay as a trust to the United States of America, but they chose it. We did not ask them to. So is that colonialism? The answer is absolutely not. And the truth of the matter is when the Puerto Rican people, when they overwhelmingly want statehood, as did the people of Alaska and as did the people of Hawaii, when the vote came in a plebiscite in Alaska, 83 percent of the people wanted statehood. Eighty-three percent. When the people of Hawaii wanted to come into this Nation of ours as the 49th State, they wanted it by 94 percent.

Today, my good friend, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ), indicated that the majority of people in Puerto Rico want statehood. That just is not true. In the last plebiscite of 1993, a majority of the people wanted something other than statehood. And I defy anyone to come down here and show me the facts any differently.

Mr. Speaker, I yield such time as he may consume to the gentleman from the State of Mississippi (Mr. WICKER), a very, very important Member of this body and a member of the Committee on Appropriations.

Mr. WICKER. Mr. Speaker, I thank the gentleman for yielding me this time. I have the greatest respect for the gentleman from New York (Mr. SOLOMON), the chairman of the Committee on Rules. He is put in a very difficult position today. He has a tough job, Mr. Speaker. He is put in the position of presenting a rule to this body on a bill that he is vigorously, vigorously opposed to. So I have always respected him for the hard job he has, but even more so today because of the position that he has found himself in.

I also have the greatest respect for some of the proponents of this legislation. The gentleman from Alaska (Mr. YOUNG), chairman of the Committee on Resources, is a very effective leader in the House of Representatives. He believes fervently in this issue, and he is entitled to his beliefs and his opinions and has worked very effectively for the legislation, and I have great respect for his viewpoint.

However, I do oppose the bill and oppose the rule, Mr. Speaker, because I do not believe the American people have enough facts about this issue. I do not believe the American people are prepared to have their national legislature move on a decision concerning Puerto Rican statehood.

Now, there are people who have risen on the floor today and previously, who said this is not a statehood bill, but I would submit to my colleagues, Mr. Speaker, that this is very much a statehood bill. And this is the reason—as the chairman has previously stated, Puerto Rico has voted previously, very recently, on the issue of statehood, and they rejected the idea of statehood; 1993, I believe, was the latest plebiscite. This bill, if passed by the House of Representatives, and if enacted by the Senate and signed by the President, would say to the Commonwealth of Puerto Rico, ''Vote again, you did not get it right last time.'' If Puerto Rico votes for statehood with 50 percent plus 1, a bare majority, then the Congress of the United States will have to decide the issue to decide. We must vote on a bill to decide whether to grant the Commonwealth of Puerto Rico their statehood. However, in this referendum that is proposed by this bill, if Puerto Ricans vote once again for commonwealth status, this bill says, ''Wait a minute, you didn't get it right. We will let that decision stand, but just for a little while. And after 10 years you must vote again and you must vote again and you must vote again until you get it right. And the right decision is statehood.''

So I would say that the bill is designed to eventually get a decision by the Puerto Rican people for statehood. And because of that, I say that enactment of the bill would inevitably put us down the path to admitting Puerto Rico as the 51st State, and that is a serious, serious decision. This is a major decision.

Adding a star to the United States flag is a major decision for Americans to make. It is a serious matter which Congress and the American people need to have a full understanding about. I do not think the American people know this issue is out there. When I went home to my constituents, they had no idea that Congress was about to vote on a bill which will inevitably lead to statehood.

So for that reason, I oppose the rule. I respect the chairman for bringing it forward, but I think that if we as a body want to take the position today that, having had this debate this morning, this issue is not ripe for a decision and we need to go back and have a further national conversation about this, I think the correct decision is to vote ''no'' on the rule. And that will be my vote, Mr. Speaker.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume to say that this is the first time I have heard that one of the major problems with this bill is adding a star to the flag. Betsy Ross did not have any trouble, and she did not even have the machinery we have today.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. Mr. Speaker, I rise in opposition to this bill but in support of the rule. I would like to thank the gentleman from New York (Mr. SOLOMON), the chairman of the Committee on Rules, and the gentleman from Massachusetts (Mr. MOAKLEY), for having an open rule today, because, finally, we are going to have some debate on this very critical issue, debate that I must say that on numerous occasions I, as a Member of this Congress, who represents over 150,000 Puerto Ricans in my district, was not allowed to participate in that debate. I think that was wrong. And now we want to have a debate here. So I want to thank both of the gentlemen for that.

I only come to raise one issue right now. I have a very deep preoccupation at this point, concern, and that is that all of these proceedings are being conducted in English. All of these proceedings are being conducted in English, and yet the people of Puerto Rico are the ones who are going to have to interpret everything that this Congress is doing. Many of them are not going to be able to understand what is going on here today, Mr. Speaker.

I know some of my colleagues will smile and chuckle, but it really is not anything funny. It is serious. People should understand, American citizens should understand what it is this Congress is doing in terms of their position.

Let me give my colleagues an example, gentlemen. If I walk into a theater, a movie theater today anywhere in Puerto Rico, anywhere in Puerto Rico, there are subtitles to everything said in English, in every movie theater in Puerto Rico. Why? So that the people can grasp what is going on in the movie. Many times I would laugh two seconds ahead of the rest of the audience because by the time they read the translation, I am an English native speaker, and I would understand that.

So I bring that as an issue that even in movie theaters, even in entertainment, and this is much more important than that. Look, if we were in the House of Representatives in San Juan, Puerto Rico, all of this would be going on in Spanish. So the legislators, when they legislate in Puerto Rico, do it all in Spanish. If we were in the Senate in Puerto Rico it would all be being conducted in Spanish so that the people would understand the proceedings of the representatives they elect.

If we were in a courtroom, the judge and the lawyers would all be speaking in Spanish. If we were buying a piece of property today, we would register that piece of property, not in English, but in Spanish.

So I would like to ask the chairman of the Rules Committee to see if there is some way that we might not have some simultaneous broadcast of this, a way in which this House of Representatives could translate so that the people of Puerto Rico can be fully informed of the farce of self-determination which is being perpetuated upon them with this bill here today.

Mr. MOAKLEY. Mr. Speaker, I have two remaining speakers. How much time do I have, Mr. Speaker, and how

much time does the gentleman from New York (Mr. SOLOMON) have?

The SPEAKER pro tempore (Mr. PEASE). The gentleman from Massachusetts (Mr. MOAKLEY) has 9 minutes remaining, and the gentleman from New York (Mr. SOLOMON) has 10 minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentlewoman from the Virgin Islands (Ms. CHRISTIAN-GREEN).

Ms. CHRISTIAN-GREEN. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me time.

Mr. Speaker, I rise in support of the rule. This is an important day for the people of Puerto Rico. As a representative of the Virgin Islands, an unincorporated territory of the U.S., we fully support our brothers and sisters and our neighbor to the northwest on their journey to determine their relationship to the United States and achieve full self-government.

As we do so, we fully recognize how much what is done here today will likely influence and impact on the determination of our future relationship as well.

For this reason, it is of the utmost importance to us that Congress and the administration support the process of self-determination, which it does. It is also important, however, that the process be one generated, determined, and driven by the people of Puerto Rico, and that the integrity of this process be maintained.

I am, therefore, Mr. Speaker, very sympathetic to the concerns of the supporters of commonwealth for fairness in the presentation of the option they represent and all other options of H.R. 856.

Mr. Speaker, I am concerned not only that the definition presently in the bill does not reflect their input from the PDP, but also that H.R. 856 contains language which could lead one to conclude that the status of commonwealth would be a less than desirable choice for the people of Puerto Rico.

What may be viewed, Mr. Speaker, by supporters of statehood for Puerto Rico and reflected in this bill as an insupportable, undemocratic, and colonial status, could in fact be what my constituents and those of other territorial delegates aspire to, given the same opportunity.

While commonwealth may not be a status which provides complete and full self-government today, its constitutional limitations should not be trumpeted for the sake of expediency.

This Congress has a responsibility to ensure that any process it creates for the people of Puerto Rico or any of the island territories to exercise their right to self-determination must be balanced and provide inclusion and fair treatment for all of the options available.

In this regard, I look forward to supporting an amendment in the nature of a substitute which I understand will be offered later and which was worked out by the authors of H.R. 856 and the gentleman from California (Mr. MILLER), the ranking member.

Mr. Speaker, the people of Puerto Rico have waited 100 years for the opportunity to be given a legitimate chance to exercise the full right to complete self-determination. While not perfect, the bill before us today is a good beginning.

We have an opportunity to say to the people of Puerto Rico, as well as the Virgin Islands and the other territories, that the Congress of the United States respects us and will provide a fair and comprehensive process for us to make known our choice on the further political status of our islands whenever we are ready to do so.

The question of political status has for too long dominated the political landscape in Puerto Rico. What we do here today will go a long way towards finally resolving this issue once and for all. I urge passage of the rule.

I thank the gentleman from Massachusetts for yielding me time.

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Mr. SOLOMON. Mr. Speaker, I submit for the RECORD a short explanation of section 6 of H.R. 856, an analysis of that section of the expedited procedures.

The document is as follows:

ANALYSIS OF SECTION 6 OF H.R. 856

Requires the majority leaders in both the House of Representatives and the Senate to introduce legislation to implement the transition plan and implementation plan, as the case may be, no later than 5 legislative days after the President submits such legislation to Congress.

Requires such legislation to be immediately referred to the committee or committees of jurisdiction and, if not reported within 120 calendar days of session after its introduction, automatically discharged and placed on the appropriate legislative calendar.

Makes in order, as a highly privileged matter in the House and a privileged matter in the Senate, a motion to proceed to the consideration of the legislation qualified under these expedited procedures by a Member favoring the legislation, but not until: (1) the legislation has been on the calendar for 14 legislative days; (2) the Member consults with the presiding officer of the respective House as to scheduling; and (3) after the third legislative day after the Member gives notice to the respective House.

Waives all points of order against the motion and against consideration of the motion and, if agreed to, requires the House or the Senate, as the case may be, to proceed to immediate consideration of the legislation without intervening motion (except one motion to adjourn) or other business.

Stipulates that in the House of Representatives, the legislation would be: considered in the Committee of the Whole; debatable for four hours equally divided between a proponent and an opponent; and subject to a four hour amendment process (excluding recorded votes and quorum calls).

Requires, after the committee rises, that the previous question be considered as ordered to final passage without intervening motion, except one motion to recommit with or without instructions.

Provides procedures in the House and Senate for the hook-up of identical legislation passed by both Houses or, in the event that one House receives a request for a conference from the other House, to a make in order after three legislative days following the receipt of such a request a motion by any Member to disagree to the amendment of the other House and agree to the conference.

Defines the term ''legislative day'' in the House and the Senate to mean a day on which such House is in session.

Provides that the procedures of H.R. 856 are enacted as an exercise of the constitutional rulemaking authority of the House and the Senate with full recognition of the right of either House to change its rules at anytime.

SHORT EXPLANATION OF SECTION 6 OF H.R. 856

H.R. 856 requires a referendum to be held by December 31, 1998, on Puerto Rico's path to self-government either through U.S. statehood or through sovereign independence or free association. It requires the President to submit to the Congress for approval legislation for: (1) a transition plan of up to ten years which leads to full self-government for Puerto Rico; and (2) a recommendation for the implementation of such self-government consistent with Puerto Rico's approval.

Section 6 of H.R. 856 specifies the expedited procedures in the House of Representatives and the Senate for the consideration of legislation introduced to implement a transition plan and an implementation plan. Legislation introduced in the 104th Congress (H.R. 3024) contained procedures that the Rules Committee found to be unworkable and inconsistent with the stated goals of the legislation. Consequently, on September 18, 1996, the Committee reported H.R. 3024 with a new Section 6, which more clearly reaches the stated goal and rational behind including the expedited procedures in the bill, as well as being consistent with the Rules of the House governing normal procedure. Those same provisions are contained in Section 6 of H.R. 856.

Mr. SOLOMON. Mr. Speaker, I yield 3½ minutes to the gentleman from California (Mr. ROHRABACHER), an extremely outstanding Member of this body.

Mr. ROHRABACHER. Mr. Speaker, first let me thank the gentleman from New York (Mr. SOLOMON) for the leadership that he is providing on this issue. We have learned quite often that providing leadership on controversial issues leads one to personal attacks. The gentleman from New York (Mr. SOLOMON) has courageously stepped forward to provide leadership on this issue that is not only important to the people of Puerto Rico but also important to the people of the United States of America as a whole.

Mr. Speaker, while I oppose H.R. 856 in its current form, I do support an open rule for its consideration. The number one reason why this bill should be opposed is because it sets up basically, as we have heard in this debate so far, an unfair and undemocratic process that will cause the largest group of Puerto Rican voters to boycott the election, thus producing a phony majority for statehood.

Whenever any other territory has come into the Union, they have petitioned for giving their residents the opportunity for an up or down, yes or no vote. That is the normal process that is expected, but it is not good enough for Puerto Rico. Why? Because the Puerto

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 foreordained 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

language by the Solomon amendment, there will be an amendment to the Solomon amendment that will allow us to treat Puerto Rico, in the event that it becomes a State, which I hope it does, like any other State in this country. But the Solomon amendment is very unfair and discriminatory because it affects the people of Puerto Rico singularly and it does not apply to the people of Puerto Rico the same way it applies to everyone else in this country. I might add, English is the official language in all the proceedings within government on the island of Puerto Rico.

Mr. SOLOMON. Mr. Speaker, I look forward to the debate with the gentleman from Rhode Island on the Solomon amendment. I might also add that the gentleman ought to be a little more benevolent in his praise for those who brought this bill to the floor. Think about that, when he only mentioned the names of YOUNG and MOAKLEY.

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

Ms. VELÁZQUEZ. Mr. Speaker, I just would like to respond to the gentleman from Rhode Island (Mr. KENNEDY).

The problem with this bill is due process. If we are talking here about self-determination, what we are saying is we are going to provide an open, democratic process for all the political parties and all the political sectors in Puerto Rico to participate. This legislation does not do that. Why, instead of writing the definition among the gentleman from California (Mr. MILLER), the gentleman from Alaska (Mr. YOUNG) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ).

In fact the president of the Popular Democratic Party knew about the new definition when he was approached by a reporter in Puerto Rico. The definition was rewritten when El Nuevo Dia, the largest newspaper in Puerto Rico, published a poll that said that 75 percent of the people of Puerto Rico favored a commonwealth option to be included in this bill.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume. Let me be brief so we can get on with the debate on the bill.

I would like to point out that there are those that think that some people are pandering for the Hispanic vote. I would just like to point out that in the national Latino poll back in 1992, which is the last official poll on record, that the Mexican-American people in the United States of America that live here opposed statehood by 55.4 percent. In other words, they were supporting a commonwealth. The Cuban-American people supported commonwealth by 60 percent. And the Puerto Rican people supported commonwealth by 69 percent. I just wanted to get that in. I submit this poll for the RECORD.

The document referred to follows:

H.R. 856 (THE UNITED STATES-PUERTO RICO POLITICAL STATUS ACT) IS NOT ONLY BAD POLICY, IT IS BAD POLITICS

Polls you may have heard of urge support for H.R. 856

''[I]t is clear that the key to winning the Latino vote is to find issues that specifically appeal to them. Puerto Rico is just such an issue.''—Luntz Research Companies, Language of the 21st Century

Polls you may not have heard of disagree with Frank Luntz

(1) Hispanics are not uniformly in support of statehood.

SUPPORT FOR STATUS OF PUERTO RICO BY ETHNIC INDICATORS

Status of Puerto Rico	National origin			Nativity	
	Mexican	Puerto Rican	Cuban	Foreign born	Native born
Statehood	22.3	27.2	28.6	23.4	27.4
Commonwealth	60.3	69.2	65.3	68.5	55.5
Independence	17.3	3.6	6.2	8.1	17.0

—de la Garza, Hernandez, Falcon, Garcia and Garcia, ''Mexican, Puerto Rican and Cuban Foreign Policy Perspectives,'' Garcia, Pursing Power, 1997.

[In percent]

Preferred status of Puerto Rico	Mexican	Puerto Rican	Cuban	Anglo
A state	23.9	27.1	35.2	26.4
A commonwealth	55.4	69.4	60.7	47.9
Independent	20.7	3.5	4.1	25.7

—National Latino Political Survey, 1992.

(2) Support for Puerto Rico statehood among U.S. voters declines as they are told more about the costs and demands of statehood

	Percent
U.S. voters favoring statehood for Puerto Rico	65
Percentage still in favor after being told English and Spanish would share equal status in Puerto Rico	55

(Mason-Dixon Research, 1997. Note: Mason Dixon did not mention that roughly 60 percent of the residents of the island of Puerto Rico, according to its Governor, Rafael Hernandez Colon, speak little or no English. Other estimates place this figure at the 80% level. Nor did they mention that statehood would cost the taxpayers as much as $4 billion annually, according to the General Accounting Office.)

☐ 1145

Mr. Speaker, this whole debate is going to boil down to a statement which was made by one of the most respected Members of this body, the gentleman from Puerto Rico (Commissioner ROMERO-BARCELÓ), in his book, when he said, ''As I have stated many other times, our language and our culture are not negotiable.''

Mr. Speaker, that is a very, very true statement. This entire debate that will take place over the next 7 or 8 hours will set forth the principle that any State that will be brought into this Union, as all previous States before, will come under the exact same laws as every other State in the Nation. That means that they will have no special national anthem, they will have no special flag, they will have no special Olympic team; they will be the same as every other State in this union.

Mr. ROMERO-BARCELÓ. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Puerto Rico.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I think to deny to yourself and to your children and to your people your heritage, to deny your language and who you are, is to deny yourself, your being. The fact that we want to maintain Spanish does not mean that we are going to not want to speak English also. What we are asking is, do not impose English only. Let us be bilingual, and let us help the Nation in our relationship with Latin America.

Mr. SOLOMON. Mr. Speaker, reclaiming my time, if the gentleman reads the Solomon amendment, the Solomon amendment is setting forth into law that for every State of the Union, all 50 States today, that English will be the official language of instruction. That is what it does.

If this bill becomes law tomorrow, then all 50 States are affected tomorrow by that Solomon amendment. It does not affect Puerto Rico. But if Puerto Rico 2 years or 3 or 4 years from now would become a State, then English would be the official language of instruction, but it would in no way prohibit a second language of Spanish or any other language from being taught on the Island of Puerto Rico. That is a fact, and that is what we will debate here in a few minutes.

Mr. Speaker, I urge support for this rule would hope there would not be a vote on it.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. PEASE). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WICKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 370, nays 41, not voting 19, as follows:

[Roll No. 27]

YEAS—370

Abercrombie	Bereuter	Brown (CA)
Ackerman	Berman	Brown (FL)
Allen	Berry	Brown (OH)
Andrews	Bilbray	Bunning
Armey	Bilirakis	Burr
Baesler	Bishop	Burton
Baker	Blagojevich	Buyer
Baldacci	Bliley	Callahan
Ballenger	Blumenauer	Calvert
Barcia	Blunt	Camp
Barr	Boehlert	Campbell
Barrett (NE)	Boehner	Canady
Barrett (WI)	Bonilla	Cannon
Bartlett	Bonior	Cardin
Barton	Borski	Castle
Bass	Boswell	Chambliss
Bateman	Boucher	Christensen
Becerra	Boyd	Clay
Bentsen	Brady	Clayton

Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Crapo
Cubin
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
English
Ensign
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Goodlatte
Gordon
Goss
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Largent
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
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)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rohrabacher
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schumer
Scott
Serrano
Shadegg
Shaw
Shays
Sherman
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Souder
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tierney
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—41

Aderholt
Archer
Bachus
Bryant
Carson
Chabot
Costello
Crane
Duncan
Emerson
Goode
Goodling
Graham
Hall (TX)
Hefley
Hilleary
Istook
Jenkins
Jones
Kingston
LaHood
Latham
Lewis (KY)
Metcalf
Norwood
Obey
Petri
Regula
Riley
Rogers
Royce
Salmon
Schaffer, Bob
Sensenbrenner
Sessions
Smith, Linda
Spence
Wamp
Weller
Whitfield
Wicker

NOT VOTING—19

Chenoweth
Doolittle
Ewing
Frank (MA)
Gibbons
Gonzalez
Harman
Kennedy (RI)
Luther
Poshard
Rogan
Ros-Lehtinen
Scarborough
Schiff
Shimkus
Stark
Tiahrt
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, 266 American servicemen lost their lives in Havana harbor with the explosion of the United States warship, the Maine.

□ 1215

The monument to these gallant mean 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-government 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 bipartisanly, 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 properly 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 bloodstained 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 transition 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 denigates 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 certainty 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 gentlewoman 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 Dia, 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 objected 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 America 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 gentleman 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. nationally 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 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-BARCELÓ. Mr. Chairman, I yield 1 minute to the gentlewoman 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 to 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 nonbinding.

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 gentlewoman 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 ''assimilate'' 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 referenda, 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 referenda 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 Congress 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 voted 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).

Mr. BURTON of Indiana. Mr. Chairman, I and the gentleman from California jointly would like to control the remaining 30 minutes in opposition to be equally divided.

Mr. SOLOMON. Mr. Chairman, reserving the right to object.

The CHAIRMAN. The gentleman from California (Mr. MILLER) would have priority recognition. He could get unanimous consent to give half of his time to the gentleman from Indiana.

Mr. MILLER of California. Mr. Chairman, I ask unanimous consent to do that.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. SOLOMON. Reserving the right to object, Mr. Chairman, to whomever is making the unanimous consent request here, I would not object when the time comes, but there will be, as I understand, an amendment offered by the gentleman from Indiana, an amendment, a substitute to my amendment. If we are going to give unanimous consent to manage the time jointly, I would like to ask unanimous consent that I be able to claim the time in opposition to the gentleman's substitute to my amendment.

The CHAIRMAN. The Chair has not determined at this point how that amendment is going to be considered. That amendment may be debated under the 5-minute rule within the time limit.

Mr. SOLOMON. The problem is, we would like to have Members in opposition and for the amendment and not go into the 5-minute rule.

PARLIAMENTARY INQUIRIES

Mr. BURTON of Indiana. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURTON of Indiana. Mr. Chairman, I just wanted to ask of the Chair how the time on my amendment, when it comes in order, will be divided and how it should be divided?

The CHAIRMAN. As of now, it will be considered under the 5-minute rule.

Mr. YOUNG of Alaska. I have a parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. YOUNG of Alaska. Mr. Chairman, we are discussing the amendment of the gentleman from New York under 1 hour of the rule. The time should be divided equally between the gentleman from New York (Mr. SOLOMON) 30 minutes and the gentleman from California (Mr. MILLER) 30 minutes, yielding 15 minutes to the gentleman from Indiana; is that correct?

The CHAIRMAN. That could happen. Once the amendment is pending, we may then proceed under the 5-minute rule.

Mr. SOLOMON. Reserving the right to object, Mr. Chairman, that would take unanimous consent, and that is why I am reserving the right to object, because when the Burton amendment is offered, I would ask agreement that we be able to not proceed under the 5-minute rule, but to divide the time equally 15 minutes for the substitute and 15 minutes opposed. We could have done this in the rule, but we did not do it because we wanted to get the unanimous consent on the floor.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, my understanding is there may be additional amendments. So the person who offers a perfecting amendment or whatever to the gentleman's amendment to the substitute would get time, I assume, to explain their amendment or something.

Mr. SOLOMON. Mr. Chairman, continuing my reservation of objection, I yield to the gentleman from Illinois (Mr. GUTIERREZ) for some input on this subject.

Mr. GUTIERREZ. Mr. Chairman, I believe I have the only other amendment. I have a perfecting amendment. Obviously the Burton substitute would go first, but I have a perfecting amendment. So if we could reach an agreement so that my perfecting amendment would get 10 minutes of time, I would not ask for an extraordinary amount of time, so that I could have the perfecting amendment and reserve at least 10 minutes of time outside of the gentleman's hour that he already has. Then we could all have a unanimous consent, and I think we might be able to figure this out.

Mr. SOLOMON. Continuing my reservation of objection, might I inquire of the Chair whom would be recognized first to offer an amendment either in the form of a substitute or a perfecting amendment to my amendment?

The CHAIRMAN. The Chair would not wish to anticipate recognition at this time. The Chair would grant recognition to the Member that would rise first and seek recognition and if both rise, grant priority of recognition to the appropriate Member.

Mr. SOLOMON. Would it not be done by seniority, Mr. Chairman?

The CHAIRMAN. The Chair would obviously take into account seniority and committee membership.

Mr. SOLOMON. Mr. Chairman, I withdraw my reservation of objection. We will cross that bridge when we come to it.

PARLIAMENTARY INQUIRIES

Mr. BURTON of Indiana. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURTON of Indiana. A perfecting amendment, Mr. Chairman, precedes the determination of an amendment. A substitute comes after the amendment or at the end of the amendment process. Am I not correct?

The CHAIRMAN. The two amendments may be pending at the same time.

Mr. BURTON of Indiana. I thank the Chair.

Mr. GUTIERREZ. Reserving the right to object, Mr. Chairman, I would like to sit down and let the Members figure out the rest of it. My only concern is that because of the gentleman's ranking and seniority here that I be allowed, if the gentleman just says, ''Congressman, I will make sure you get your 10 minutes,'' and the gentleman will allow me, and I will limit my perfecting amendment to 10 minutes, and then we can proceed with the rest of this. The gentleman's word is very valuable to me, and I will just take that. Then I can sit down and let these gentlemen figure out the rest of it.

Mr. BURTON of Indiana. Mr. Chairman, as I understand it, we are going to be under the 5-minute rule which would govern the time distribution; is that correct?

The CHAIRMAN. As of now, that is correct.

Mr. BURTON of Indiana. Mr. Chairman, should we ask unanimous consent that each one of the amendments, since there is only two, be given 15 minutes for each amendment for debate, equally divided among proponents and opponents? I will make a unanimous consent request to that effect.

The CHAIRMAN. The gentleman may make that request by unanimous consent.

Mr. MILLER of California. Reserving the right to object, currently under the rule there will be 1 hour on the amendments to Solomon; is that correct?

Mr. SOLOMON. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from New York.

Mr. SOLOMON. Under the rule there would be 1 hour of general debate on the Solomon amendment before it is called up. After the 1 hour has expired, then I would call up the amendment and then it would be subject to amendment by the two gentlemen.

Mr. MILLER of California. With 1 hour of total time to all amendments?

Mr. SOLOMON. That is correct.

PARLIAMENTARY INQUIRY

Mr. YOUNG of Alaska. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. YOUNG of Alaska. May I make a suggestion to all my good friends. Why do we not begin the debate, general debate, and then let us work out the timeframe of the amendments that will be offered.

The CHAIRMAN. The gentleman from New York (Mr. SOLOMON) will be recognized for 30 minutes, and a Member opposed will be recognized for 30 minutes.

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

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

From the very beginning our Nation has recognized that the prosperity of the people of America depended on their continuing firmly united, and the wishes and the prayers and the efforts

of our best and wisest citizens have been constantly directed to that object. These are the words of the wisdom of The Federalist papers of John Jay, our country's first Chief Justice of the Supreme Court.

Justice Jay went on to say, I have often taken notice that providence has been pleased to give this one connected country to one united people, a people descended from the same ancestors, speaking the same language, attached to the same principles of government, very similar in their manners and their customs, and who, by their joint councils and arms and efforts, fighting side by side throughout a long and bloody war, have nobly established their general liberty and their independence.

That is the history of our country.

Based on this premise, for the past two centuries we have forged a Nation out of our different peoples by emphasizing our common beliefs, our common ideals and, perhaps most importantly of all, our common language.

Our English language has permitted this country to live up to our national motto, E Pluribus Unum, which means out of many, one.

Mr. Chairman, it is in this spirit that I offer the English language empowerment amendment to the U.S.-Puerto Rico Political Status Act. In short, this amendment is based on two very simple principles. It is based on unity, and it is based on opportunity. My devotion to unity and the English language is premised on the belief that our strength in unity can best be preserved through the prevention of divisions along linguistic or cultural lines. Such cultural divisions have been encountered by Canada with Quebec and could be with the U.S. and Puerto Rico today.

Now, what do I mean by this division of linguistic lines? These divisions are not between people, but they are between opportunities. Americans who do not know English are segregated. They are segregated from those who do, separated from everything the United States and its precious Constitution stands for.

A reaffirmation of English as the official language is absolutely necessary to demonstrate that the Federal Government's goal is to desegregate all Americans. This is because America is composed of people who have for centuries pulled themselves up by their bootstraps with courage and a vision to pursue the opportunity that America has to offer. Consequently my amendment is intended to ensure that no American citizen, no matter what their cultural background, no matter whether they live in Puerto Rico or Iowa, has to be trapped in a linguistic box, kept away from those tools of opportunity.

This is the land of opportunity and the land of language, the land of opportunity and English. There should be no ambiguity about this fact. The usage and understanding of English is the key to economic and educational opportunity in this country of ours. Therefore, we as the Federal Government must do everything we can to promote and to enhance the ability of all Americans no matter what their heritage to read, to speak and understand this language of opportunity.

Based on this visionary premise during the 104th Congress, the House of Representatives voted, and the gentleman from California (Mr. CUNNINGHAM) will speak to that in a minute, voted 259 to 169 in favor of the bill which declared English the official language of the United States. However, the provisions of this bill before us today undermine the principles of that empowerment act, and they deny opportunities to the children and the people of Puerto Rico, make no mistake about it. Furthermore, this bill does not address how the omission of Puerto Rico as an official Spanish State would affect English as the official language of the United States Government. Nor does it protect the rights of English-speaking Americans in Puerto Rico or the rights of the children of Puerto Rico to learn English.

These are crucial, important questions to answer because according to the 1990 U.S. census, and this is so important, less than 24 percent of the U.S. citizens in Puerto Rico speak English fluently, while 98 percent do actually speak Spanish. All children in the public schools are taught only in Spanish from kindergarten through the high school, while English is taught as a second language.

□ 1415

To correct these weaknesses of the underlying bill, my amendment basically does two things, and this is exactly what it does:

First, it replaces the language in this bill, the nebulous language policy which states that ''English is the common language of mutual understanding in the United States.'' It replaces it with the clearer and simpler statement that ''English is the official language of the Federal Government,'' applicable to the entire Nation, as done in the Empowerment Act in the last Congress which overwhelmingly passed this House with strong Republican and Democratic support.

Secondly, it addresses Congress' fundamental responsibility to ensure that any State meet certain standards and provide certain fundamental rights and protections. In 1845 and again in 1911 our United States Supreme Court held that Congress may require a new State to meet certain standards before it would be admitted. As a result, my amendment tailors the statehood ballot to reflect this national official English policy. It states that the Congress expects that a future State of Puerto Rico would promote English as the official language of the State government, of its courts and agencies, and that English would be the language of instruction in public schools but would not bar the teaching of Spanish in those same public schools. These provisions will guarantee current and future generations of Puerto Rico unfettered access to the tools with which to successfully assimilate into this Union of ours, should they choose to become a State at a later date.

Today can be a historic day, my colleagues, a day in which Congress not only debates the future political status of 3.8 million U.S. citizens, but also a day which will focus and strengthen those things which unite us as a Nation and which expand the horizons of opportunity for all our citizens.

This is an amendment of opportunity, my colleagues. It is a vision of unity and compassionate measures. It deserves all of America's support, from the young dairy farmer in Argyle, New York, to the logging family in Olympia, Washington, to the schoolteacher in San Juan, Puerto Rico. I urge my colleagues to support my amendment.

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

Mr. MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, what America needs is English plus, not English only. What America needs is to teach English, not preach it. What America needs is to respect diversity, not divisiveness. The last time I visited the Statue of Liberty, that eloquent lady did not say ''Spanish-speaking people not accepted here.''

The blood spilled and lives lost by thousands of Spanish-speaking American veterans has not been limited to English only, and it is wrong to deny those veterans the very rights for which they fought. Whether intended or not, this debate on English only is divisive and insults the culture of millions of Hispanic Americans, Asian Americans, Korean Americans and others.

Mr. Chairman, the brightest days of America's history have come when we were inclusive, when we added women and racial and religious minorities to the rights enumerated in our Declaration of Independence and Constitution. The darkest days of America's history have come when we excluded our citizens from full participation in our democracy; for example, when black veterans were allowed to die for the very freedoms they were denied right here at home. I hope this will be a bright day for all of America's citizens, not a dark day that will turn us backwards into a quagmire of divisiveness.

The 3 percent of American citizens that do not speak English, many of them seniors living with their children in their homes, hardly pose a threat to the greatest democracy in the history of the world. If Hispanics and other Americans, such as Korean Americans in my district, are willing to work hard and pay taxes and serve us in uniform, then surely we should show them the brightest, the best of America today.

Vote ''no'' on the Solomon amendment.

Mr. SOLOMON. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana (Mr. LIVINGSTON), one of the Members of this body that has been harassed by Members in his own party and Members on both sides of the aisle but is one of the real stand-up Members in this House.

Mr. LIVINGSTON. Mr. Chairman, I thank my friend for yielding me this time. The other gentleman from Louisiana was disappointed the gentleman was not speaking about him. He thought and I thought the gentleman from New York was speaking about him.

Mr. Chairman, I rise today in strong support of the amendment by the gentleman from New York, the Solomon amendment to H.R. 856, the United States-Puerto Rico Political Status Act. Regardless of how we feel about the ultimate bill, the fact is that this bill's current provision on English is weak and inadequate and needs to be strengthened. H.R. 856 says that English will be the common language of mutual understanding in the United States. That means really nothing. Common language is not an official language.

That facts are that less than half of all the citizens of Puerto Rico can speak English. Less than half can speak English. And according to The New York Times, fully 90 percent of the island's 650,000 public school students lack basic English skills by the time they graduate. If Puerto Rico becomes a State, this situation will be intolerable. A youngster growing up in Puerto Rico will speak Spanish, will not speak English. And, in my opinion, a youngster growing up in the United States needs to speak the common language.

If my wife and I take a child to Spain and raise the child in Spain, we will raise the child speaking Spanish so that he can communicate, or she can communicate in the language of the Nation. We will not expect Spain to teach our kid English if we are going to live in their country. Likewise, we ought to expect people growing up in this Nation to speak English so that they can communicate for their own good and become productive citizens.

Our common language is the tie that binds us all. The motto of this Nation, ''E Pluribus Unum,'' ''out of many, one,'' should remind us that we are a Nation of different peoples and cultures but we are united. The ability to communicate in a common tongue is the key to success that unites us in our democracy.

We see in Canada that different languages can seriously impair the unity of a nation, and that nation is about to come apart at the seams because they speak a different language.

The Solomon amendment is only common sense. By establishing English as the official language of the Federal Government, the Solomon amendment will make it perfectly clear that English will be the language of the Federal Government across the Nation. Not just in Puerto Rico, across the Nation.

Under Solomon, Puerto Ricans may freely speak Spanish at home or anywhere they please, but the State of Puerto Rico will promote English as the official language of the State government, of the courts, of the agencies, and in the schools teaching in English will be mandated in public schools. This will make citizens of the island full and equal partners in America in a fashion our Founding Fathers envisioned and it will make them productive citizens of the United States of America.

I urge the adoption of the Solomon amendment and the defeat of all the perfecting and the substituting amendments which will delete it and attempt to nullify the provisions of the Solomon amendment. English is the American language.

Mr. MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ).

Mr. ROMERO-BARCELÓ. Mr. Chairman, right now, in Puerto Rico, more people are watching this C–SPAN on a per-capita basis than in any State of the Nation. That belies the statements that have been made here that the people of Puerto Rico do not understand English.

More than about 50 percent of the people know and understand English. Twenty-five percent are proficient in English. But how many children are proficient in English when they graduate from high school in the 50 States of the Nation? There is a very low proficiency in English from graduates in the 50 States. But all of those people in Puerto Rico, if they cannot understand, they have somebody in their family or a friend that is translating what is going on here, and they know what is going on.

When they say that in order to vote that we have to be proficient in English, my God, why was that not decided when we were granted citizenship? A person who asks for naturalization, he takes a test in English. Now, 95 percent of the people of Puerto Rico can pass that test without any problem; that is a citizenship test.

So the test that we give people who ask for citizenship has less requirements than what we are trying to require in this amendment from the people of Puerto Rico who have been citizens since 1917, for 81 years, who fought together, who worked together to make this Nation what it is today. They fought in the foreign soils defending the right to self-determination.

They say, oh, this bill tells the people of Puerto Rico the wrong things. It does not allow the people of Puerto Rico to understand that they must speak English. We know we must speak English. Everybody in Puerto Rico knows that. We know that English is the language of the world. What is anyone here afraid of?

We should be in the country, instead of trying to impose English, promoting the learning of English by providing opportunities to learn English, providing more opportunities for people who understand the language and to speak it and to write it. That is what this should be all about, not about trying to impose. This is not a dictatorship. This is a democracy. Let us not belie what we are.

Mr. BURTON of Indiana. Mr. Chairman, I yield myself such time as I may consume.

The CHAIRMAN. Is the gentleman from Indiana using the time of the gentleman from New York?

Mr. BURTON of Indiana. Mr. Chairman, I have 15 minutes, and the gentleman from California (Mr. MILLER) has 15 minutes in opposition. That is what was decided.

The CHAIRMAN. The Chair's understanding is the gentleman from Indiana was going to make that unanimous consent request.

Mr. SOLOMON. Mr. Chairman, we have no objection.

The CHAIRMAN. But as of now, we are under the 60 minutes divided for the underlying subject.

Mr. MILLER of California. Mr. Chairman, the gentleman from Indiana (Mr. BURTON) has 15 minutes of our 30 minutes because the gentleman from New York (Mr. SOLOMON) withdrew his objection.

The CHAIRMAN. The Chair had made an announcement that the hour would be divided 30 minutes and 30 minutes under the rule. The Chair would now entertain a unanimous consent request to further divide the time.

Mr. MILLER of California. Mr. Chairman, I ask unanimous consent that 15 minutes of the time allocated to me under the rule be allocated to the gentleman from Indiana (Mr. BURTON) at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. BURTON.)

Mr. BURTON of Indiana. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am one of the 165 cosponsors of H.R. 123, which was a bill to declare English as the official language of the Government of the United States. I strongly believe that that is a good piece of legislation.

However, after having said that, I do not believe that that particular piece of legislation belongs in this bill. This bill is a bill that is designed to give the people of Puerto Rico the right to let the Congress of the United States know whether they want to be an independent nation, whether they want to remain a Commonwealth, or whether they want to become a State.

It does not mean that they will become a State, because any decision that they make in this referendum will

have to come back to the Congress of the United States for final determination. And the process is going to take about 10 years if the process is followed according to the legislation that we have before us.

So the fact of the matter is this bill is designed to find out what the people of Puerto Rico really want.

Why are we doing this, because there was a plebiscite in Puerto Rico just a few years ago? A few years ago, there was a plebiscite; and each of the parties, the Commonwealth party, the statehood party, and the independent party were able to define for themselves what Commonwealth meant, what statehood meant, and what independence meant. Because of that, the people of Puerto Rico, when they voted, were voting based upon the determination that was being made by the party who wanted their vote.

What we decided to do was, we decided to find out from leading legal authorities what statehood meant, what Commonwealth meant, and what independence meant so that the people of Puerto Rico, when they voted on the plebiscite, would be voting on the facts and not on what some party said.

We have contacted the legislative counsel of the Congress of the United States for their input. We have contacted the Congressional Research Service for their input. We have contacted the Department of Justice of the United States for their input, and other constitutional experts.

What we have determined in this bill is what is constitutionally defined as statehood, independence, and Commonwealth status.

□ 1430

And so the people of Puerto Rico, when they vote on this plebiscite, will be voting on what the facts are and not what some party says in Puerto Rico who has a reason to define their party in a certain way. The Commonwealth Party, in the definition that was on the plebiscite a few years ago, was not defined correctly. What we are doing is clarifying that in the language that is in this bill, that will go on the ballot if we pass this legislation.

Like I said earlier, I am for the English legislation that was before this body some years ago. I was a cosponsor of that. I do not believe the Solomon amendment as written has any place in this legislation. Because there is some confusion about this, this is becoming an English-only bill, which it should not be.

I have a perfecting amendment or a substitute amendment which will, effective immediately, allow for English proficiency in Puerto Rico by the age of 10. I think that the people of Puerto Rico, when they read the substitute that I have, will be very happy with that because it encourages learning English in all the schools and all the institutions down there by the age of 10. We think that that will happen.

Let me just add one more point. That is, the people of Puerto Rico already are citizens of the United States of America. We are not talking about some country out there in the middle of nowhere. Those people have citizenship already. For us to deny them the ability to decide whether they want to be a commonwealth or if they want to become independent or a State I think is just dead wrong.

Let us not muddy up the waters by adding the Solomon language to this, which is a pervasive issue. He is talking about English for the entire United States of America. We are talking about a plebiscite bill for Puerto Rico. Let us decide the Puerto Rico issue with the amendment that I am going to add which will encourage English as the language down there, proficiency by the age of 10. And then later on if we want to, let us go back to the English-only bill that we had before this body some time ago and debate that as a separate issue, but not on the Puerto Rico bill.

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

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

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

Mr. VENTO. Mr. Chairman, I rise in strong opposition to the Solomon amendment. It is a clear example of a solution to a problem that does not exist. It may seem to some that this requirement is a laudable goal but the fact is that the proponents of this bill, the delegations and so forth that support it, are against this amendment. It is an unnecessary, ineffective and divisive amendment.

It is unnecessary because English and Spanish have been the official languages of Puerto Rico since 1902. To put that in perspective, STROM THURMOND was born way back in 1902. That is a long time ago. Furthermore, this bill already has a provision highlighting the importance of English as a common language. It states, and I quote, ''English is the common language of mutual understanding in the United States, and that this policy shall apply in all of the States. That is all that is needed to accomplish the stated goal of the Solomon amendment's proponents.''

Furthermore, of course, our Nation is a melting pot. My grandparents were of German and Italian ancestry. I am proud of my parents and the wonderful heritage we share. But I am and we are all Americans, and as such I believe the strength of our Nation is derived not from laws that mandate our American patriotism and demand our fidelity but from core values and common beliefs that define and guide our rights and responsibilities. Whatever language we speak, write or think in, our freedom and liberties are not bound by but rather transcend the limits and the boundaries of such language.

The Solomon amendment strikes at the core value of such American belief and practice. It says that we must do to Puerto Rico that which we did not do to the Scandinavian and German Midwest territories to achieve statehood, to superimpose a language requirement and condition statehood consideration upon what is in essence the denial of that heritage, culture and history. Vote no on this Solomon amendment.

This Solomon amendment is big government, and big brother, at its worst.

This Solomon amendment would require the English language to be the official language of all government functions in the United States. It is possible that, if the current version of this legislation passes, the people of Puerto Rico will vote to join the Union as the 51st state and that the Congress would respond by enacting legislation which would grant Puerto Rican statehood. What this amendment requires, then, is that English will be the official language of Puerto Rico. English would be the official language in all of the affairs of state government, including teaching in public schools. Supporters of this amendment say its passage will empower the citizens of Puerto Rico. Their goal is the ''long term assimilation of Puerto Ricans into American society.''

Now that may seem to many upon its face to be a pretty laudable goal. The problem is that the main supporter of this legislation, Mr. ROMERO-BARCELO, is deeply opposed to such a provision. The Congressional Hispanic Caucus opposes it as well. They say, and I agree, that this amendment is unnecessary, ineffective and divisive.

It's unnecessary because English and Spanish have been the official languages of Puerto Rico since 1902. To put that into perspective, STROM THURMOND was born way back in 1902. Furthermore, H.R. 856 already has a provision highlighting the importance of English as a common language. H.R. 856 states, and I quote, ''English is the common language of mutual understanding in the United States, and that this policy shall apply in all of the states.'' This is all that is needed to accomplish the stated goal of the Amendment proponents.

The Solomon amendment iteration of this matter is ineffective because far from empowering people, it would make government in Puerto Rico work far less efficiently. Around half of all people in Puerto Rico over the age of five are bilingual. That means the other half don't speak English or Spanish. Passing this amendment means that this close to 50% of people will not be able to vote because they won't understand the English-only ballots. They'll have some trouble in courts of law, because they won't be able to understand the proceedings. They'll have one heck of a time trying to file Federal taxes—which is, as we all know, pretty complicated even if you know the English language. And they may not even be able to speak with 911 operators in emergencies. That doesn't sound like empowerment to me, Mr. Chairman. That sounds like a bad idea.

Now the one thing you hear people who support this amendment say again and again is that H.R. 856 will create an American Quebec. Quite the contrary, it would be the Solomon amendment that creates a situation similar to that which has ripped Canada apart in recent years. The lesson from Canada should

be that you should never, ever legislate a language requirement. Far from creating an atmosphere that would ease assimilation, this amendment would create an atmosphere of division, suspicion and mistrust.

Finally, as we approach the 21st Century, multilingualism is something we need to encourage. As the reach of the global economy increases, the ability to speak more than one language will be an important and marketable skill. If this bill passes, and citizens of Puerto Rico choose to join the Union as the 51st state, their impressive ability to use English and Spanish will be something we could all be proud of and respect, not denigrate.

America is a melting pot. My grandparents were German and Italian, and I am proud of my parents and the wonderful heritage we all share. But I am and we are all Americans, and as such I believe that the strength of our nation is derived not from laws that mandate our American patriotism and demand our fidelity, but from core values and common beliefs that define our rights and responsibilities. Whatever language we speak, write or think in, our freedom and liberty are not bound by but rather transcend the limits, the boundaries of such language. The Solomon amendment strikes at the core value of such American belief. It says that we must do to Puerto Rico that which we didn't do to the Scandinavian and German Midwest territories to achieve statehood: superimpose a language requirement and condition statehood consideration upon what is in essence the denial of a heritage, culture and history. This amendment results in a price we should not place on statehood. Join me in opposing the Solomon amendment!

Mr. SOLOMON. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. CUNNINGHAM), the sponsor of the official English bill that passed this House overwhelmingly with bipartisan support 2 years ago.

Mr. CUNNINGHAM. Mr. Chairman, one thing I think the members of Puerto Rico will see, I think this is one of the most healthy debates that I have seen on this floor in 7 years. It is issue-oriented. I have got conservatives for and against, I have got liberals for and against, and each with individual ideas. I commend both sides of this.

I did not have time to speak on the floor. I would like to speak to the amendment but I would also like to speak to the bill.

Teddy Roosevelt, Rough Rider, San Juan Hill, and yes, many, many members from Puerto Rico have shed their blood to support democracy and fight communism and socialism around the world just like many Americans have. I think you know how most of us feel about that.

I would also say that the people, now nearly 4 million Puerto Ricans, have voted on several occasions on these issues. I know for me, and I will say this and I will give you my support, it is not required by Congress that they vote on what their determination wants to be. If you have at least two-thirds instead of 50 plus one on a very important issue like this, this gentleman will support it, but not on a 50 plus one vote.

I think if we look, the Puerto Rican people themselves are divided on this particular issue. Quebec has been mentioned. I am not going to let the gentleman from Indiana (Mr. BURTON) give me any more golf bags after this, but I would say that if he wants to encourage them to learn English, if we ask the people of Quebec and encourage them to learn English instead of French, look at the problems they have had, it would not happen. I think it takes stronger.

Mr. Chairman, I was disappointed in the minority leader at his representation of the English provision in this. Let me tell my colleagues why. First of all, there were 259 votes. I went from the very extreme portion of a bill as chairman of the committee and down to the lower portions and moderated the bill to where even States had the right, after this body had said English is the common language of our government, that each individual State had a right to change that. It gave them that option. There was no mandatory thing there. I thought that that was very fair. I think that is why we got such bipartisan support for it. I think the misrepresentation was not well proposed in the bill.

I think another big issue, it fails to follow the precedents of other U.S. territories that joined the Union, Hawaii, Alaska, with the great percentages. They really want it. It should be something very special to the great majority of a country. Puerto Rico, as the gentleman said, they feel they are a country. It should be the great expectation of a great majority of that group before they become an American citizen. I do not want another Quebec here. I do not want in Puerto Rico that kind of division and that divisiveness. I think that that is a legitimate issue.

They said it is a poison pill. The former Governor of Arkansas had a bill similar to this, Governor Clinton, 23 States in our Union. That is not extreme, as the minority leader said. I just think if we are going to speak, I think we need to speak not disingenuously but purport what the bill says. It is English as a common language, not English only.

When I was in the Philippines, the Philippines was going to have Tagalog as its official language. I recommended to President Ramos that that was a disservice because it has no root in math or science. I speak a little Tagalog. They would do themselves a disservice internationally.

I went to Vietnam. They are carrying computers, they are learning English and they are studying business because they understand. That is all we are asking for Puerto Rico, that they do that. Instead of speaking Spanish first in their classrooms and English second, it should be turned around, if they want a bite of the American dream. I think that is very, very important.

I would ask my colleagues, think carefully about this. If we can have a vote from Puerto Rico, where the majority of them say we want to be an American citizen, I think only a very small percentage of the group that are opposed to this would say no. But we do not have that. I ask my colleagues to take a look at that.

I would say, Mr. Chairman, as I mentioned, the bill by both sides of the aisle has been represented well with the issues. I thank my colleagues for that. But this is more serious than most bills we have coming up here. I think that is the reason we have given it so much time. Give yourself the time, look at the issues on both sides of it, and I think you will not support the bill and you will not support the substitute but you will support the Solomon amendment.

Mr. BURTON of Indiana. Mr. Chairman, I yield myself 1 minute.

First of all let me point out to my colleague from California, the people of Puerto Rico are citizens of the United States. They already are citizens. He says if they want a bite of the American dream. They already are Americans. The only problem is they are Americans without representation. They do not have any Congressmen. They do not have any Senators. They do not have any representation in this body. Yet they are American citizens. They are like orphans out in a storm walking around saying, ''Where are my parents?'' It does not make any sense.

This plebiscite is an advisory plebiscite, I will say to my colleague from California. This is an advisory plebiscite. What is he afraid of? All we are asking for is an opinion from the people of Puerto Rico on what they want. If they come back and only 51 percent say that they want statehood or they want commonwealth, we decide in this body whether or not we want to proceed any further. I think if it was that close, we probably would not. But let us say they come back and that 70 percent want statehood and only 10 percent or 20 percent want commonwealth. At that point I think that we as a body ought to make that determination.

But make no mistake about it, these are American citizens without representation in the Congress of the United States, and that is wrong.

Mr. Chairman, I yield 3 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Chairman, I am speaking on the time of the gentleman from Indiana (Mr. BURTON). I am speaking from the majority side of the aisle because I am speaking on his time. I am looking at the gentleman from California (Mr. MILLER) right now who is smiling at me, and trying to get over the hush that came over the crowd as someone moves to this side. I am looking for the gentleman from Alaska (Mr. YOUNG), my very able chairman.

I point that out because this is a nonpartisan issue and is being cast, I am very sorry to say, in somewhat partisan terms, not necessarily by party but partisan terms, as if there is a right side and a wrong side. As the gentleman from Puerto Rico (Mr. ROMERO-

BARCELÓ) has indicated, as the gentleman from Indiana (Mr. BURTON) has indicated, as the gentleman from California (Mr. MILLER) has indicated, and the gentleman from Alaska (Mr. YOUNG), what we are trying to do here today is to aid and assist, as Members of the House of Representatives, the self-determination of fellow citizens.

The gentleman from Indiana (Mr. BURTON) has been adamant on this. I do not think we are going to find a more partisan person in the House with respect to the question of English and its being used as common language throughout the United States. But that issue will be debated in another venue, at another time.

What we are talking about here is something that I ask Members, as a representative from the last State to come into the Union. We have only been a State for 38 years. We have been a State for less years than many people in this body have been alive and serving in public office.

□ 1445

So it is very, very particularly poignant in some respects to me today to stand here as someone who was not born in Hawaii and has the privilege to serve in Hawaii.

I was born in the east of the United States, in Buffalo, New York, in the area represented by the gentleman from New York (Mr. PAXON) today. It never occurred to me that one day I would have the privilege and honor of standing in the well of this House to serve the people not only of Hawaii, but of the United States of America.

That will happen in Puerto Rico. We cannot determine ahead of time what is going to happen there. The conventional wisdom, as some will recall, when Hawaii and Alaska came into the Union, was that Hawaii would be a Republican State, and, indeed, we elected a Republican Governor in our very first State election, and that Alaska would be a democratic State.

As you know, that has worked differently. We have had Republican office holders here, we have had Democratic office holders here. This is not a partisan issue.

Mr. Chairman, I appeal to my Republican friends, please, take into account that our fellow citizens are merely asking for the opportunity to determine their future. Join Democrats and Republicans all together and vote for the bill and against this particular amendment.

Mr. MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong opposition to the Solomon amendment and in strong support of the substitute language.

Mr. Chairman, English is fast becoming the language of the world. It is not we English speakers who need to fear the integrity of our language; it is, indeed, others who have concerns.

We, as I said earlier in this debate, who support so strongly the principles of the Helsinki Act, have advocated in country after country after country that they give to people within their country respect of their cultural and their national identities. Of course, language is a critical component of that.

The Soviet Union, my friends will recall, tried to have everybody speak Russian on the concept that if everybody spoke Russian, there would be a sense of unity within the Soviet Union. But that unity was at the point of a sword. It will not get you what you want.

Mr. Chairman, I urge support of the substitute, and opposition to the Solomon amendment.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH) for the purpose of entering into a colloquy with me.

Mr. HAYWORTH. Mr. Chairman, I do rise for the purpose of entering into a colloquy with the gentleman from California (Mr. CUNNINGHAM), who will be speaking for the sponsor of the amendment, the gentleman from New York (Mr. SOLOMON).

First let me compliment my friend from New York for introducing this important amendment. This amendment will save precious taxpayer dollars, while reaffirming that English should be the official language of the government. A common language of government is essential to our health as a Nation.

Let me turn to the gentleman from California (Mr. CUNNINGHAM). It is my understanding it was the intention of the gentleman from New York (Mr. SOLOMON), the author of this amendment, to include the entire text of H.R. 123, the Bill Emerson English Language Empowerment Act of 1997, as this amendment. Is that correct?

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. HAYWORTH. I yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Chairman, it was the intention of the gentleman from New York (Mr. SOLOMON) to include the text of H.R. 123 in this amendment.

Mr. HAYWORTH. Mr. Chairman, reclaiming my time, as the gentleman knows, I worked with the authors of H.R. 123 to include certain sections of the bill that recognize the unique status of Native Americans under our Constitution and various treaties. Section 167 of H.R. 123 explicitly states, ''Nothing in this chapter shall be construed to limit the preservation or use of Native Alaskans or Native American languages as defined in the Native American Languages Act.'' Section 169 of the bill further states that the measure does not apply to ''the teaching of these languages.'' These provisions were added at my behest to protect the unique obligations we have to Native Americans.

Again, asking the gentleman from California, was it the intention of the gentleman from New York (Mr. SOLOMON) to protect the various obligations of our native people?

Mr. CUNNINGHAM. Mr. Chairman, if the gentleman will yield further, it was the full intention to protect Native American languages, as these sovereign tribes have a unique relationship with the Federal Government. Unfortunately, the Parliamentarian ruled that adding these sections would not be germane to the bill we are debating. I look forward to working with the gentleman in seeing that the Native American languages are protected as the bill works its way through the legislative process.

Mr. MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I was sitting in my office listening to this debate, and really the question is what does the 105th Congress have to fear? It really sounds like two things.

First of all, we are fearful of Puerto Rico having an election, which is essentially a public opinion election. Since when did Congress fear elections?

The other thing we have is we are fearing people that speak other languages. Why? One hundred four sessions that went before us did not fear that. In fact, our forefathers who admitted Louisiana, New Mexico, Oklahoma and Hawaii, allowed those states to come in and protected the rights of those people to speak French, Spanish, Native American and Hawaiian, Aloha, a language that everybody uses in business.

What about our forefathers who rebuilt this room we are all sitting in, in 1949 and 1950. If you look around, there are 23 lawgivers that we respect. These are the people who historically gave us the under-law for American law. These were the lawmakers, lawgivers, as we call them. There are 23 of them. Only three of them spoke English, and one of those, Thomas Jefferson, also spoke French.

Mr. Chairman, what are we afraid of? Defeat this amendment and pass the bill.

Mr. CUNNINGHAM. Mr. Chairman, I yield two minutes to the gentleman from South Carolina (Mr. GRAHAM).

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

Mr. Chairman, I know this is an emotional issue to many folks. The commonwealth status of Puerto Rico has been a long-standing status and it confers upon its people certain rights of citizenship.

This body is about to take it to a new level. I do not believe the American people are any closer to understanding this issue than when we started. It is taking everybody in the country by surprise.

It is a big deal to me. I think we are rushing into it. But if we are going to

do it, we need to recognize certain things.

Three out of four people in Puerto Rico are not fluent in the English language, and we are setting in motion the possibility of Puerto Rico becoming a State in a couple or three years.

The legislative affairs of the Commonwealth of Puerto Rico are conducted in Spanish. The Federal Court system requires that jurors speak English to sit as jurors, but the State court system, or the equivalent thereof, is conducted in Spanish, so if anybody finds themselves in Puerto Rico as a State, chances are you are going to be tried in a language you do not understand.

What the gentleman from New York (Mr. SOLOMON) is trying to do is bring unanimity to the 50 or 51 states, saying the common language that unites us is English, and it would apply to all states, not just the Commonwealth of Puerto Rico.

If we are going to go down this road, we certainly need this piece of legislation. But I believe it is ill-advised to do this without the goodwill of the American people behind us and without exactly understanding where the people of Puerto Rico are.

I do not understand why we are doing it, but if we are going to do it, the English component of the Solomon amendment is essential to integrating Puerto Rico into the United States in a viable way. When 3 out of 4 people cannot speak English, that is a road map for disaster, if you are going to be a part of the United States.

Mr. MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Chairman, I rise in strong opposition to this English only amendment. The gentleman from New York says that we need this amendment to empower the citizens of Puerto Rico to be full and equal partners in this Union.

What will empower the people of Puerto Rico to be full participants in this Union is if we get about voting this bill through and allowing them the right to finally have self-determination on the island, so that they can have all the rights and privileges of their American citizenship status which they are currently denied because they are under Commonwealth status, which, if I need to remind Members, means they are under the territorial clause of the United States.

Ironically, we could pass English only requirements for the people of Puerto Rico under the current territorial status, because that is our power. If they become a State, which I hope they will, they will retain the 10th Amendment power to decide what their own language will be.

So it is interesting. If they become a State, they will be able to decide for themselves; if they remain a Commonwealth, it is up to us to decide what their language is going to be.

Vote against the Solomon amendment, and vote for the passage of the bill.

Mr. MILLER of California. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, earlier in the debate the gentleman from California (Mr. CUNNINGHAM) got up and spoke about his legislation dealing with English as an official language. The point was made that all states would be treated the same, and the states had a right to change some requirements under the 10th Amendment, should they decide to do so.

The problem with the Solomon amendment is that in fact in this legislation it treats Puerto Rico differently than any other State in the Union, because it goes on and declares that English is the official language of the United States. But it then goes on to say the people of Puerto Rico can only communicate with the Federal Government in English and that the Federal Government can only communicate with the people of Puerto Rico in English.

This means if you are a DEA agent, you can only speak English if you are engaged in an activity. If you are the FBI, you can only speak English if you are engaged in an activity. If you are engaged in a search and rescue and the people do not speak English, you can only speak to them in English.

I do not think that is what we want to do. There is a legitimate debate to be had under the Cunningham legislation. We had it two years ago. I suspect we will have it again before this year is out. That would apply to all of the states equally and the states would retain their rights.

But the Solomon amendment goes far beyond those requirements and singles out Puerto Rico for special burdensome treatment. People can only write to their member of Congress, should they choose statehood and have Members in the Congress of the United States, they could only write to them in English. It would be against the law to write to them in Spanish or in another language. It would be against the law to petition the President of the United States or the Congress in any other language. That is not true anywhere else in this country.

We ought to make sure that if we deal with this issue, that we treat all of the states on an equal footing. This says if Puerto Rico becomes a state, it would be singled out for much more burdensome treatment than the general debate on English as an official language.

Mr. BURTON of Indiana. Mr. Chairman, I yield two minutes to my good friend, the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Mr. Chairman, let me first say that I rise in strong opposition to the Solomon amendment and in favor, strong support, of the substitute language.

Let me say that the gentleman from Indiana (Mr. BURTON) is very courageous in taking this stance. He supports English only, but he knows it does not belong in this bill. That is what this issue is all about.

Why not be fair? Why single Puerto Rico out? If it decides to become a State and if we allow it to become a State, it shall be governed by the law of the land. Everyone knows that. But why single it out now? Why try to make a statement that is unfair and a statement that is not necessary?

The issue on the whole is one that is not necessary. Everyone knows that everyone learns to speak English both in Puerto Rico and here. As an Hispanic American, a Latino and Puerto Rican, I can tell you, we do not go around spending time figuring out how not to learn English. Do I not sound like a person who tries every day to improve on the language? I am going to get it right one of these days.

This is a bad amendment, and it should not be here.

Let me close with this: When Latinos or Hispanics sit around the dinner table and the issue of language comes up, it is never a plot against the English language.

□ 1500

It is usually a lament about the fact that the children and the grandchildren no longer speak Spanish. So with that recognition, what is the fear? Let us go forward. Let us allow this bill to take place. Let us make this vote possible.

Let us not muddy the waters any more. Let the people of Puerto Rico, the Puerto Rican people, have a vote on this issue. Let us not single them out for anything that you do not single other States out for.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Chairman, I rise in support of the Solomon amendment. I would like to clarify an issue. The minority leader, the gentleman from Missouri (Mr. GEPHARDT) stated that we have never placed any language condition on any territory that was considering statehood.

I want to clarify that that is false, that in fact in 1811 Congress specifically required that Louisiana adopt English as the official language of their proceedings, of all government writings, and all government functions. They not only required Louisiana in 1811 to do it, they required Oklahoma and New Mexico to specifically have to teach in English as a primary language. In fact, Arizona was required to guarantee that its executive and legislative officials would conduct business in the English language.

So let us not talk about singling out anyone. The fact is this has a historical record that says that when the issue of language has become a question, English is the common language of these United States; that has been clarified by Congress again and again, and has been placed as a requirement on any territory wishing to gain statehood that they must, too, adopt English as their official common language.

Mr. Chairman, I appreciate the fact that the gentleman from Illinois and the gentlewoman from New York proposed a substitute to the substitute, which really shows where some people may be coming from on this issue. That is, their substitute to the substitute says let us make Spanish the official language of Puerto Rico.

I think what we are saying is let us be up front about it. We should clarify to the people of Puerto Rico that part of the transition from territory to State is going to be transition from Spanish to English. That is de facto. Let us do it up front, be truthful to the people of Puerto Rico, let us not promise them State and local government we cannot deliver.

The fact is the assimilation of any territory into the greater Union is going to happen not just politically but culturally, socially, and linguistically.

Mr. BURTON of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from Guam (Mr. UNDERWOOD).

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

Mr. Chairman, I stand in support of the substitute and in opposition to the Solomon amendment. We are making a language issue out of a self-determination issue.

People understand that the use of English in Puerto Rico is something that is essential to understand here. But there is no one that I know of that does not want to learn English to fully function in American society. There are very few people in Puerto Rico that I know of who do not want to learn English. In fact, in Puerto Rico there is a clear educational policy which fosters English, and indeed, English can be used for official purposes. If Puerto Ricans choose statehood under this framework, those policies would be strengthened. I think this is understood and acceptable.

But what is not acceptable is to allow Puerto Ricans the right to self-determination and in the same process to decide in advance of their choice that they not be treated the same way as other States.

The Solomon amendment tries to use the language issue to deliver a blow to the possibility of Puerto Rican statehood by putting a restriction on their possible admission, which other States have not had in their history. The Burton substitute is a responsible, coherent, moderate statement about the realities of American life, the necessity of English, but also recognizes that the tolerance of differences is a cornerstone of American democracy, that education is better than coercion, that knowing more is better than knowing less, that addition is better than subtraction, that knowing more languages is not un-American.

Thank you, all of you.

Mr. MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

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

I also join with my colleague, the gentleman from New York (Mr. SERRANO) who says he is working every day to speak English, and so am I, to improve on our use of the language. But I will never speak English like they do in New York or Boston or even other parts of our country.

I oppose the Solomon amendment and support the substitute amendment. To make English our official language limits our Nation. English is our official language. It is our common language. We always have used English. It did not take a law in this Congress to do that. It has not taken 200 years to do it. We do it because we want to.

To file a document in court in the United States, or a public record, it has to be in English or an English translation. Our citizenship ceremonies are in English, even though we did have one aberration of a Federal judge doing it in Arizona. But it has to be in English, by statute.

Furthermore, English only is unwarranted because two of our States, New Mexico and Hawaii, have two official languages. In Hawaii it is English and Hawaiian, and in New Mexico it is English and Spanish. I hope the Puerto Rican voters would choose statehood and integrate English into their language.

Mr. BURTON of Indiana. Mr. Chairman, I yield 1½ minutes to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Chairman, I want to thank my friend and colleague for yielding time to me.

Mr. Chairman, this is a bad amendment. We do not need it. English is the predominant and common language of this Nation. English is used in government and courts throughout Puerto Rico. We must encourage everyone to speak English, but we must not discriminate against those who speak other languages.

Puerto Ricans are citizens of the United States. We must not deny the people of Puerto Rico their heritage. They contribute to the diversity and richness of our country. This amendment will make government more difficult. It will make communication more difficult.

Mr. Chairman, we should encourage everyone to learn English, but we should not deny Spanish-speaking Americans their tradition. English is the primary language of our Nation. In almost every corner of the world English is the language of international affairs, of international politics and business. We do not need this amendment. This amendment tells our citizens, deny your heritage, forget your roots. That is the wrong message for a great Nation, for a great people, a proud people to send.

Let us embrace diversity and learn from each other. This is how we have grown and prospered as a great Nation and a great people. I urge all of my colleagues, Democrats and Republicans, to vote no on the Solomon amendment.

Mr. SOLOMON. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia, Mr. BOB GOODLATTE, a distinguished member of the Committee on the Judiciary.

Mr. GOODLATTE. Mr. Chairman, I thank the chairman for yielding time to me, and for his leadership on this issue.

Mr. Chairman, it has been said that the Solomon amendment is not constitutional. Nothing could be further from the truth. Let me read right from the language of the amendment. It says, ''English is the official language of all business and communication of the Federal Government of the United States, and all communications with the Federal Government will be in English unless generally applicable Federal law provides otherwise.''

Puerto Rico as a State promotes English as the official language of the State government, courts, and agencies. English is the language of instruction in public schools. This is not a mandate, this is similar to what we have required of Louisiana, Oklahoma, and other States in the past, and it is simply not correct that this is inappropriate.

In the last Congress, this body overwhelmingly passed similar language to apply to the entire country, and should do so with regard to Puerto Rico today. English is the language used by our government. It is the language of commerce, and it is the common language of the overwhelming majority of the American people.

Language differences are the number one barrier to full assimilation, and Puerto Rico is certainly no exception. According to the 1990 U.S. census, less than 24 percent of Puerto Ricans speak English fluently, and a 1997 survey found that 76 percent of Puerto Ricans think it unacceptable to have English as their official language. It is no coincidence, therefore, that a recent poll concluded that only 16 percent of Puerto Ricans consider themselves to be Americans.

Before the people of the United States accept Puerto Rico into their Union, they expect the people of Puerto Rico to want to be a part of it. Make no mistake, H.R. 856 will create an American Quebec. If Puerto Rico gains statehood under this bill, it is likely to declare Spanish as the official language, which could then force the U.S. Government to make Spanish the quasi-official language to accommodate the needs of Puerto Ricans.

Not only would this significantly undermine the long-term assimilation of Puerto Ricans into American society, but it would also increase the pressure for the rest of the United States to become officially bilingual.

Language is the common bond that holds our Nation together. A common language allows the children of Virginia to communicate with and learn from the children of California. Without this amendment, the same will not be true for the children of Puerto Rico. Without this amendment, children will

never have the opportunity to participate fully and equally with their fellow citizens.

Mr. Chairman, pro-statehood forces have stated on many occasions that their language and culture are not negotiable. Congress is not asking anyone to negotiate away their culture, but the Constitution grants Congress the power to determine the rules for statehood, and that Constitution was established to create a more perfect Union, not a more divided Nation.

We must make clear that Puerto Rico must be prepared to be an equal partner. Support the Solomon amendment and oppose the Burton substitute.

If Congress passes H.R. 856 without this amendment, we will embroil ourselves in a divisive debate that will last for years to come. When we welcome a new state into our great union, we should do so by building bridges that unite us, not roads that divide us. Puerto Rico statehood without English as the official language is a bad idea that is sure to create tension between the states, enormous administrative nightmares, and huge costs to the American people. Our states are united, and they should remain so. The American people do not want, and cannot afford, another Quebec.

I urge my colleagues to vote yes on the Solomon amendment.

Mr. MILLER of California. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ.)

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELÁZQUEZ. Mr. Chairman, I rise in strong opposition to the Solomon amendment. This amendment would outlaw elected officials from communicating with their constituents in Spanish. It will hamper the efforts of Federal agencies to collect taxes, inform citizens of their rights, and ensure due process, and it will endanger lives by making illegal anything but English to be used, even by police department and paramedics responding to life-threatening situations.

This amendment is guaranteed to make government inefficient and ineffective and jeopardize the civil rights of some of society's most vulnerable members.

I represent one of the highest non-English-speaking populations in the country. Under the Solomon amendment, I will be barred from communicating with the people of the Twelfth District of New York in a second language. This will keep me from doing what they elected me to do. This amendment is divisive and unnecessary. It does not belong on this legislation.

Mr. SOLOMON. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. BOB BARR), a distinguished member of the Committee on the Judiciary.

(Mr. BARR of Georgia asked and was given permission to revise and extend his remarks.)

Mr. BARR of Georgia. Mr. Chairman, I rise in support of the Solomon amendment.

Mr. Chairman, I rise in support of the Solomon English Language Empowerment Amendment. The English language portion of 856 is meaningless. The Solomon amendment will clarify this vague language by designating English as the official language of the United States; requiring that English be the sole official language of all federal communication in Puerto Rico and; making English the official language of state government courts and agencies; making English the language of instruction in public schools.

Americans speak English. Many Americans speak more than one language. In fact, many of my colleagues on both sides of the isle are bilingual. But everyone in this chamber understands the importance of speaking English. In fact, I believe that every member in this House who would be called upon to counsel a foreign speaking immigrant, would tell them that the most important thing that this immigrant could do to begin to assimilate and become successful in America is to learn English.

If Puerto Rico became a state, the citizens of Puerto Rico would send to us Representatives and Senators. Now Puerto Ricans might be given a choice between candidate A who doesn't speak English and candidate B who is bilingual. Hopefully, they would elect the bilingual candidate. The business of this body and the business of America is conducted in English.

Currently, in America, you can go from state to state and understand the laws, the government, the courts, from New Hampshire to Hawaii. This notion would fundamentally change if Puerto Rico were to be admitted without the Solomon Amendment. Puerto Rico conducts its official business in Spanish. This is even after 100 years of influence by the United States. Puerto Ricans are essentially saying that we do not recognize America. We do not want to assimilate. We want to be Puerto Rico, and we want to be Spanish.

Mr. Chairman, 63% of Puerto Ricans can't recite the Pledge of Allegiance. Sixty Six percent do not know the words to the Star Spangled Banner. This makes sense when you learn that only 16% of Puerto Ricans consider themselves to be American. By themselves, these polling numbers don't trouble me. I don't want to force anyone to be American who doesn't want to. However, just as Puerto Ricans have every right to maintain their Spanish heritage and their Spanish language, so too does America have every right to maintain its English language tradition. This is a fundamental building block of our nation, and the basic fiber that binds this great country together.

Mr. Chairman, English has been and hopefully always will be the common link between the melting pot of cultures in our nation. We have many different cultures in our nation, from the woods of Maine to the shores of the Pacific north west, from 10,000 lakes of Minnesota to Georgia's Golden Isles. The cultures, the religions, the traditions vary as greatly as the miles. Yet, the English language binds these people together in a proud tradition that we have come to know, as being American.

Mr. SOLOMON. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. RIGGS), chairman of the Committee on Education and the Workforce that has jurisdiction over the English language issues, and a very valuable Member of this body.

Mr. RIGGS. Mr. Chairman, I thank the distinguished chairman of the Committee on Rules and sponsor of this amendment for yielding time to me.

Mr. Chairman, let me say first of all, I support the right of Puerto Rico residents, American citizens, to have self-determination, to choose statehood over the current status as a Commonwealth. But I believe as a condition of statehood those voting in any kind of referendum or plebiscites should acknowledge and accept English as the official common and commercial language of our country.

I have a little bit different perspective on this issue, as the chairman of the Subcommittee on Early Childhood, Youth and Families. My concern is twofold: too often bilingual education fails our young people, and the alarming dropout rate of Hispanic students in America.

Too many of our young people are not getting the education and the job training that they need to live successful and productive adult lives, to take advantage, if you will, of all these high-tech jobs that our economy continues to create every day. For them, the have-nots of tomorrow, it is a personal tragedy. For our country it is a very serious, it is a very real challenge, because we need a skilled work force to remain competitive.

I mentioned the bilingual education. The statistics are appalling. One-third of all Hispanic students nationwide, according to the U.S. Department of Education's own report, drop out, and that figure is closer to 50 percent in my home State of California. In fact, if Members really want to boil the debate down, last year only 6.7 percent of limited English proficient students in California public schools have learned enough English to move into mainstream classes.

We have the largest school district in the State, the Los Angeles School District, suing the Governor because the Governor wants to administer tests in reading, writing, and math to all students in the second through 11th grades, but only in English.

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Bilingual education is too often a failure. It does not promote a transition to English fluency, but it traps youngsters in a dependency on non-English languages and special help. ''Bilingual'' has become a misnomer. English as a second language should not mean second-class citizenship.

Mr. Chairman, I urge Members to support the Solomon amendment, and let us reform bilingual education.

Mr. BURTON of Indiana. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. GEKAS).

Mr. GEKAS. Mr. Chairman, when I served in the Armed Forces, I was stationed for a while in Puerto Rico. I was

eager to learn Spanish so that I could communicate with the people of Puerto Rico. So I walked into a restaurant, after studying my Spanish to an n'th degree, and I said proudly, after I saw a picture of a hot dog on the back of the counter, ''Hagame el favor de darme un perro caliente.'' And so the youngster looks at me, turns around to the cook and says, ''One hot dog with everything.''

The point is that he knew English. That he knew that I knew English. He was helping me with my Spanish, but I learned that first lesson there, that most of the people either speak English in Puerto Rico or want to speak English in Puerto Rico.

Our fellow citizens in Puerto Rico in time will be 100 percent able to speak English. By that time, they will blend in perfectly to our English language customs for the entire country.

Mr. Chairman, I support the substitute.

Mr. MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island (Mr. WEYGAND).

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

Mr. WEYGAND. Mr. Chairman, I rise today in opposition to this amendment. I remember talking with my grandparents about their parents who came to this country from Ireland and Germany. And many of my colleagues' ancestors came from Portugal or France or from other places where they really learned what it was that was great about this country.

We never required them to come into this country and learn English before they got here. What they came for was the great thing that they saw in this country: the opportunity for them and their children to have a better world. They learned English because they wanted to learn English, not because the Congress told them they had to.

Our children today are all over the world on computers. Businesses are all over the world. Do my colleagues know what the common language is? English. The Congress did not have to tell them that it should be English. They learned it. They made it that way.

Yet this Congress sees fit here today to try to impose something they have never imposed upon any other State, making sure that English is the official language. It is unnecessary. It is an imposition that should not be condoned. We should vote down this amendment.

Mr. BURTON of Indiana. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. DEUTSCH), my good friend.

Mr. DEUTSCH. Mr. Chairman, I think it is important to point out that this is a bipartisan issue in terms of people rejecting the Solomon amendment and supporting the substitute.

Mr. Chairman, I wish the gentleman from California (Mr. RIGGS) was still here just in terms of responding to his comments. If the amendment was just what the gentleman said he wanted, it probably would not be so bad. It would be at least a relevant debate. But this amendment is not limited to Puerto Rico. This amendment really has no place in this debate.

This amendment is an issue which should have been debated on its own, not on this bill. The Solomon amendment's purpose is to kill the bill. That is its purpose.

We can debate the issue of Puerto Rico's ability to determine its future outside of that. The substitute allows us to do that. When we want to, we can talk better requirements for statehood, requirements for issues on Puerto Rico outside of the requirements for the entire country. That is what the debate needs to be about.

Mr. Chairman, I urge my colleagues on both sides of the aisle to vote strongly in favor of the substitute and against the Solomon amendment, and to give the people of Puerto Rico the opportunity to decide their own future.

Mr. MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. Mr. Chairman, I rise in strong opposition to the Solomon amendment. I think we have heard here time and time again that when called to duty, drafted, called to serve, there is no litmus test, there is no test of language for people. Indeed, the 65th Infantry served with distinction and honor and valor in the Korean conflict, and almost everybody spoke one language as the troops were ordered into battle, and that language was Spanish.

We should not raise this as an issue here today. The language of the people of Puerto Rico is Spanish. We should respect that.

Just as I have said before, it would be detrimental, it would be detrimental to attach to statehood an English language requirement, because then people who would want to become a State would say, well, I cannot accept it that way. It is wrong.

We understand what the language of our people is. Look in Puerto Rico today. From kindergarten through 12th grade of high school, English is taught, but people have preserved their Spanish language. Let us respect them.

Mr. BURTON of Indiana. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Indiana (Mr. BURTON) has one-quarter of 1 minute remaining.

Mr. BURTON on Indiana. Mr. Chairman, I reserve the balance of my time.

Mr. SOLOMON. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. GOODE), an outstanding Member of this body on the other side of the aisle.

Mr. GOODE. Mr. Chairman, I rise in support of the Solomon amendment because I fear a Quebec-type situation in this country. Now is the time to establish English as the official language. If we do that in this bill and if we follow suit in 123, we will not have problems cropping up like in Canada and across the world.

Mr. Chairman, I can tell my colleagues that if we have that up front, everybody knowing it, it is better. My great-grandmother was German and she never learned to speak English. She was at a disadvantage her whole time in this country, and I think we need to start with English first.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. GOODE. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I would just like to know what language the gentleman from Virginia speaks. He sounds like he is from down South some place.

Mr. GOODE. Mr. Chairman, it is ''Southern'' English.

Mr. SOLOMON. Mr. Chairman, how much time does the gentleman from Indiana have remaining?

The CHAIRMAN. One-quarter of one minute.

Mr. SOLOMON. Mr. Chairman, I yield 15 seconds to the gentleman from Indiana (Mr. BURTON) out of the goodness of my heart.

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

Mr. SOLOMON. Mr. Chairman, I yield 2 minutes to the very distinguished gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise in support of the Solomon amendment. This bill is aimed at admitting a State to the Union that is overwhelmingly populated by Spanish-speaking people who have a proud culture and are proud of their language and view themselves as a separate nation.

The people of Puerto Rico have no intention of giving up their language or their culture or their Olympic teams or their Miss Universe contestants, and there is no reason they should have to give these things up if they do not want to become part of a State, residents of a State of the Union.

However, if they expect to be residents of a State of the Union and to be Americans first, they must speak the common language and English is the common language; and to become part of our culture, not to maintain their separate culture, to root for our Olympics team and have our Miss Universe contestant as their contestant.

Mr. Chairman, I support the Solomon English language amendment to this bill because it takes the appropriate steps to put Puerto Ricans on notice that statehood means becoming part of our Nation and no longer being part of a separate culture and a separate nation, especially as reflected by a separate language.

We should make sure that no one is fooled into thinking that the United States is becoming a bilingual society, a bilingual Nation trying to accommodate itself to this nation within a nation. And that nation within a nation, there are people there who believe in

independence. In the past we remember when there were independence people who violently wanted independence for Puerto Rico.

The fact is they have a proud culture and a proud nation. They are not part of the United States unless they are willing to become part of the United States.

Mr. Chairman, H.R. 856 is wrong for the people of Puerto Rico and it is wrong for the people of the United States. ''E pluribus unum.'' We are one people and that is fine. Let us be one people. But if a people expect to be part of the United States, they should be part of the United States.

Mr. MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) to close our side on this debate.

Mr. BURTON of Indiana. Mr. Chairman, I yield 30 seconds to the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ), the balance of my time, so that the gentleman will have 1½ minutes to close.

The CHAIRMAN. The gentleman from Puerto Rico is recognized for 1½ minutes.

Mr. ROMERO-BARCELÓ. Mr. Chairman, if the English-first or English-only amendment were really meant to be for improvement of the bill, at least we could understand it. But the English-first supporters have distributed a paper here where it says even if this bill passes, this amendment passes, that Members should vote against H.R. 856. In other words, they are against the bill and this amendment is being used merely as a way to put a poison pill on the bill.

In Puerto Rico, as I have said over and over again, we are not rejecting English. We are embracing English. We were the first jurisdiction to approve English as an official language in 1902, but we also want Spanish as an official language. Both languages. We want to be bilingual. What is wrong with that?

This morning, earlier today, we had the gentleman from Illinois saying that in Puerto Rico the movies were dubbed. The majority of the movies shown in Puerto Rico are not dubbed. They are in English and the movie houses are full.

At the Blockbusters, the majority of the films that are rented out are not subtitled and neither are the movies subtitled. And in Puerto Rico the people who are watching these proceedings now on C-SPAN understand what is going on.

As the gentleman said a little while ago, when he asked for the ''perro caliente,'' that is one of the problems that people who go to Puerto Rico to learn to speak Spanish have. The Puerto Ricans speak English.

Mr. Chairman, they say Puerto Ricans do not feel that they are a part of a Nation. We have to take a look at that. Why is that? There are 50 stars, not 51 stars. We still have not been admitted into the family. Once we are admitted into the family, not 50 percent, 60 percent, but 100 percent of the people of Puerto Rico will feel that they are part of the Nation.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. SOLOMON. Mr. Chairman, is there no further time outstanding other than mine?

The CHAIRMAN. The gentleman may close debate.

Mr. SOLOMON. And the Chairman is recognizing me for that purpose?

The CHAIRMAN. The gentleman is correct.

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

Mr. Chairman, I urge Members to listen to this in their offices. If the Solomon amendment is defeated, or if the Solomon amendment is watered down and this bill becomes law and Puerto Rico becomes a State, any citizen of the State of Puerto Rico can bring an action against the United States of America Government or against any one of the other 50 States and demand bilingual equal treatment under the Equal Footing Doctrine. Members better think about that when they cast their votes in half an hour from now.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Pursuant to section 2(a) of House Resolution 376, it is now in order to consider Amendment No. 3 printed in the Congressional RECORD.

Mr. SOLOMON. Mr. Chairman, I ask unanimous consent that the hour of debate on the Solomon amendment, the Gutierrez amendment thereto, if offered, and the Burton substitute, if offered, be divided and controlled as follows: 30 minutes to the gentleman from New York (Mr. SOLOMON), 6 minutes to the gentleman from Illinois (Mr. GUTIERREZ), 12 minutes to the gentleman from Indiana (Mr. BURTON), and 12 minutes to the gentleman from California (Mr. MILLER), subject to equitable reductions, if necessary, to remain within the 1 hour of consideration permitted under this rule. I think this is an agreed-to unanimous consent request.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT NO. 3 OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. SOLOMON:

At the end of section 2, add the following paragraph:

(16) In 1996, the United States House of Representatives overwhelmingly declared that ''the official language of the Federal Government is English''. According to the 1990 United States Census, less than 24 percent of the citizens of Puerto Rico speak English fluently. The enhancement of English as the official language of Puerto Rico is consistent not only with this statement of policy, but also with the preservation of our Nation's unity in diversity and the prevention of divisions along linguistic lines. Proficiency in the English language is necessary for all citizens to enjoy the full rights and benefits of their citizenship as guaranteed by the Constitution and to contribute most effectively to the Nation in all aspects. Conducting the business of Federal and State governments in English is the best way to promote efficiency and fairness to every citizen. Only proficiency in English can provide all Americans the enjoyment of the rights and benefits of full participation in the American economy and union.

Strike subsection (b) of section 3 and insert the following new subsection:

(b) OFFICIAL LANGUAGE.—The official language of the Federal Government is English. The legislature of Puerto Rico has established a bilingual policy by making both Spanish and English official languages of Puerto Rico, but has continued to operate its government solely in Spanish, as the majority of the people in Puerto Rico are not proficient in English. In the event that the referenda held under this Act results in approval of a request to Congress that Puerto Rico be admitted to the Union as a State and the Congress approves such statehood, English will be the sole official language of all Federal Government activities in Puerto Rico and, unless otherwise provided by generally applicable Federal law, all communications with the Federal Government by the Government or people of Puerto Rico will be in English. This Act, the procedures authorized by this Act, and the possible accession of Puerto Rico to statehood do not create or alter any rights of a person to government services in languages other than English.

In section 4(a), strike paragraph (7) of subparagraph C of the referendum language and insert the following new paragraph:

''(7) English is the official language of all business and communication of the Federal Government of the United States and all communications with the Federal Government will be in English unless generally applicable Federal law provides otherwise. Puerto Rico, as a State, promotes English as the official language of the State government, courts, and agencies. English is the language of instruction in public schools.''.

Strike subparagraph (C) of section 4(b)(1) and insert the following new subparagraph:

(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 that the Federal and State governments implement programs and incentives to promote the acquisition and usage of English by the citizens of Puerto Rico, including but not limited to, teaching in English in public schools, the availability of fellowships and scholarships to increase the opportunities of the people of Puerto Rico to learn to speak, read, write, and understand English, and the provision of educational instruction in English to persons not in schools.

AMENDMENT OFFERED BY MR. GUTIERREZ TO THE AMENDMENT OFFERED BY MR. SOLOMON

Mr. GUTIERREZ. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. GUTIERREZ to the amendment offered by Mr. SOLOMON:

In the amendment proposed to section 4(a) of the bill, in lieu of the text proposed to be inserted as paragraph (7) of subparagraph C of the referendum language, insert the following:

''(7) Spanish is an official language of Puerto Rico and its only vernacular language and as such is the official language of business and communication—

''(A) in the State government, courts, schools, and agencies; and

''(B) in Federal courts and agencies when such courts and agencies are acting in or with regard to Puerto Rico.''.

□ 1530

Mr. GUTIERREZ. Mr. Chairman, I yield myself 2 minutes and 30 seconds.

Mr. Chairman, this bill is supposed to be about self-determination. Self-determination should be informed. The Statehood Party in Puerto Rico has promised statehood. This means that under statehood, Puerto Rico gets to keep its culture and its language, and I agree with the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) that that is the kind of statehood that we should have.

As a matter of fact, and I quote from a book, Statehood is for the Poor, published in 1978 by the current Resident Commissioner, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ): Our culture and our language are not negotiable.

That is published in Statehood is for the Poor by the Resident Commissioner. And I believe that the people of Puerto Rico have come to understand and to accept that that is the way that statehood would be proposed and that their culture and their language would be something that is protected.

Puerto Rico has spoken Spanish for over 500 years. When I get to Puerto Rico and see my parents, we speak in Spanish. When I go to a courtroom in Puerto Rico, it is in Spanish. When I register a deed, it is in Spanish. When a police officer pulls somebody over for going a little too quickly, the citation is in Spanish, and the subsequent sentencing, I assure my colleagues, is in Spanish, and you better have a lawyer that can speak Spanish.

When you to go school and you graduate, your diploma is printed in Spanish. Every record, including your birth certificate, is in Spanish. Spanish is the language of the people.

Are we talking about civil rights? Let us not talk about imposing another language. Go to Puerto Rico today. Go to the Veterans Administration or Social Security Administration office in Puerto Rico today, and everyone will speak to you in Spanish, unlike Chicago or New York or Oklahoma, because Spanish is the language there. And since statehood has been proposed in Puerto Rico, the culture and the language are nonnegotiable. I think we should guarantee that to the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ), the Resident Commissioner.

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

Mr. ROMERO-BARCELÓ. Mr. Chairman, I ask unanimous consent to oppose the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. I object, Mr. Chairman.

The CHAIRMAN. The time has been allocated pursuant to the unanimous-consent request that was agreed to earlier.

Mr. BURTON of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ).

Mr. ROMERO-BARCELÓ. Mr. Chairman, I rise in opposition to this amendment submitted by the gentleman from Illinois (Mr. GUTIERREZ) because this amendment is intended to be a poison pill against those that are for the bill. It is supposed to be intended as a poison pill, because in Puerto Rico the law is that both English and Spanish are official languages, and you can have documents in English, and the agencies in Puerto Rico are by law obligated to give those documents in English if a citizen requests for those documents in English. You can register property and deeds drafted in the English language.

So what has been said here is not true. We want to maintain that right of all citizens to have their documents and their business with government transacted in either Spanish or English. Those that do not understand will be provided with a translation. We will provide people to translate their business for them. This would be an imposition upon Puerto Rico and will be against the laws of Puerto Rico.

The gentleman from Illinois (Mr. GUTIERREZ), who lives in Chicago and would like to have independence, now he is acting like a colonial power imposing laws in Congress that would repeal the laws that we have, that would amend the laws without the people of Puerto Rico voting for it, without the legislature participating. We oppose this amendment very strongly.

Mr. GUTIERREZ. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Chairman, I rise in strong support of this amendment. Mr. Chairman, this amendment will make Spanish the official language of Puerto Rico. It will protect what already exists. If supporters of this bill are voting for self-determination for the Puerto Ricans, they will support allowing them to speak their own language. They will support allowing them to do business and operate their courts as they have for almost 500 years.

Mr. Chairman, I have sat on this floor and listened to the arguments of my colleagues on the other side of this issue. I have heard many distinguished Members of this body argue, some passionately, some angrily, that by supporting this bill they are protecting the people of Puerto Rico. They say that we must allow self-determination for Puerto Rico because they respect our culture, our history and our right to control our destiny.

I have argued that this bill does not provide self-determination, but I will accept that the supporters of this bill think they are promoting the wishes of the people of Puerto Rico. Well, if that is the case, they will have to make their argument in Spanish because the majority of the people of Puerto Rico do not speak English. And why should they? The fact is that our culture, our history, our essence is rooted in the Spanish language. More than that, it is the language of the legal system, the Commonwealth Government and all non-Federal official business. If the supporters of this bill really respect the people of Puerto Rico, they will support this amendment which makes Spanish the official language of Puerto Rico.

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

I will close by making the following arguments. I think they have not been refuted here today. In a book written in 1978, Statehood is for the Poor, written and authored by the Resident Commissioner of Puerto Rico, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ), he stated clearly and unequivocally that language and culture are nonnegotiable.

Now, when the campaign goes to Puerto Rico, I want to make sure that if that is what they are saying to the people of Puerto Rico, that that is what this Congress is guaranteeing them. Let us not let them be under any illusions about what is going to be. Since that is exactly what has been proposed by the Statehood Party and repeated so many times, I want those statehooders who have applauded, who have cheered, who have cherished statehood and want to preserve their language and culture, to have exactly what they have demanded and asked and rallied for. So, therefore, in the name of self-determination, I ask that this amendment be adopted so that we respect the wishes of the Statehood Party. We should do no less.

Mr. Chairman, I ask for a recorded vote on this perfecting amendment and make a point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the unanimous-consent request, debate will take place on all three of the amendments that are being discussed, and then they would be held.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. GUTIERREZ. Mr. Chairman, we will be able to ask for a vote on this perfecting amendment later on. I have not relinquished my right.

Mr. SOLOMON. Mr. Chairman, will the gentleman yield?

Mr. GUTIERREZ. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Chairman, I would be glad to assist the gentleman in seeing to it that he gets his vote at the appropriate time.

The CHAIRMAN. The Chair will put the question at the appropriate time.

Mr. GUTIERREZ. I thank the Chair.

AMENDMENT OFFERED BY MR. BURTON OF INDIANA AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. SOLOMON

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. BURTON of Indiana as a substitute for the amendment offered by Mr. SOLOMON:

In section 3, amend subsection (b) to read as follows:

(b) OFFICIAL ENGLISH LANGUAGE.—In the event that a referendum held under this Act results in approval of sovereignty leading to Statehood, upon accession to Statehood, the official language requirements of the Federal Government would apply to Puerto Rico in the same manner and to the same extent as throughout the United States.

Add at the end of section 3 the following new subsection:

(c) ENGLISH LANGUAGE EMPOWERMENT.—It is in the best interest of the Nation for Puerto Rico to promote the teaching of English as the language of opportunity and empowerment in the United States in order to enable students in public schools to achieve English language proficiency by the age of 10.

In section 4(a), in the referendum language for Statehood, amend paragraph (7) to read as follows:

''(7) Official English language requirements of the Federal Government apply in Puerto Rico to the same extent as Federal law requires throughout the United States.''.

In subparagraph (C) of section 4(B)(1), strike ''(C) Additionally,'' and all that follows through ''(ii) the effective date'' and insert the following:

(C) Additionally, in the event of a vote in favor of continued United States sovereignty leading to Statehood, the transition plan required by this subsection shall—

(i) include proposals and incentives to increase the opportunities of the people of Puerto Rico to expand their English proficiency in order to promote and facilitate communication with residents of all other States of the United States and with the Federal Government, including teaching in English in public schools, awarding fellowships and scholarships, and providing grants to organizations located in various communities that have, as a purpose, the promotion of English language skills;

(ii) promote the use of English by the United States citizens in Puerto Rico in order to ensure—

(I) efficiency in the conduct and coordination of the official business activities of the Federal and State Governments;

(II) that the citizens possess the language skill necessary to contribute to and participate in all aspects of the Nation; and

(III) the ability of all citizens of Puerto Rico to take full advantage of the opportunities and responsibilities accorded to all citizens, including education, economic activities, occupational opportunities, and civic affairs; and

(iii) include the effective date

Mr. BURTON of Indiana (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BURTON of Indiana. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer a reasonable substitute to the Solomon English only amendment. Although I agree that we need to debate and pass an English only bill or a constitutional amendment making English the official language of our government, holding U.S. citizens hostage in Puerto Rico, not allowing self-determination to take place is against my strongly held beliefs in democracy.

English has been made an issue to kill this Puerto Rico plebiscite bill. H.R. 856 is a process bill to advance the democratic cause, to advance the Founding Fathers' idea that freedom and democracy demand self-determination.

That is what this debate is really about. Nevertheless, English has been brought into the debate, forcing me and others to offer an alternative. Supporters of H.R. 123, the Bill Emerson English Language Empowerment Act, share Mr. SOLOMON's English language policy goals but should not support this amendment to H.R. 856. I supported strongly Mr. Emerson's bill when it was on the floor.

The Solomon amendment is not faithful to H.R. 123. Instead the Solomon amendment does two things the House has never endorsed. Number one, the Solomon amendment requires ballot language on the statehood option which confuses voters to believe that Congress has imposed English as the exclusive official language of Puerto Rico's potential State government, which is not the case. And two, it also confuses the voters that English is the exclusive language of instruction in Puerto Rico's public schools, which is not the case.

The Solomon amendment does not empower the 3.8 million U.S. citizens of Puerto Rico by promoting English under the current commonwealth territory status. Instead, the Solomon amendment would promote continuation of an enclave of disenfranchised Spanish-speaking U.S. citizens, a recipe for creating a Quebec-style separatism under the American flag, which none of us wants.

We can avoid this by passing the Burton-Miller-McCollum-Young substitute. Our amendment would be effective immediately, immediately. English proficiency by age 10 is the Federal policy standard for school students in American's largest and most populous territory if my amendment passes. Our amendment eliminates ambiguity and constitutional flaws in the Solomon amendment with clear and constitutionally sound provisions applying to Puerto Rico, if it becomes a State, the same national English policy applicable to all other States.

The irony of the Solomon amendment is that it would isolate Puerto Rico from the purpose the amendment wants to establish when it wants to establish English as the official language of the United States. The Solomon amendment would apply English to all of the 50 States, but would carve out a territory, Puerto Rico, under the U.S. flag without the benefit of English as the official language until and only if Puerto Rico became a State after 10 years. However, under my substitute, there would be an immediate effect by a new national policy to promote the teaching of English to enable students in public schools to achieve English language proficiency by the age of 10 right now. In other words, 50 States would be required to have English as the official language, but not Puerto Rico, until they became a State. So you fortified the position that that is going to be a Spanish-speaking State for at least 10 years.

My amendment would make sure that English would be a proficiency, there would be proficiency in English by age 10 in Puerto Rico immediately, not waiting 10 years.

The last couple of evenings I was able to watch Braveheart on television. This heroic story of the freedom fighters of Scotland led by William Wallace over their British rulers resonates even to this day.

□ 1545

Like Scotland, Puerto Rico desires a chance at true freedom. However, rather than take the debate to the battlefield, they ask us simply for the opportunity to take the debate to the ballot box.

Yes, they have local self-government, but under their current status Puerto Ricans are, in effect, ruled by the U.S. Congress but without any representation in Congress. Puerto Ricans have no vote in the Congress but yet can be called into battle in a war on behalf of the United States at a moment's notice.

Yes, freedom and democracy are at the heart of this debate over H.R. 856. Do we believe in a free people exercising their right to self-determination or do we not? That is the real question we are debating today.

We should, in my opinion, do the right thing and give Puerto Rico the opportunity to let Congress clearly know if they want to be a State, a Commonwealth or an independent country. And once we find out, and my colleagues need to know this, the final determination on the status of Puerto Rico rests with this body.

The plebiscite we are talking about is advisory only. We are just asking that the people of Puerto Rico be able to let us know in the Congress, in a clearly defined way, what they want. Once we know that, then the Congress makes the final determination.

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

Mr. SOLOMON. Mr. Chairman, I yield myself such time as I may consume, and I would tell this body that back in 1983 I was sitting in front of my locker in the gym when a young man from Indianapolis, Indiana came by and sat next to me in the gym and we began to talk, and we have been talking since 1938.

And I said to myself, ''There is another Jerry Solomon coming along

here. He sounds to me like a true traditional doctrinaire conservative and, therefore, when I retire in a few years, I would feel safe that he was here.'' My beliefs have been shattered. I cannot believe he is offering this gutting amendment to the Solomon amendment, the true conservative position in this body, and that is why I rise so much against his amendment.

This amendment enshrines, my colleagues, the language right of the Puerto Ricans in statute in a way that will spark years of litigation in States across this country. Remember this, because sure as I am standing here, it is going to happen.

Any Puerto Rican anywhere in the U.S. could challenge Federal and individual State laws and declarations of English as the official language. No State would be able to protect its official English law until all States pass English as the official language, and that will not happen if they are being sued, Mr. Chairman. The amount of lawsuits that will come about will be unbelievable if the Solomon amendment is gutted by this amendment.

This amendment deletes my amendment's finding and declaration of English as the official language. It deletes the protections for English-speaking citizens. It deletes protections for States which have declared English their official language until all States have done so.

The Burton amendment adds a new English proficiency standard that conflicts with the Equal Educational Opportunity Act and other language provisions in current law. And the liberals on the other side of the aisle should think about that.

The Burton amendment misleads voters as to what Congress will require as a minimum standard for the admission of a State. Do we want to mislead the Puerto Rican people? If there is really a 10-year period before admission, why should the people of Puerto Rico know that they are voting on something which Congress will not accept?

And finally, my colleagues, the Miller-Burton amendment limits the President's ability to deal with the language issue and to protect English, which was recognized in the official English bill that passed this House overwhelmingly 2 years ago with bipartisan support.

If my colleagues understand the issue, they will come over here and vote down the Burton-Miller amendment and support the Solomon amendment, and then Puerto Rico will have a chance when the overwhelming majority of those people understand that English will be the official language and will not divide this country.

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

Mr. MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding me this time and commend the gentleman from Indiana (Mr. BURTON), the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. MILLER) for the bipartisan substitute they are offering to the Solomon amendment. I rise in support of the underlying legislation to grant self-determination to the people of Puerto Rico and in opposition to the Solomon amendment, and in support of this amendment.

English and Spanish are already the official languages of the Government of Puerto Rico and have been since 1902. English is taught in public schools from kindergarten through high school. And it is my understanding that 95 percent of Puerto Ricans who achieve education beyond high school are fluent in both languages.

I want to be clear to my colleagues and read directly from the Burton amendment: In the event that a referendum under this act results in approval of sovereignty leading to statehood, upon accession to statehood the official language requirements of the Federal Government would apply to Puerto Rico in the same manner and to the same extent as throughout the United States.

Let us support this amendment, which treats Puerto Rico the same as every other State, if Puerto Rico chooses to become a State. The Burton substitute also recognizes that it is in the best interest of the United States and Puerto Rico to promote the teaching of English and sets the goal of enabling students to achieve proficiency by the age of 10.

Mr. Chairman, my friend, the gentleman from New York (Mr. SOLOMON), whom I hold in the highest regard, is acting in a very unSolomon like mode with this amendment today. It is not wise and it is not fair. I urge my colleagues to oppose this amendment.

Mr. BURTON of Indiana. Mr. Chairman, I yield 1 minute to the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Resources and my great friend and colleague.

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

Mr. YOUNG of Alaska. Mr. Chairman, I rise in strong support of the substitute to the Solomon amendment.

For those that are listening to this great debate, in order to help the public know about what Congress has been doing about Puerto Rico for the past 4 years, all hearings, testimony, reports, amendments and the bill can be found on the Committee on Resources' home page at www.house.gov/resources/.

I have just read an editorial in the Washington Times that said there were no hearings on this legislation. We have spent 4 years having hearings and input from everybody participating in this legislation. To have a leading newspaper be that irresponsible is no call for true journalism in this great Nation of ours. Talk about propaganda. It is wrong when a leading newspaper can, in fact, promote something that is incorrect to the general public.

So remember, www.house.gov/resources/ to hear the history of how this came to the floor today.

Mr. MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Chairman, I thank the gentleman for yielding me this time.

When my grandfather first set foot in this country, he was a young man from Ukraine, and he did not speak a word of English. Not a single word. He came here for a better future. Like millions of immigrants before him and millions who have come after him, my grandfather set out to work. He got a job, he raised a family, and he learned the language. There was no law telling him that he had to learn English. There was no need for a law. He learned English because it was practical; because he wanted to.

My grandfather's story is not unique. In this country, a country built by immigrants from around the world, 95 percent of the people speak English. That is right, 95 percent, according to the latest census.

So I ask my colleagues, what is the purpose, what is the purpose of this English-only amendment and what benefits will it bring? Well, the answer is none. This amendment will only interfere with business, it will impede the efficient function of government, it will deny people their constitutional rights, and it could conceivably and possibly even endanger their lives.

What purpose is served if a public health worker, perhaps a doctor who is trying to stop the spread of a deadly disease, is only allowed to speak with people who know English? None. But that is what this amendment could lead to.

In fact, this English-only amendment could effectively prevent thousands of citizens, American citizens, from voting by denying them their rights under the Voting Rights Act. That is going too far.

This country is successful because millions of people, people from hundreds of countries, have chosen to throw in their lot together to build a common future. Our democracy thrives because it is built on a foundation of freedom.

Passing a law telling people what language they have to speak is akin to telling them what words they must say.

So in closing, Mr. Chairman, I urge my colleagues to vote for this substitute, the Miller-Young substitute, and against the Solomon amendment.

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

Just to set the record straight, most people around here can read bills. If they read the bill, they will know that the Solomon English language empowerment amendment only affects those things that the government does that are binding and enforceable. It does not affect things such as the information gathering operations of the

government such as the census forms and welfare forms. It does not do that. It does not affect public health issues or politicians campaigning in their district. It does not do that.

Mr. Chairman, I yield 4 minutes to the gentleman from Georgia (Mr. BARR), one of the constitutional lawyers in this body. He is an outstanding member of the Committee on the Judiciary.

Mr. BARR of Georgia. Mr. Chairman, I thank the gentleman from New York (Mr. SOLOMON) for yielding me this time.

Although I have not had the honor and pleasure of talking since 1983 with the gentleman from Indiana, I do know him as a man of great courage and honor and have enjoyed serving with him on his Committee on Government Reform and Oversight.

I know him to be a gentleman who is constantly waging battles against government mismanagement, against government waste, against government bureaucrats. I know him as a gentleman who inevitably and constantly is speaking the truth bluntly and does not suffer government bureaucrats and fools at all.

I must, therefore, express some surprise at the amendment that the gentleman from Indiana is offering and would respectfully urge my colleagues to vote against it.

There are such things as wolves in sheep's clothing. This is a sheep in sheep's clothing. If one looks behind the facade of the rhetoric here, flowery and lengthy as it is, one finds absolutely nothing, zero, zip, nada.

Not only is there nothing in this amendment in terms of requiring the English language in any way, shape, or form in Puerto Rico if it is admitted to statehood, but it actually, I believe, by its terms, would set us back. One has to read simply from page 2.

Additionally, in the event of a vote in favor of continued United States sovereignty leading to statehood, the transition plan required by this subsection shall include proposals and incentives to increase the opportunities of the people of Puerto Rico to expand their English proficiency in order to promote and facilitate communication with residents of all other States of the United States and the Federal Government, including teaching in English in public schools, awarding fellowships and scholarships, and providing grants to organizations located in various communities that have as a purpose the promotion of English language skills.

This will set up more bureaucrats. Who is going to monitor this? Where is the money going to come from for these proposals and incentives to increase the opportunities? We are going to be paying for it.

Mr. Chairman, this is a bad amendment. What we ought to do is have an up or down vote on the Solomon amendment. I believe it is a good, solid, and worthy, and constitutionally sound amendment that is not violative of any provisions in our Constitution, including the 10th amendment.

This amendment to the Solomon amendment offered by the gentleman from Indiana sounds good. It sounds nice. It sounds like there is substance there. But in reality, it is not there.

There is nothing here other than language that will get us involved in a morass of additional grants and money programs and bureaucrats trying to determine whether or not these monies are being spent to truly incentivize, as they say now days, to promote and facilitate communication, et cetera.

I urge our colleagues to look behind the fancy rhetoric here, to an empty amendment, to vote it down, and vote in favor of the Solomon amendment.

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

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

Mr. RODRIGUEZ. Mr. Chairman, I rise in support of this bipartisan substitute which brings some common sense and fairness to the debate.

No one doubts the importance of English for all Americans. It is our common language. I tell my students and my constituents back home that to succeed in this global economy, in this modern world, we must learn English, and not only learn, but master in English. English is the key for opportunity. This amendment allows this opportunity to provide that instruction and that training in English.

□ 1600

It would treat Puerto Rico in a just manner, as it would treat all the other existing States. I would like to remind all the Members in this House that the territories prior to being accepted, such as Hawaii, we also allowed them the opportunity to be able to keep their native language. When we dealt with the Territory of Oklahoma, we also recognized the Native Americans in that area. When we looked at New Mexico, we also took into consideration the Spanish in that particular community.

The Solomon amendment would prevent millions of Americans and would discriminate against a lot of individuals in Texas and others and in Puerto Rico itself. This is not fair. It is not right. I would ask that Members vote for this particular amendment. Mr. Chairman, in the age of increasing global competition, we should be nurturing some of our Nation's most valued treasures, our culture, our language and our skills, not curtailing them.

Mr. BURTON of Indiana. Mr. Chairman, I yield myself such time as I may consume. I would just like to say to my colleague from New York and my colleague from Georgia, my very good friends, if they will look on page 2 of my amendment, the second paragraph, it says, in section 4(a) in the referendum language for statehood, amend paragraph 7 to read as follows: ''Official English language requirements of the Federal Government apply in Puerto Rico to the same extent as Federal law requires throughout the United States.'' The law will be the same for Puerto Rico, the same English language law for Puerto Rico as it is for the rest of the United States.

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

Mr. SOLOMON. Mr. Chairman, I yield myself such time as I may consume. I would just point out to the gentleman from Indiana (Mr. BURTON), so does my amendment.

Mr. Chairman, I yield 3 minutes to the gentleman from Savannah, Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentleman from New York for yielding me this time.

Mr. Chairman, I rise in opposition to the Burton, Miller and company amendment. I think it is just a fig leaf designed to put us all in court and take away a lot of power from States. If Members are for English first as a language, as an issue, then they need to oppose it and they need to support Solomon.

It is not unusual for us to demand such things and try to amend bills and so forth to do what we want to. There is nothing unusual about it. Oklahoma and New Mexico were both required to have State constitutions providing that public school education be conducted in English. Arizona was required to guarantee that its executive and legislative officials could write, speak and understand English.

That is all the Solomon language is trying to do. Culturally it is trying to go a little bit beyond the language question. I think one of the things that has inspired the Solomon language is the situation with Quebec, north of our border. In 1995 Quebec had a vote and came very close to receiving a majority for independence. It was a vote of 49.4 percent, 10 percent higher than it had been 15 years earlier. It is very possible that in the future, Quebec will secede from Canada.

Is there any correlation between Puerto Rico and Quebec? Let us look at it. What do they have in common? Both had their own languages and cultures long before becoming part of English-speaking majority nations, should that happen. Both had populations in which the overwhelming majority speak a language different from that of the majority of the rest of the Nation, and both have political movements that focus on independence as the key to maintaining a separate culture and linguistic identity. Both have economic elites that speak English while the more economically disadvantaged citizens do not.

It is quite possible that if we look at the number, 82 percent of the people of Quebec are French speakers, 98 percent of the people of Puerto Rico are Spanish speakers. The strong cultural identity which we are all aware of in this

House, and the strong cultural identity that we want the good American citizens of Puerto Rico to maintain, is at risk here.

This is a statehood vote. This is not just let us see how you feel about it. This is starting the car and pulling it out in the driveway. You do not do that unless you are going to take a trip, Mr. Chairman. This is a statehood vote. It will radically change the culture in Puerto Rico and lead to a lot of division in the United States over it.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY of Massachusetts. Mr. Chairman, simply put, we ought not hold the issue of Puerto Rico's political status hostage to the question of making English the official language of all government functions across the United States. Mr. Chairman, if that happened a lot of us here in the Congress would be barred from speaking on the House floor. I have been accused of a lot of things in my career in politics, but speaking English has not always been one of them. I once remember hearing a colloquy between Jamie Whitten and Kika de la Garza on this House floor, and I could not understand a thing anybody said.

In fact, I heard the remarks of the gentleman from New York (Mr. SOLOMON) as he introduced his amendment and if I was not mistaken, he employed a foreign phrase from the language of a dead empire. Along with the gentleman from New York (Mr. SOLOMON), I believe deeply in the principle of ''e pluribus unum,'' out of many, one. But I think the gentleman from New York ought to be allowed to enunciate the principle in the original language. Whether it is Hawaiian or Cajun French, Polish or even Gallic, there are millions of Americans who speak languages other than English and there is no reason to reduce their first tongues to second-class linguistic citizenship.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 1 minute to the gentlewoman from the Virgin Islands (Ms. CHRISTIAN-GREEN).

Ms. CHRISTIAN-GREEN. Mr. Chairman, I rise in strong opposition to the Solomon amendment and in support of the Burton-Young-Miller-McCollum substitute. The Solomon amendment is patently unfair to the people of Puerto Rico and does not belong in this process of self-determination.

Mr. Chairman, the people of Puerto Rico have been loyal American citizens for more than 100 years. It is high time that they be given the opportunity to make a choice once and for all on what their political relationship will be. To allow the Solomon amendment to pass would pollute the current bill and its intent, causing possibly the entire process to be derailed.

We need to remain focused and clear. H.R. 856 is not supposed to be a statehood bill. There are actually 4 options. The people of Puerto Rico can choose any one. But if their choice is to become the 51st State of the Union, we should vote that choice on its merits.

We are a country noted for its rich cultural diversity. Let us not dishonor that history. Reject the Solomon amendment.

I urge my colleagues to support the Burton-Miller-Young-McCollum substitute and the right of the people of Puerto Rico to self-determination. I commend my colleagues for bringing this substitute to the floor.

Mr. SOLOMON. Mr. Chairman, I yield myself such time as I may consume. We can bring this to a head at any point now. I think it has been a very good debate. Certainly Members have stated their feelings.

I want to ask Members this question one more time: Will Congress have to begin conducting House and Senate floor proceedings in both Spanish and English? Will the CONGRESSIONAL RECORD, Federal Register and Uniform Commercial Code need to be printed in Spanish and English? The answer is it may be. Will a State of Puerto Rico be able to force other States to conduct their official business in a language other than English? The answer is very likely.

It will result in many lawsuits all across this country. I suppose if you are a lawyer or if you have got children who are entering the law profession, perhaps you ought to vote for this bill because you are certainly going to generate a lot of work for them.

Mr. Chairman, I could go on and on and on. But I am going to say one more time that if this amendment, the Solomon amendment, is defeated, or if it is watered down, anyone in this country can bring an action anywhere in the United States and could challenge Federal and individual State laws and declarations of English as the official language. No State would be able to protect its official English language.

Again, these are very, very important matters. I am going to just reiterate one more time the procedures that are going to take place. I have already said what would happen if the Solomon amendment is defeated or watered down. But if this bill becomes law without the Solomon amendment, within the next 9 months, before the end of 1998, we are ordering, demanding, requiring the island of Puerto Rico to conduct a plebiscite, and we are ordering, demanding and requiring them to do this until they finally vote for statehood. Mr. Chairman, that is absolutely wrong.

If we pass this bill and if the President signs it within over the next several weeks, that plebiscite will be held because it will be mandated by this Congress on the Puerto Rican people. Within 180 days after that, which takes us towards midyear of 1999, the President must give us his transition plan. Then written into this law in section 6 is a requirement that this Congress will have to vote on that within 120 days.

That, Mr. Chairman, is the turning point. It is the turning point when we no longer can deny Puerto Rico statehood, no matter what the percentage of approval is by the Puerto Rican people. Mr. Chairman, that is wrong. If we do not have the kind of overwhelming support that we had in Hawaii and that we had in Alaska, we are going to end up in a situation almost identical to what we have in Quebec, Canada today, and we cannot allow that to happen.

The one major issue that has held this country together for all these 200 years as a melting pot of all ethnic backgrounds throughout the entire world, it does not matter whether it is the Pacific, it does not matter whether it is Europe, wherever it is, it is the common language of English that has kept us together. That keeps our esprit de corps, it keeps our patriotism alive, because we all speak that one language. That is what is at stake on the voting on this amendment in a few minutes.

Mr. BARR of Georgia. Mr. Chairman, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Georgia.

Mr. BARR of Georgia. Mr. Chairman, I would like to point out and reiterate to the membership in voting on the Burton amendment the language previously cited by its author, that ''the official English language requirements of the Federal Government apply in Puerto Rico to the same extent as Federal law requires throughout the United States,'' does nothing but simply lock in the status quo. English is already required for Federal purposes in Puerto Rico. Yet notwithstanding that, the overwhelming majority of Puerto Ricans do not understand English, do not speak English. This language in the Burton amendment, which its author cites as a strengthening amendment, simply maintains the status quo. It goes no further and cannot go further by its terms.

I thank the gentleman from New York for yielding.

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

Mr. BURTON of Indiana. Mr. Chairman, I yield myself 1½ minutes.

Mr. SOLOMON. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Chairman, let me just say that I think the amendment, my substitute, the gentleman from California's substitute, solves the English language issue if you want to have it attached to this bill. But this bill is not about the English language, nor should it be. It is about whether or not the people of Puerto Rico have a right to let the Congress of the United States know if they want to be a State, a commonwealth or independent.

□ 1615

This English issue is a red herring that has been put into the bill to try to drive a stake through the heart of the bill to kill it. That is what they want to do. They want to kill the bill. It

should not even be here in here. We should be debating the English only issue in a separate piece of legislation as we have in the past.

This is a plebiscite bill to find out from the people of Puerto Rico what status they want. Do they want to be a State, do they want to be a commonwealth, or independent? If they want to be a State, for instance, it has to come back to the Congress and a process of about 8 or 10 years is going to take place before they become a State. So the Congress is going to make the final determination anyhow. This is a red herring.

The other thing I want to say is that I have great respect for my colleagues, but I think that every one of my colleagues who are opposing this bill, I hope every one of my colleagues who are sitting in their offices will focus on the main issue at hand today, and that is do people who are American citizens, and that is the people of Puerto Rico, do the people who are American citizens have the right to say, we want representation if we are going to be paying the price in wars and taxes and everything else for this country. Do they have that right? They should. They are American citizens.

Mr. SOLOMON. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Chairman, the gentleman is standing up and saying, ''JERRY SOLOMON brought this English debate into this bill.'' Here is the bill. It is not my bill. This is the committee bill. On page 10, line 1, section B, language, ''English shall be the common language of mutual understanding in the United States.'' It goes on for pages. I did not introduce this into the bill, you folks did.

Mr. BURTON of Indiana. Mr. Chairman, reclaiming my time, I would say to the gentleman from New York (Mr. SOLOMON), the reason we did was because we knew the gentleman as the chairman of the Committee on Rules was going to put this amendment into the process. That is why we did it, and the gentleman knows it.

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

With the Parliamentarians sitting up there I went to the Parliamentarians and said, I do not want to go beyond the germaneness of this bill. I will not do it. I will not use the power of our Committee on Rules to do that. I could have done it, Mr. Chairman, as the gentleman knows. Instead, we wrote an amendment germane to the bill. So I think the gentleman misspoke.

Mr. BURTON of Indiana. Mr. Chairman, if the gentleman will yield, I do not think I owe the gentleman an apology. First of all, the bill only authorizes that language, authorizes the English provisions in that bill. It does not mandate them, if the gentleman reads that.

Mr. SOLOMON. Mr. Chairman, reclaiming my time, nor does my amendment.

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

Mr. MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the coauthor, the sponsor of this amendment, the gentleman from Indiana (Mr. BURTON) has quite properly stated what this amendment is about. This amendment is about should at the end of this process the people of Puerto Rico decide to choose statehood as an option and a condition under which they want to live, the language in the Burton substitute says they will be treated the same as any other State. They will be treated the same as the citizens of Nebraska or California or New York or Florida or Louisiana or anywhere else.

If this Congress should decide that English is the official language of this country and wants to add a lot of requirements about that at some future date, if Puerto Rico is a State, Puerto Rico will live under those requirements the same as the citizens of any other State.

If Puerto Rico petitions to become a State, and we agree to that, and they vote for that and we vote for that, they are petitioning to become a State on coequal terms of every other citizen of every other State. The Solomon amendment goes beyond that. It goes beyond that to require, require, that the communications be only in English and people can only communicate with the Federal Government in English, far beyond what is required today in any law that we have.

So what we said was not knowing yet what the people of Puerto Rico will determine, let us just level the playing field, so, again, this debate cannot be used, because in the politics of the campaign, statehood versus commonwealth versus independence, people want to argue you are going to lose your right to speak Spanish, you are going to be forced to speak only English, you are not going to have citizenship. This campaign gets way out of control. So we tried to put language here which is very simple. You will be treated, should you vote for statehood, the same as any other citizen in any other State, period, with respect to the requirements of the English language of the Federal Government.

That is fair, and I think it is proper, when people are going to engage in a historical vote about their status from that point forward.

That is what this committee owed them, that is what this Congress owes them, and the Burton amendment allows that to happen. It simply levels out the playing field with respect to English. They will know that they will not be discriminated against because they speak Spanish; they will not be burdened because they do not have full compliance with English. They will simply be treated the same as all other American citizens.

Many people have risen on this floor today to testify as to the contributions the Puerto Rican people, the citizens of this country, have made to the growth of this country in every aspect of our history. All we are saying to those people is, you will be treated the same as everyone else who has made that contribution. And when you make the decision to choose statehood or commonwealth, you will know that the playing field is level here.

That is what the Burton amendment accomplishes. That is not what the Solomon amendment does. The Solomon amendment puts a series of conditions beyond that level playing field, that in the text of his amendment apply only to Puerto Rico and only to those communications between the citizens of Puerto Rico and the government. That we should reject.

If later we want to do that, and Mr. CUNNINGHAM indicated that maybe the English as an official language bill will come back, if that prevails and passes and is signed into law, that will be the law of the land with respect to the people in Puerto Rico and the people in California. But we should not be trying to guide that determination here, because this is about a plebiscite, and this is about what people can expect to happen and not happen should they choose one of the three alternatives outlined in the legislation.

This committee worked very hard. Mr. YOUNG held a whole series of hearings in Puerto Rico and here to try and determine the fairest way to present these three options. We ought not now try to put our thumb on one side of the scale one way or the other with respect to the outcome of that vote.

The people of Puerto Rico ought to be able to make their choice in this plebiscite about their status, and then it will be incumbent upon the Congress to either accept or reject that or to condition that. But we will then know what the choice of the people of Puerto Rico is.

Mr. Chairman, I believe the Burton amendment maintains the integrity of this process so that we will know when that vote is taken, that we have provided free and fair options with respect to the status for the people of Puerto Rico to choose.

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

Mr. BURTON of Indiana. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

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

Mr. GREEN. Mr. Chairman, I thank the gentleman from Indiana for yielding me time.

I would also thank the gentleman from Indiana (Mr. BURTON), the gentleman from California (Mr. MILLER), the gentleman from Florida (Mr. MCCOLLUM) and the gentleman from Alaska (Mr. YOUNG) for bringing not only the bill, but this amendment here, because this is what is going to bring us together, I hope.

Mr. Chairman, I would say to the gentleman from New York (Mr. SOLOMON), I understand that English language does bring us together, but we have more in common than just our language. As a Nation we are held together by love of liberty and freedom, no matter what language we speak and no matter how we speak English, because we speak English in different ways, from Texas to Maine, to Boston to Florida and everywhere else. But that is what this amendment talks about.

Let me read the language for the Members who are maybe watching in their offices. ''The official language requirements of the Federal Government shall apply to Puerto Rico in the same manner as and the same extent as throughout the United States.''

If the citizens of Puerto Rico make a decision for statehood, they will come in on the same level as the citizens of Texas. You can come to Texas and speak Spanish, you can come and speak English; but if you go into a courtroom, you are going to speak English or have a translator.

They could speak whatever language they want, because that is the freedom we enjoy. I have people in Texas who are proud to be German and speak German, but when they go to court they have to have an English translation.

Mr. Chairman, I urge support for the Burton amendment.

Mr. BURTON of Indiana. Mr. Chairman, I yield the balance of my time to the gentleman from Rhode Island (Mr. KENNEDY).

The CHAIRMAN. The gentleman from Rhode Island is recognized for 30 seconds.

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

Mr. Chairman, ultimately this is a political football. The Solomon amendment is meant to kill this bill. To think that we are asking the Puerto Rican people to be forced to speak English. I would ask the gentleman from New York (Mr. SOLOMON), how often did we ask the 200,000 Puerto Ricans who served in our Nation's military and were putting their lives on the line in defense of this liberty how well they spoke English? And why is it right for us now to say they have to speak English? When they were good enough to die for this country, they were good enough to serve for this country, now we are going to impose the English language on them, when it was never the case when it happened to come to them serving in our Nation's military.

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

Mr. Chairman, I am going to try to hold myself down a little bit after the remarks from my friend, the gentleman from Rhode Island (Mr. KENNEDY) over there. It seems like he and I always get into it about this time. I will just tell my good friend that I helped teach the Puerto Ricans in the military how to speak English, and I am very proud of it.

We are going to close this out, and it has been a good debate, up until the last couple of speakers. The Solomon amendment does nothing different than what we have done for Oklahoma, for Louisiana, for New Mexico and for Arizona. But now it becomes even more important, because I will state once again that if the Solomon amendment is defeated, if the Burton amendment allows the Solomon amendment to be watered down, we are going to jeopardize the future of this democracy of ours, because it means that Puerto Rico could possibly be brought in within the next 24 months into this Union with only a very, very small majority of people wanting citizenship. We should never, never let that happen. As we did with Hawaii, as we did with Alaska, we should always have overwhelming support, not only of those areas that want to come into the United States, but also of the American people.

The polls show that the American people are opposed to this legislation in its present form. It shows that the Puerto Rican people in the last plebiscite were opposed to statehood, and we should clear these up before this matter ever becomes law. But, just as a safeguard, we ought to pass the Solomon amendment.

Mr. Chairman, let me say in closing that the Solomon amendment has the support of U.S. English, it has the support of English First, it has support of the English Language Advocates, it has support of the Center for Equal Opportunity. All grassroots English groups in this country support the Solomon amendment and oppose the watering down of the amendment, whether it be by MILLER-BURTON or by anyone else. So I urge support of the Solomon amendment and defeat of the Miller-Burton amendment.

Mr. TOWNS. Mr. Chairman, I rise today to express my vehement opposition to H.R. 856, the United States-Puerto Rico Political Status Act, and to the English-only language amendment offered by the gentleman from New York.

At the outset, I want to extend my full support to my fellow colleagues, NYDIA VELÁZQUEZ (D–NY) and JOSE SERRANO (D–NY), in their efforts to ensure that the people of Puerto Rico have a ''voice'' in this process. As Congresswoman VELÁZQUEZ stated earlier today, ''Why don't we let Puerto Rico decide what's best for Puerto Rico.''

For close to one hundred years, Puerto Rico has been a Commonwealth of the United States. Puerto Rican citizens have abided by the laws of the United States; they have participated in defending the United States in various wars; and even joined the military during peaceful times. Both English and Spanish are the official languages of Puerto Rico. They clearly are an integral part of our representative government. We should take extreme caution and listen to their concerns.

Moreover, we should not, as some of our colleagues are trying to do, force them to abide by a stringent English-only language requirement. How can we force such an arbitrary requirement on the citizens of Puerto Rico when none exists for any of the 50 states? As the bridge to Latin America, already over 85% of Puerto Ricans are fluent in both English and Spanish. Further, the United States does not have an official language law, and we should not start by imposing one on a geographic area as diverse as Puerto Rico. For over four hundred years, our country has been a ''melting pot'' for people of all racial and ethnic backgrounds. In fact, we pride ourselves on this unique aspect of our history. We are a nation founded on the principles of freedom and equality for all.

Mr. Chairman, I hope that my colleagues will remember these principles and support the right of self-determination for the citizens of Puerto Rico.

Mr. ORTIZ. Mr. Chairman, I rise today to oppose the English-only provisions being offered to this bill to define the political status of Puerto Rico.

I have consistently opposed English-only provisions to bills that have been before the House and do so again today. While I understand my friends who advocate these changes, we simply disagree. As the representative of a border district—as a man who has grown up speaking two languages every day of my life—I understand the dynamics of this proposal.

People on one side see the English language as the defining and unifying element of the United States. Those who believe as I do, that the English language is the most important element of economic development in our country, also realize that it is the democratic institutions and history of the United States that define us as a country and a community.

This policy, while well intentional, will make some untenable changes. It will rescind the use of bilingual education, a valuable program to children of new immigrants. It will prohibit the use of bilingual voting materials and ballots. In a democracy, su voto es su voz—your vote is your voice. We would be stifling a deep democratic tradition if we kept voting and balloting information out of the hands of those who speak a language other than English.

Probably the most insidious thing an English-only policy would do would prohibit the use of dual language public health notices. Now, it has been our experience in South Texas that health care knows no single language, and it has been our experience that diseases know no border. This would be a profoundly bad idea, and it would only hurt everyone, not just those who do not speak English.

I would like to associate myself with the remarks of my friend CHET EDWARDS who said that we need to teach English, not preach it. Spanish is the language of commerce in most countries of the Americas. The Spanish-speaking countries are the largest potential market for U.S. goods—we must not let the opportunity to sell them our products go by. Our schools, and this government, must learn the language of world commerce—which is primarily English, but is also increasingly Spanish.

Let us not take a bad idea and make it worse. Please join me in opposing the English only provisions of this bill.

Mr. GILMAN. Mr. Chairman, I rise in support of the Burton-McCollum-Young substitute to the Solomon English amendment to H.R. 856.

Under this amendment, the English language would be immediately fostered in Puerto Rico—unlike the Solomon amendment, which applies the English language requirements only if the U.S. citizens of Puerto Rico choose to become a State. The Burton substitute would allow all students to be proficient in the English language by age 10.

Please join me in supporting the Burton substitute to the Solomon English amendment. This bipartisan substitute provides an impartial and equitable alternative.

Ms. JACKSON-LEE of Texas. I rise in opposition to the amendment to HR 856, offered by Representative SOLOMON, requiring English to be the official language of all government functions across the entire United States and support the substitute amendment offered by Representatives BURTON, MILLER, and YOUNG, which would treat Puerto Rico the same as every other state; which recognizes the primary role of English in our national affairs; and which would not preclude the use of other languages in government functions when appropriate.

As a member of the House Judiciary Committee, it comes as no surprise to me that yet again the proponents of the English-only movement are attempting to divide this country with English-only legislation.

While we in this country do not always agree, we share a common set of democratic ideals and values—a commitment to freedom, equality, tolerance and opportunity. This is what holds us together—not language.

On the same principle, I want to make my position clear that there is no place for English-only legislation in this country. English-only is nothing more than a political tactic. Why else would we be seeking to implement English-only policies when 95 percent of the U.S. population already speaks English?

What the Solomon amendment really does is effectively to disenfranchise a large population of citizens for the purely political reason that they traditionally vote Democratic rather than Republican.

Specific to this bill, the real fear of the Republicans is that in the event that Puerto Rico joins the Union as a state, the majority of the voting population may turn out voting Democratic. Puerto Ricans see through this veiled political attempt. So do current registered voters.

English-only alienates ordinary citizens. Let's face the reality of the 21st century—we live in a multicultural and multilingual society, and this is America's strength. We are a proud nation of immigrants. Many immigrants recently have become citizens, and embrace the opportunity which many were deprived in their native country to vote.

Many immigrants also are learning English faster than ever, as indicated by increased enrollment in English classes. By abolishing bilingual ballots, the English-only measure seeks to undermine standing law—the Voting Rights Act of 1965—and to frustrate the participation of U.S. citizens in the political process.

We need to keep out English-only legislation and retain bilingual voting materials not only to allow voters to engage meaningfully in our democracy, but also to permit voters to participate on an informed basis. They need to know who is running for office and also to understand more complex voting issues such as constitutional amendments.

Republicans may misguide the American people with the argument that empowering voters with bilingual assistance costs tax dollars. Nothing could be farther from the truth. Studies show that the cost of bilingual assistance for voting is either nominal or causes no additional costs. A GAO report shows that of 295 responding jurisdictions, written assistance costs less than 8 percent of election expenditures and it estimates that costs 18 states nothing. Oral language assistance is even less burdensome.

As important as voting, ordinary citizens need access to our government. We do not want to cripple government with English-only mandates, lest the police, 911 operators and Emergency Medical Service technicians would be unable to do their jobs in life threatening situations involving an individual with little fluency in English.

Conversely, the government needs to continue to provide services to ordinary citizens. Restricting the ability of agencies to dispense information to the public in a language other than English would undermine important government functions such as collecting taxes, informing citizens of their fundamental rights, promoting equal educational opportunity and public health and safety, and ensuring due process under the law.

English-only isolates the U.S. from the rest of the world. Similar to the evolving society in which we live, our world is also changing. We live in a global economy, requiring Americans to be more cognizant of the language, the cultural norms and sensitivities and business practices of our international trading partners. The time calls for us to adapt—which does not mean imposing that our government functions in one language—English only.

The majority of federal documents are already in English. According to the General Accounting Office, only 0.06 percent of federal documents are printed in non-English languages. Rather than restrict the use of non-English languages, we should be expanding our fluency in several different languages. Thirty-two million Americans speak a second language. They are competitive with the rest of the world.

I urge my colleagues to vote against the Solomon amendment, and resist this latest attempt to divide our country, and weaken its position globally and vote in favor of the substitute to the Solomon amendment offered by Representatives BURTON, MILLER, and YOUNG.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ), to the amendment offered by the gentleman from New York (Mr. SOLOMON).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. GUTIERREZ. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. SOLOMON. Mr. Chairman, I understood that we were going to try to reduce the second vote down to 5 minutes. How do we do that? How do we propound a recorded vote at this time?

The CHAIRMAN. The Chair has the authority to do it. Pursuant to the rules, the Chair will announce the subsequent two votes (if ordered) will be 5 minute votes.

Mr. GUTIERREZ. Mr. Chairman, before we vote, there have been some pretty scandalous things occurring.

The CHAIRMAN. A recorded vote is ordered. The gentleman from Illinois is out of order.

Mr. GUTIERREZ. If the Chairman will, please, I do have a very good point. This is very serious. We are violating the rules of the House, Mr. Chairman. This is being handed out against our rules.

The CHAIRMAN. Does the gentleman have a parliamentary inquiry?

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. GUTIERREZ. Mr. Chairman, can this be handed out to Members of the House of Representatives as they are walking in here, to ask people to vote yes or no on different amendments as they walk in here, without having the letterhead of the U.S. Congress and without it being signed by some Member of Congress?

The CHAIRMAN. Handouts handed out to the membership must indicate who authorized them.

Mr. GUTIERREZ. Mr. Chairman, then I bring to the attention of the Chair that this is being handed out amongst us without signature, without the letterhead, not in accordance with our rules, and I would ask that the Chair protect in any way possible the integrity of the rules of the House.

The CHAIRMAN. The Chair will do everything possible so that the rules of the House are adhered to and complied with.

Pursuant to clause 2(c) of rule XXIII, the Chair may reduce to not less than 5 minutes the time for any recorded vote, if ordered, on the Burton substitute amendment to the Solomon amendment or on the Solomon amendment without intervening business or debate.

The vote was taken by electronic device, and there were—ayes 13, noes 406, answered ''present'' 1, not voting 10, as follows:

[Roll No. 28]

AYES—13

Conyers	Meeks (NY)	Serrano
Davis (IL)	Owens	Towns
Gutierrez	Pastor	Velazquez
Kennedy (MA)	Payne	
McKinney	Rush	

NOES—406

Abercrombie	Baker	Bass
Ackerman	Baldacci	Bateman
Aderholt	Ballenger	Becerra
Allen	Barcia	Bentsen
Andrews	Barr	Bereuter
Archer	Barrett (NE)	Berman
Armey	Barrett (WI)	Berry
Bachus	Bartlett	Bilbray
Baesler	Barton	Bilirakis

Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
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
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Waters

NOT VOTING—10

Doolittle
Gonzalez
Harman
Kilpatrick
Luther
Poshard
Schiff
Schumer
Shimkus
Torres

□ 1651

Messrs. JACKSON of Illinois, BECERRA, SMITH of Texas, SMITH of Michigan, MALONEY of Connecticut, BATEMAN, and RANGEL changed their vote from ''aye'' to ''no.''

Ms. MCKINNEY and Messrs. OWENS, KENNEDY of Massachusetts, and CONYERS changed their vote from ''no'' to ''aye.''

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. BURTON) as a substitute for the amendment offered by the gentleman from New York (Mr. SOLOMON).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SOLOMON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to the Chair's prior announcement, this will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 182, not voting 10, as follows:

[Roll No. 29]

AYES—238

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Ballenger
Barcia
Barrett (WI)
Barton
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Burton
Buyer
Camp
Campbell
Cannon
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Cook
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fox
Frank (MA)
Frost
Furse
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gordon
Granger
Green
Greenwood
Hall (OH)
Hamilton
Hansen
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
Kleczka
Klink
Klug
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHale
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pombo
Pomeroy
Portman
Price (NC)
Rahall
Rangel
Redmond
Reyes
Riggs
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scott
Serrano
Shaw
Sherman
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson
Thornberry
Thurman
Tierney
Turner
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates
Young (AK)

NOES—182

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Brady
Bryant
Bunning
Burr
Callahan
Calvert
Canady
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Conyers
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Dickey
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fawell
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Ganske
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Gutierrez
Gutknecht
Hall (TX)
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
King (NY)
Kingston
Knollenberg
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski

Livingston
LoBiondo
Lucas
Manzullo
McCrery
McDade
McHugh
McIntosh
Menendez
Metcalf
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Porter
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryun
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shays
Shuster
Sisisky
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Taylor (NC)
Thomas
Thune
Tiahrt
Towns
Traficant
Upton
Velazquez
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NOT VOTING—10

Doolittle
Gonzalez
Harman
Kilpatrick
Luther
Poshard
Schiff
Schumer
Shimkus
Torres

□ 1701

Messrs. BOB SCHAFFER of Colorado, HASTERT, BAESLER, ROGAN, and HALL of Texas changed their vote from ''aye'' to ''no.''

Mrs. KELLY and Mr. SMITH of New Jersey changed their vote from ''no'' to ''aye.''

So the amendment offered as a substitute for the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. SOLOMON), as amended.

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SOLOMON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to the Chair's prior announcement, this will be a 5-minute vote.

PARLIAMENTARY INQUIRY

Mr. ROMERO-BARCELÓ (during the vote). Mr. Chairman, I have a parliamentary inquiry. I was standing here, and the Chairman did not see me.

The CHAIRMAN. The gentleman will state it.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I have to explain to everyone what this second vote is. There is confusion in the hall as to what this second vote is.

The CHAIRMAN. The Chair has explained to the Members what this vote is.

The vote was taken by electronic device, and there were—ayes 265, noes 153, not voting 12, as follows:

[Roll No. 30]

AYES—265

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Barton
Becerra
Bentsen
Bereuter
Berry
Bishop
Blagojevich
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Burton
Buyer
Camp
Campbell
Canady
Cannon
Cardin
Carson
Castle
Christensen
Clay
Clayton
Clement
Clyburn
Condit
Cook
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fox
Frank (MA)
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gordon
Granger
Green
Greenwood
Hall (OH)
Hamilton
Hansen
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lofgren
Lowey
Lucas
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pombo
Pomeroy
Portman
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Redmond
Reyes
Riggs
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer, Bob
Serrano
Shaw
Sherman
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson
Thornberry
Thurman
Tierney
Turner
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOES—153

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Barr
Bartlett
Bass
Bateman
Bilbray
Bilirakis
Bliley
Blumenauer
Blunt
Boehner
Brady
Bryant
Bunning
Burr
Callahan
Calvert
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Conyers
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Dickey
Dreier
Dunn
Emerson
Everett
Fawell
Fowler
Franks (NJ)
Frelinghuysen
Ganske
Goode
Goodlatte
Goodling
Goss
Graham
Gutierrez
Gutknecht
Hall (TX)
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hutchinson
Hyde
Inglis
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kingston
Knollenberg
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Manzullo
McIntosh
Menendez
Metcalf
Miller (FL)
Myrick
Nethercutt
Neumann
Ney
Norwood
Packard
Pappas
Parker
Paul
Paxon
Petri
Pickett
Pitts
Porter
Pryce (OH)
Radanovich
Regula
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Salmon
Sanford
Scarborough
Schaefer, Dan
Scott
Sensenbrenner
Sessions
Shadegg
Shays
Shuster
Sisisky
Smith (MI)
Smith (OR)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Taylor (NC)
Thune
Tiahrt
Towns
Traficant
Upton
Velazquez
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf

NOT VOTING—12

Berman
Doolittle
Furse
Gonzalez
Harman
Kilpatrick
Luther
Poshard
Schiff
Schumer
Shimkus
Torres

□ 1711

Mr. SALMON, Mr. COOKSEY, and Ms. DUNN changed their vote from ''aye'' to ''no.''

Mr. PASCRELL and Mr. BERRY changed their vote from ''no'' to ''aye.''

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

The SPEAKER pro tempore (Mr. HASTERT), assumed the Chair.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

UNITED STATES-PUERTO RICO POLITICAL STATUS ACT

The Committee resumed its sitting.

□ 1715

Mr. SERRANO. Mr. Chairman, it is my intention to offer amendment number 2 that was printed in the RECORD at this time.

The CHAIRMAN. It is now in order to debate the subject matter of the amendment by the gentleman from New York (Mr. SERRANO). The gentleman from New York (Mr. SERRANO) and a Member opposed each will control 15 minutes.

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

Mr. GUTIERREZ. Mr. Chairman, I would like to claim the 15 minutes in opposition.

PARLIAMENTARY INQUIRIES

Mr. ROMERO-BARCELÓ. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. ROMERO-BARCELÓ. Mr. Chairman, would a member of the committee, would he have an opportunity to be the first recognized in opposition, too?

Would a member of the committee that is sponsoring this bill, would I not be entitled to be recognized in opposition, too, to control the time?

The CHAIRMAN. The gentleman is correct; the priority of recognition would grant to the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) recognition previous to the gentleman from Illinois (Mr. GUTIERREZ).

Mr. ROMERO-BARCELÓ. I would like to be recognized in opposition, Mr. Chairman.

The CHAIRMAN. So the gentleman is claiming the time in opposition?

Mr. ROMERO-BARCELÓ. That is correct.

Mr. SOLOMON. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SOLOMON. Mr. Chairman, no one on this side of the aisle is going to have any time on this amendment, and I would like to ask the gentleman if he would yield me half of his time in opposition.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I ask unanimous consent to yield half of my time to the gentleman from New York (Mr. SOLOMON) in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from Puerto Rico?

There was no objection.

PARLIAMENTARY INQUIRY

Mr. GUTIERREZ. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GUTIERREZ. Mr. Chairman, I want to make sure how this all works. I understand that the gentleman from New York has an amendment and I also have an amendment to his amendment. When does that happen in terms of the procedure here today?

The CHAIRMAN. The subject matter of the amendment offered by the gentleman from New York (Mr. SERRANO) is going to be generally debated now for 30 minutes. After that time the gentleman from New York will offer his amendment, and then the amendment of the gentleman from Illinois (Mr. GUTIERREZ) may be offered to the amendment of the gentleman from New York, if the gentleman from Illinois would have one.

Mr. GUTIERREZ. And in order for me to offer an amendment to the amendment, I would need to get someone who controls time within that 30 minutes or I would never be able to offer it? And I am sorry, Mr. Chairman.

The CHAIRMAN. No. If the gentleman offers a substitute amendment at that time, debate on that substitute amendment would be under the 5-minute rule.

Mr. GUTIERREZ. So I would get my own 5 minutes? So it is my understanding, and I thank the Chairman for his indulgence, and excuse my lack of knowledge of the procedures here.

I want to make sure, because what I would like to do is make sure that the gentleman from New York can have his amendment. I just want to make sure that at some point, because of the half hour, I either get to introduce this as an amendment or as a substitute and that that will be guaranteed by the House that I can do that.

The CHAIRMAN. The gentleman will be able to propose his substitute or perfecting amendment if offered within the one hour of permitted consideration.

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

Mr. Chairman, the amendment that I present today, amendment number 2, would provide for American citizens born in Puerto Rico, who reside outside the island, to participate in this vote.

Let me, as I begin, Mr. Chairman, note that this amendment has been agreed to by the chairman of the committee and chief sponsor of the bill, the gentleman from Alaska (Mr. YOUNG), and he will speak to this issue in a few minutes.

The gentleman from Alaska supports our amendment because he feels that it is a fair amendment that speaks to a legitimate issue. Mr. Chairman, those of us born on the island of Puerto Rico, and indeed all Puerto Ricans, feel very much a part of the island of Puerto Rico regardless of where we are living. Regardless of where we find ourselves, we very much feel a part of the island and, therefore, we feel very much that any vote taken in Puerto Rico on the political status of the island should include us.

Let me be clear that this bill does not say, nor do I believe, that I should be involved in electing the Governor of Puerto Rico or the mayor of my hometown of Mayaguez or anything like that. This bill comes about because many of us understand the fact that the relationship between the U.S. and Puerto Rico created certain situations throughout our history which made a lot of us, either through our parents or as adults, leave the island. We left the island physically but we never did leave the island in many other aspects. In addition, so many of us travel back and forth to the island that the union between the two places or the two communities has remained one.

My original amendment, Mr. Chairman, included not only those born on the island, but included the children of at least one parent born on the island who were born anywhere outside the island. That amendment, in all honesty, had about six votes. And since I can count a little better than that, I began to deal with that issue. It was based on the fact that we removed that part from the amendment that the gentleman from Alaska, the author of the bill, agreed to the amendment. This then allows thousands of Puerto Ricans who live throughout the 50 States to vote in the plebiscite.

Now, in addition, Mr. Chairman, there is precedence throughout the world, in different votes that have been taken, for this kind of involvement. This is not a new idea. What I do want my colleagues to understand is that if we face this vote, and I know this is going to sound funny, thinking in terms of States, the idea of one person living in one State voting in another State, we would never agree to this. But this is not about voting in another State, this is about the future of a territory, of a colony.

And when that future is decided forever, and statehood is forever, and independence is forever, and an associated republic is forever, and those three could be the options that come in at the end, then all of the children of the territory, all of the children of the colony, should be allowed to vote.

I want to close with this. I want to thank the chairman of this committee not only for the bill but for consenting to my amendment, and I would implore Members on both sides to take his lead in accepting an amendment that has been around 8 years. I may be the only Member of the House who had an amendment before there was a bill, and now there is a bill to attach the amendment to.

This is a good amendment, it maximizes the number of people who will participate and, in my opinion, makes this plebiscite truly an American plebiscite because it includes more than just the people who live on the island.

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

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

Mr. Chairman, I rise in opposition to this amendment very, very reluctantly. Very reluctantly because my fellow Member, the gentleman from New York (Mr. SERRANO), has been a very great supporter of our H.R. 856, our bill for U.S.-Puerto Rico political status, and I feel very grateful for everything he has done.

I know the gentleman does this because he believes in it, otherwise he would not do it. I know he believes in this very, very dearly. I stand up almost regretfully to oppose it, but I must oppose it because I am convinced that were this to pass, we are including an element into the result of the elections that could really create a serious situation.

If Puerto Ricans were to vote in Puerto Rico, which is as it always has been, and we have had two plebiscites and the referendum for the approval of the Constitution, and in none of them the Puerto Ricans who reside in the mainland have been allowed to vote. The rule that residents control, you have to be a U.S. citizen and a resident of Puerto Rico has always controlled all elections and all referenda in Puerto Rico.

To change this, the majority that voted here in the mainland who do not reside in Puerto Rico and who are not going to receive the favorable or negative impact of that vote will then impose their will on the people of Puerto Rico.

I think this is for the people of Puerto Rico who live in Puerto Rico to decide and not for those brothers and sisters of ours that have moved to the mainland.

Many times, as the gentleman from New York (Mr. SERRANO) says, it was against their will. Economic conditions forced them to move. So be it. But they have moved. People like the gentleman from New York (Mr. SERRANO) have their families here. Their children were born here. Eventually they might go visit Puerto Rico, but they are going to stay here forever, for the rest of their lives. They are not planning to go back to Puerto Rico.

So I repeat again that the results of the vote, whether good or bad, will affect directly the people that live in Puerto Rico. It will affect emotionally those that live here in the mainland. But just the fact that we have an emotional attachment and a feeling emotionally about the results is not a sufficient right to vote and create something that is of impact to the people of Puerto Rico.

One example, the gentlewoman from New York (Ms. VELÁZQUEZ) is against this bill. And she does not want the Puerto Ricans to vote and have the opportunity to vote on this bill. Yet, if she were to vote, she would be voting against statehood. She would be depriving the people of Puerto Rico the right to vote and the right to representation. But she has that right to vote, and she has that right to representation. We do not have that.

Someone that has that right, how can they be voting in an event to deprive those citizens that do not have that right and looking for that right? I think this is something that would create a confusion. It would create unfairness and an injustice to the people of Puerto Rico. I must oppose this bill.

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

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

Ms. VELÁZQUEZ. Mr. Chairman, I want to make a clarification. It is important for Puerto Ricans in the mainland to participate, because, in fact, Puerto Ricans in the United States, they go back and forth to Puerto Rico. But there are many Puerto Ricans here who have suffered political persecution in Puerto Rico, and they are in the United States because of the political environment in Puerto Rico.

In fact, when I was a professor at the University of Puerto Rico, I was politically persecuted. I decided to leave the island. I should have the right. This is not any State election. This is a unique and special election on the future and the political destiny of Puerto Rico. Of course I should have the right to have a say in that determination.

Mr. SERRANO. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, the gentleman from Puerto Rico says we are not effected. The fact of life is my 40 years in this country have been affected by the relationship between Puerto Rico and the United States.

Secondly, the gentleman understands that his citizenship and mine are statutory. This vote may change that relationship. My child's citizenship is constitutional. I have a stake as to what decision is made on the island because I may be affected in the future.

Mr. Chairman, I yield 3 minutes to the gentleman from Alaska (Mr. YOUNG), my leader on this issue.

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

Mr. YOUNG of Alaska. Mr. Chairman, I rise in support of this amendment, and I do so reluctantly, although my good friend, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ), and I have been working very close.

But I thought about this after the gentleman from New York (Mr. SERRANO) testified before the committee, and I tried to put myself in place of a young man or young woman who had to, either for economical reasons or other reasons, had to go to the United States, because they are citizens now by statute, had to go to the United States to get employment and to work.

□ 1730

This is a very serious system where we may set forth here an independent nation. I would like to know, I would like to participate, because I am still a citizen of Puerto Rico although I have gone to the United States. I would like to know if it becomes a State then everything is equal, or it remains the original commonwealth that it is now.

But more than that we have to understand, these persons have a role to play because they were born on the island. They were born on the island. Keep that in mind. They had not left the island other than for economic reasons or for family, but they were born on the island.

I will not support grandchildren, aunts, uncles and all the rest of them because they are citizens of the United States, because they were born here, in the United States. But I think it is imperative that we allow that individual who for some reason had to leave the island, as beautiful as it is, and now he is being asked to not make a decision, not participate in a decision that will affect his or her life.

After many hours of debate and discussion with myself, and that sometimes gets awful boring, I decided in favor of the Serrano amendment. I want to compliment him for offering it. I am going to urge the gentleman from Puerto Rico who has been the horse in this whole program to be very careful in what he offers, and if he offers something, to please not ask for a vote on it. Because what will happen in the long run, people are going to be tired, and we never know what might happen.

Let us say we do what is correct for the Puerto Rican people today. Although we can voice our opinion, let us keep this to the minimum of mechanical efforts to make sure this bill comes to fruition and a vote tonight.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield myself such time as I may consume. I take the advice of the chairman of our committee very seriously. I will consider it very, very, very seriously.

I want to again repeat that it hurts me very much really to take any kind of opposite position to the gentleman from New York (Mr. SERRANO), my colleague here on this issue. I know how deeply he feels about it. But as deeply as he feels about it, I also feel deeply about the fact that in Puerto Rico, the people who are going to be voting would not like to see the results of their vote affected by the vote that is taken outside of Puerto Rico, by people that even though they were born in Puerto Rico, reside somewhere else, they have a right to vote, and are residing there and are going to die there and probably live there for the rest of their lives. Whatever happens in Puerto Rico is going to, yes, affect them directly, there is no doubt about it.

But I want to clarify something for the record. The fact is that the gentleman from New York (Mr. SERRANO) has a statutory citizenship, the same as I have, that we are citizens because in 1917 a law was passed that said all persons born in Puerto Rico shall be citizens of the United States. But the results of the plebiscite or the referendum will not affect his citizenship or my citizenship. It will not affect the citizenship of any of those that are born, only of those that are born after the status change occurs.

If Puerto Rico opts for statehood, once Puerto Rico becomes a State, then those that are born in Puerto Rico as a State will be constitutional citizens because its constitution says that only those that are born in the State shall be citizens and also those that are naturalized. It does not talk about anything else. Then we are citizens because the law provides us citizenship.

That is why in the definition of commonwealth in the bill we say that the citizenship is statutory under commonwealth. That means that the Congress

may in the future if it feels like it say from this day on, or from the future day on, those born in Puerto Rico shall no longer be citizens. They can do that if we are a commonwealth. They cannot do that if we are a State. That is why I say the citizenship is statutory.

Also, the citizenship of the children in Puerto Rico will not be constitutional until Puerto Rico becomes a State. Our citizenship will remain the same. The citizenship of his children will remain the same.

Even to be more clear to the people of Puerto Rico, we are not pushing this or misguiding anybody. When we said that citizenship is statutory, we also added a statement that says that it is the policy of Congress to keep granting citizenship to people born in Puerto Rico under commonwealth. That is specified in the bill. When people talk about the unfairness of the bill, no, no, the definition of commonwealth is about as fair as it can be, the only thing, it is true. How can a territory be better than a State?

That is why they are at a disadvantage. Because when people read the definition of commonwealth as what it is, a territory, they realize that there are much more advantages to statehood, even though those in the territory do not pay Federal income taxes and will not be paying Federal income taxes as long as Puerto Rico is a territory. But we also want to assume our responsibility and pay our share. We now have a commonwealth which is a welfare commonwealth, a welfare territory, because we are not contributing and not paying our share.

As a State Puerto Rico not only would pay their share but we would be paying over $4.5 billion in taxes if we were a State right now. The additional cost at this point in time would be about $3.1 billion, a net benefit of about $1.4 billion to the Treasury of the United States.

So all of these things that have been flying around against Puerto Rico, against Puerto Rico being a State, all of them are misguided. They are half-truths, some of them, some are completely erroneous, some are completely false. I beseech everybody here on this amendment to, yes, we will have to listen to Serrano, but please let us vote against it.

Mr. SOLOMON. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. Mr. Chairman, I think this is a very enlightening and interesting debate, because as so eloquently has been stated by the chairman of the Committee on Resources, he has basically paraphrased that there are nationals, that there is a nationality, that Puerto Rico is a nation and that the people born in that nation should determine the future of that nation.

I think if for no other reason, this has accomplished very, very much. Because when the Serrano amendment, which I hope is adopted later on, and I have an amendment to it, when it is adopted, it will say that the people of Puerto Rico are a duly constituted people born on that island and born on that island of a nation of people, and so they should participate, much as the Algerians who lived in France participated, much as the Irish who lived in Great Britain participated, much as the people of all of the other countries colonized.

What we have stated here is Puerto Rico is a colony of the United States. Therefore, that all members of that colony. So Puerto Rico is a nation. That by accepting, and I want to thank the gentleman from Alaska (Mr. YOUNG) for finally so eloquently stating that point here today, because I think that that is an important part. Remember, that that is what we are doing, bringing two nations together. We should do it very, very carefully, with consultation and making sure that each partner understands what we are doing.

Let me just take exception once again, because I see that there is one thing that the gentleman from Alaska (Mr. YOUNG) and the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) and the gentleman from New York (Mr. SERRANO) all agree with in unison. That is, that Puerto Rican citizenship if you are born on the island of Puerto Rico is statutory. I think that is wrong. I think that is wrong.

Let me just state for the record that the Immigration Nationality Act of 1945 tracked from the language of the 1940 act, it says that all those who live in the United States, including Alaska, Hawaii and Puerto Rico, are nationals of that country and born in the United States. Once again what we are saying is that if you are born in Puerto Rico, like my dad, like my wife, that her citizenship if you adopt this Young bill can be taken away.

Let me just make two points. A, does anybody really believe in this room that this Congress would ever take away the citizenship of 3.8 million people? Does anybody in this room think that will ever happen? Absolutely not. No President would ever sign that legislation. If no one would ever do it and no court would ever sanction it, why is it that we are saying it is statutory?

On the one hand we say it is statutory. On the other hand I am sure that we will all dive on the blade so that that citizenship would never be taken away. I am sure every Member here would say, ''But I would never allow that to happen.'' If you are never going to allow it to happen and no President would sign it, then let us not make it statutory.

Mr. SERRANO. Mr. Chairman, I yield 2 minutes to the gentlewoman from the Virgin Islands (Ms. CHRISTIAN-GREEN), a person who well understands what the discussion is about.

Ms. CHRISTIAN-GREEN. I thank the gentleman from New York for yielding me this time. Mr. Chairman, I am pleased to rise today in support of the amendment offered by the gentleman from New York (Mr. SERRANO) which would allow the persons born in Puerto Rico but who do not currently reside on that island to vote in the referendum authorized by H.R. 856.

Mr. Chairman, H.R. 856, if enacted, would allow the people of Puerto Rico to exercise their rights to self-determination. The principle of self-determination as stated in Article 2 of the United Nations charter declares that, and I quote, all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Like the gentleman from New York (Mr. SERRANO), I believe the right of a people to determine their political status is a fundamental one. And unlike local elections, a referendum on the final political status of Puerto Rico would affect the future of all Puerto Ricans, whether they live in or out of Puerto Rico. And so it is only right that on an election that will have such profound consequences on the future of their island, all Puerto Ricans who were born in the islands be given the opportunity to exercise their right to self-determination. I ask my colleagues to vote ''yes'' on the Serrano amendment.

I also want to take this opportunity to thank and commend the gentleman from Alaska (Mr. YOUNG) for his leadership on H.R. 856 and his willingness to listen to all sides, as well as his commitment to all of the United States territories.

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

Mr. Chairman, a lot has been said here almost in disagreement but yet speaking about statutory citizenship and constitutional citizenship. Make no mistake about it, I have no doubt that my citizenship is different than the one my son who was born in the Bronx has. I do not have a doubt about that. I do not have to be a constitutional lawyer to know that I became a citizen on the island of Puerto Rico when I was born there, because it was a law in 1917 that said so. That law was passed by Congress. The Constitution is not amended by Congress. There is a whole process to change that.

And so I am clear on the fact that my son's citizenship is one that is protected by the Constitution of the United States and if I am not mistaken, there are only a few ways in which he can lose that citizenship. One, for instance, he could be found guilty of treason, but it has to be some extreme circumstance by which he would lose that citizenship.

But I have no doubt that this Congress can pass a law to take away from me my citizenship and the citizenship of the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ), the gentlewoman from New York (Ms. VELÁZQUEZ), and the people who live on the island of Puerto Rico. Would they

do it? Probably not. Would a court uphold it? Possibly not. Can they do it? Absolutely. One thing is clear, this Congress has the right on this kind of citizenship to pass a law here saying that beginning next Monday, every person born in Puerto Rico is no longer a citizen, an American citizen.

The outcome of this plebiscite does affect people like myself who were born on the island. I understand the concern of the gentleman from Illinois (Mr. GUTIERREZ) and the gentlewoman from New York (Ms. VELÁZQUEZ). I would have wanted to include in this amendment all Puerto Ricans regardless of where they were born, but I am also a practical person who understands that it is better to accomplish this tremendous victory that the gentleman from Alaska (Mr. YOUNG) has accepted than to go with something I could not get and would not be able to gather any support.

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

Mr. SOLOMON. Mr. Chairman, I yield myself such time as I may consume, just to talk about the precedent that we might be setting here. I worry somewhat with the changeover that has happened in the United States House of Representatives, where two-thirds of the Members are new in the last 4 years. But some of us have to look back institutionally and look at situations like this.

□ 1745

I know of no other precedent that we have ever set where we allowed voters in one part of the United States to cast votes in other parts. I have a situation representing the Adirondack Mountains and the Catskill Mountains in New York State, and we have a lot of people who live in Connecticut, live in New Jersey, live in Westchester County or live in New York City, and they cannot come up, although they used to do it, but it was illegal, they cannot come up to the Adirondacks and cast votes up there. This is a similar situation.

Now, those people, if they live in Connecticut and they want representation up there, one of the two spouses will change their registration and vote in my congressional district up in the mountains. This seems to me a similar situation, because really we are letting some U.S. citizens cast votes twice that really affect the entire United States of America.

I just think we have to be very careful about the precedent we are setting here. It is because of that I will probably oppose the amendment.

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

Mr. SERRANO. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I would just clarify what my colleague, the gentleman from New York (Mr. SOLOMON), said. This is a different kind of vote. I would not propose on this floor to vote for Governor of Puerto Rico or mayor of Mayaguez, my hometown. This is a special and unique vote.

In addition, the gentleman may be surprised to know there were constituents of yours who did set perhaps a precedent you do not want by voting in Polish elections. There is a bill in the Dominican Republic to allow Americans of Dominican descent to vote in those elections; Colombians; Peruvians. This is happening in other places.

I am not proposing that. I am proposing a one-time vote on this very unique situation about a status question.

Mr. Chairman, I yield 3 minutes to the gentleman from Guam (Mr. UNDERWOOD), who understands what I am going through here today.

Mr. UNDERWOOD. Mr. Chairman, I want to reiterate for those of us who are statutory citizens, i.e., citizens by virtue of congressional action, we represent a unique category of human beings that are under the American body politic, proud Americans, but recognizing that we have a unique status.

That is why this amendment is necessary, because it speaks to the issue not just of political self-determination, but ultimately to the issue of who has that right to self-determination.

This is not the same kind of election that one has when one votes for elected officials. We have fought long and hard in this country to make sure that that kind of voting is extended to all those people who are represented by elected officials. But this is an issue of political self-determination.

When you are born in Wisconsin or born in Idaho, you cannot get up in the morning and decide that Idaho or Wyoming should have one day an election which gives them the full range of choices about whether they should be independent or have a special relationship with the United States. They are a State. They are full and equal partners in the American body politic. The Civil War has settled that issue once and for all.

But what do we have here? We have here a unique group of individuals, of people who have been subsumed into the American flag through conquest, and by virtue of that they have always been extended citizenship through congressional action. It is their status that is at stake. It is their individual status that is at stake. That is why it makes perfectly good sense that when we deal with the issue of self-determination, we must deal with the issue of who has a right to self-determination.

Any piece of legislation which deals with the self-determination of Puerto Rico, or even in the case of my own home island of Guam, must always deal in a serious and thoughtful way with who actually has this right to self-determination. Whomever was colonized should be the participants in decolonization. In the case of Puerto Rico, it is Puerto Ricans. In legal terms, it must be the people whose citizenship is in control of Congress.

If we value Puerto Rican self-determination, and if we really value the meaning of the vote, we would deal with the issue of voter eligibility. Mr. SERRANO has offered an amendment which deals with this issue in a thoughtful and meaningful way. The gentleman wants all Puerto Ricans to be allowed participation. The people who became citizens by virtue of congressional action are the people whose lives and political futures are at stake. Those people must be the ones to make the choice about their homeland, about their future. It is their future which is at stake. Anything less would make a mockery of the process and compromise the meaning of self-determination.

Mr. Chairman, I must reiterate again, a self-determination election is very different from any other kind.

Mr. SOLOMON. I yield 1 minute to the gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. Mr. Chairman, this is academic debate we are having here. We are asked to believe the following: That Mr. SERRANO, who was born in Puerto Rico, who came to the United States of America, who was allowed into the halls of this Congress with full voting privileges, that his citizenship can be revoked; that there is a court in this Nation, a Congress, a President and a court in this Nation, that will affirm that.

We know that that is just never going to happen. Let us face it. Raise your hand anyone who believes that will ever, ever happen. It will not. Think about it. You have tens of thousands of men and women who served in the Armed Forces with honorable discharges. What court in this Nation would take away their citizenship? They paid taxes, they were born, their birth certificates. Think about it. It is not going to happen.

So let us not play the game of fear with the people of Puerto Rico and inject fear. That is what is wrong with this bill, that we put them into fear. It is never going to happen, and we all know it.

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

Mr. Chairman, we have debated the amendment. I understand we are going to go on to the amendment process now. The gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) has an amendment, I believe, and I believe the gentleman from Illinois (Mr. GUTIERREZ) does as well.

Mr. Chairman, I yield back the balance of my time so we can move on to the amendment process.

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

Mr. Chairman, let me close by saying that I do not function out of fear, in terms of putting fear on anyone else. I function out of fact.

The fact of life is that we would not be here dealing with this very good bill unless we understood that there is a unique relationship between Puerto Rico and the United States. If everything was fine and dandy, we would not be here passing this bill.

Mr. Chairman, I do not try to bring fear into people, but I know what this country is capable of doing. We are a great Nation, but at times we are governed in a behavior that may make changes.

I do not want to run the risk of finding out what kind of citizenship I have. I think I already know. Is that good? Is that bad? How do I live with it? I dealt with it. I worked my way up the system and became a member of the U.S. Congress. Sometimes I try to do a pretty good job at it.

Mr. Chairman, I think it is important to note that this amendment today speaks to the fact that so many of us who left the island did so as a result of a relationship between the U.S. and Puerto Rico, a relationship that started off with a military invasion and which, at this date, has not ended with anything which brings either independence or statehood.

Puerto Rico remains in limbo, and, as Puerto Rico remains in limbo and we try to solve that situation by bringing forth this bill, then I continue to put before you that this vote belongs to all of the children of that colony, all of the children of that territory. Yes, I am affected by the results of that vote.

Mr. Chairman, I would hope that everyone takes the lead of the gentleman from Alaska (Chairman YOUNG), and accepts this amendment without a vote.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Pursuant to section 2(b) of House Resolution 376, it is now in order to consider amendment 2 printed in the CONGRESSIONAL RECORD.

AMENDMENT NO. 2 OFFERED BY MR. SERRANO

Mr. SERRANO. Mr. Chairman, I offer Amendment No. 2.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 Offered by Mr. SERRANO:

In section 5(a), add at the end the following paragraph:

(3) UNITED STATES CITIZENS BORN IN PUERTO RICO ELIGIBLE TO VOTE.—Notwithstanding paragraphs (1) and (2), an individual residing outside of Puerto Rico shall be eligible to vote in the referenda held under this Act if that individual—

(A) is a United States citizen because of that individual's birth in Puerto Rico; and

(B) would be eligible to vote in such referenda but for that individual's residency outside of Puerto Rico.

The CHAIRMAN. Pursuant to the rule, consideration of this amendment and any amendments thereto shall not exceed 1 hour.

The Chair recognizes the gentleman from New York (Mr. SERRANO) for 5 minutes in support of his amendment.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. GUTIERREZ. Mr. Chairman, will I still be able to offer my substitute amendment after the gentleman from New York (Mr. SERRANO) finishes with his amendment?

The CHAIRMAN. The gentleman from Illinois may offer his amendment at any time during the pendency of the amendment offered by the gentleman from New York (Mr. SERRANO).

Mr. GUTIERREZ. Mr. Chairman, there is not a limit of time anymore for amendments?

The CHAIRMAN. The amendment offered pursuant to the rule by the gentleman from New York (Mr. SERRANO) will be pending for no longer than one hour. At any point during that pendency, the gentleman from Illinois may offer his substitute.

Mr. GUTIERREZ. Mr. Chairman, further parliamentary inquiry. I had asked earlier of the Chairman if I would be guaranteed an opportunity to offer my amendment, and the Chairman said yes. I hope that that will still stand.

The CHAIRMAN. Is the gentleman from Illinois offering his amendment at this time?

Mr. GUTIERREZ. I do not think I can proceed. The gentleman is amending his amendment, am I correct?

Mr. SERRANO. Mr. Chairman, if the gentleman will yield, if I may, I would like to clarify this unique rule, where we debated my amendment before I officially presented it. Is that correct?

The CHAIRMAN. The last period of debate was general debate on the subject matter of the amendment of the gentleman from New York (Mr. SERRANO). Now the gentleman has offered his amendment, and it is in order for a substitute amendment to be offered for the gentleman's amendment.

AMENDMENT OFFERED BY MR. GUTIERREZ AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. SERRANO.

Mr. GUTIERREZ. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. GUTIERREZ as a substitute for the amendment offered by Mr. SERRANO:

In section 5(a), add at the end the following new paragraph:

(3) ELIGIBILITY TO VOTE.—Notwithstanding paragraphs (1) and (2), an individual residing outside of Puerto rico shall be eligible to vote in the referenda held under this Act if that individual—

(A) is a United States citizen because of that individual's birth in Puerto Rico, or satisfies requirements that shall be prescribed by the Electoral Commission of Puerto Rico (which shall include methods, provisions to include Puerto Ricans who have at least one parent who was born in Puerto Rico) for registering and voting in absentia in referenda held under this Act; and

(B) would be eligible to vote in such referenda but for that individual's residency outside of Puerto Rico.

The CHAIRMAN. Without objection the substitute was entertained prior to the 5 minute speech on the underlying amendment by the gentleman from New York (Mr. SERRANO). The gentleman from New York is now recognized for 5 minutes on the underlying amendment, after which it will be in order for the gentleman from Illinois (Mr. GUTIERREZ) to proceed for 5 minutes on the substitute.

There was no objection.

□ 1800

Mr. SERRANO. Mr. Chairman, I want to reiterate the fact that when the gentleman from Alaska (Chairman YOUNG) accepted my amendment, and as we heard, he spoke in favor of that amendment, he did it with the full understanding that what he was accepting was an amendment that he could not only explain but that both of us could actually argue in favor of, without anyone being able to raise any questions about it.

Both the gentleman from Alaska (Mr. YOUNG) and I have had concerns way before this about who constituted and what constituted the body of Puerto Ricans that should vote.

I repeat once more, I personally would have wanted to include everyone that the gentleman from Illinois (Mr. GUTIERREZ) would like to include. But the fact of life is that that amendment, bringing it to that point, would have had very little support not only in committee, in negotiations, but on the House floor. I feel that my amendment accomplishes 95 percent of the mission that we set out years ago to accomplish, which was to enlarge the vote and bring in more Puerto Ricans into this decision-making process.

I understand clearly my colleague, my brother, the gentleman from Chicago, my fellow Puerto Rican brother from Chicago's desire to include more people. I had to explain to my son why my amendment did not include him. But I feel confident that I can explain it, as I have here today, and I feel confident that if we move forward with the amendment as is, that we will in fact allow for a large body of people who would be affected directly to participate.

What we need to do here today is to do whatever we have to do, but not put into jeopardy the underlying amendment which is accepted by Chairman YOUNG. In other words, in proposing any other amendment to my amendment, please keep in mind that we could throw out everything that we have gained up to this moment.

So I respect the amendment before us now, but I would hope that in no way this amendment takes away the importance of the underlying amendment, and I would hope that the gentleman from Chicago would actually consider retiring his amendment in favor of the one we have worked on for so long.

The CHAIRMAN. The gentleman from Illinois (Mr. GUTIERREZ) is recognized for 5 minutes on his substitute amendment.

Mr. GUTIERREZ. Mr. Chairman, first let me say to my good and distinguished friend, the gentleman from New York, that I would not offer this amendment if I thought it was frivolous, if I thought it was silly, if I

thought it was somehow just something that I woke up in the morning and thought it was the right thing to do. No, I say to the gentleman from New York, I think this amendment is very appropriate.

But I want to thank the gentleman. He has been here for a long time. I went to a hearing back in New York when the gentleman first got elected to Congress, and I traveled from Chicago to New York City, and I remember the gentleman was chairing that meeting. The interesting thing about that meeting that the gentleman from New York (Mr. SERRANO) was chairing was that it was bilingual, it was both in English and Spanish, something unfortunately that these proceedings are not, because he wished at that time for everybody to understand, because I know that the gentleman understood that Puerto Ricans spoke Spanish and that was their language.

So we do not do that for that purpose. I will say one thing, we will ask for a vote on this, but we will ask for a voice vote on this amendment. We will ask—I told the gentleman from New York when we were in the back that I would do that, that I would ask for a voice vote, so we can debate it.

Now, having said that, and I hope any trepidation that the fine gentleman from New York might have that we could somehow stir this away, because the gentleman feels he has it, and I hope that at least, I really, sincerely hope that we get at least what the gentleman wants. Let me now refer back.

Mr. Chairman, I think it is interesting. The gentleman from Alaska (Mr. YOUNG) said something that was really interesting. He said that when it came to Puerto Rico, they were born there. I do not remember that in Alaska we looked for former Alaskans that got to vote whether Alaska should become a State. I do not remember that we looked for everybody born in Hawaii in order for Hawaiians to make a decision whether we should become a State, or that we looked for former people that may have even fought at the Alamo before we said that those are all the people from Texas, before they become a State.

But we are doing it, and rightfully so, for the people of Puerto Rico, because it is a Nation and it is different. That is why, I say to the gentleman from Alaska (Mr. YOUNG), by his very words, I continue to tell him, he cannot treat this merely as a territory, as another group of people, some chattel that happened to have come to the United States because of a victory during the Spanish-American war. It is a people, it is a Nation, and we should be careful and diligent in ensuring that as we proceed, we make sure that the decisions that we make are going to be good for all of us. That is why I suggest that we extend the amendment.

What does my amendment do? My amendment says the following. Let me explain it as simply as I can say it. See, the gentleman from New York (Mr. JOSE SERRANO), if he has a brother, because his parents moved to the United States of America from the nation of Puerto Rico, his brother's birth certificate says the same mom, same dad, Puerto Rico, Puerto Rico, just as his, except, of course, his would have been in the Bronx, maybe his brother, and his would have been in Puerto Rico. So you would have two brothers who have an exact same claim, and using your very expressions, that they came here because of political persecution, the one brother who came here because of political persecution and may have returned and be living in Puerto Rico today, something that the gentleman from New York (Mr. SERRANO) has decided not to do, he may be living there today, right? We cannot figure this out.

So I am simply saying, let the family, and I know that the gentleman from Alaska (Mr. YOUNG) said that every cousin, uncle, but no, that is not what I am saying. In my family, I married Soraida and she has 14 brothers and sisters. Nine of them were born on the island of Puerto Rico. Because of economic and social conditions, the nine of them moved with mom and dad to Chicago. The other five subsequently were born. Their birth certificates are identical. They are Puerto Rican nationals, both born in Puerto Rico. The only difference is five birth certificates say Cook County. So we can prove it.

It is not like I am saying anybody. In order to vote, you have to have a birth certificate, and where it says ''Mom born in Puerto Rico, dad born in Puerto Rico,'' you get to vote; not the children, not like my daughter and the children of other generations. Just so that those generations, that immediate generation that has such close ties can vote. Let me just tell the Members why. Many Puerto Ricans move back to the island of Puerto Rico.

Mr. ROMERO-BARCELO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this amendment to the amendment makes the amendment even less acceptable. Let us think about what would happen. A person born in Puerto Rico, but his parents were there because they were on a contract working for 5 years from the State of Wisconsin, and they have two children born in Puerto Rico during those 5 years, then they move back to Wisconsin. They never go back to Puerto Rico. The children never go to Puerto Rico. They never learn Spanish. They would be qualified to vote under the amendment offered by the gentleman from New York (Mr. SERRANO).

However, somebody born in Puerto Rico, or somebody born in New York, and at an early age his parents got divorced and somehow he ended up back in Puerto Rico living with his grandparents, or aunt and uncle, and he grew up in Puerto Rico, and he got married in Puerto Rico, went to school in Puerto Rico, got married in Puerto Rico, he had children in Puerto Rico, and then he got a good job in Pennsylvania so he moved to Pennsylvania.

Now he is living in Pennsylvania, and he is planning in 20 years, he is going to go back to Puerto Rico, but he has not demonstrated it, he is just thinking about it. He cannot vote, because he was born in New York, not in Puerto Rico. Yet, he has much more relationship with Puerto Rico, much more emotional attachments with Puerto Rico than the one that was born there and obviously now lives in Wisconsin and is not even concerned about Puerto Rico. Yet the other one can vote. So that could bring constitutional challenges to this vote.

The way that the gentleman from Illinois is proposing, then that multiplies, that kind of situation, with the parents and the children and the grandchildren. If you have the children of those who were born in Puerto Rico, then you get somebody who was born in Puerto Rico and moved to the United States and he is living somewhere else, in Wisconsin, Wyoming, in Iowa, and his sons were born over there and they were raised over there, they have never been in Puerto Rico, and they can vote in Puerto Rico because one of their parents was born in Puerto Rico? This is just carrying the thing to an absurdity.

These people who have no attachments to Puerto Rico, either emotionally or otherwise, would be allowed to vote and change the results of the vote to be held in Puerto Rico. That is why I think we have to oppose this. It would set a tremendous precedent.

They say, well, this is not an election. Right, this is not an election to elect a Governor or to elect a candidate, candidates to come to the House or the Senate. No. But then this is a referendum. Now, if that precedent was established, it would mean that in Texas or in Maine or in Illinois or in California, if there is a referendum and there is an amendment to the Constitution, and those that were born in that State are living somewhere else, then they should also be allowed to vote in that referendum. That might change the situation in their State where they are from, where they have family.

We have established rules of law. Only those that are U.S. citizens and who have residence in the place where they are, they are allowed to vote. Those Puerto Ricans who cannot vote in Puerto Rico in national elections when they move to a State, then they acquired residency in the State and then they can vote in the national elections for the President, they can vote for Congressmen, they can vote for a Senator, they can vote for Governor, they can vote for the State legislature, they can vote for mayors. They have a full vote.

We cannot vote in their States. We cannot vote in anything that affects them, and we have family and relatives in the States. We cannot vote in their States, even though we feel attachments to something that may affect

them, but they can vote in Puerto Rico.

That is a very, very, very bad precedent. As I said, I hate to oppose the proposal offered by the gentleman from New York (Mr. SERRANO), because he has worked so strongly on this bill, like we all have, and he is a good friend, and I know he sincerely believes in this. He is emotional about it. But this is my conviction. I have worked, when I started in politics, I was working in my party within electoral affairs, and I know the impossibility of putting this into effect.

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

Mr. Chairman, I would like to acknowledge the gentleman from New York (Mr. SERRANO) for his leadership on this issue. This amendment, the Gutierrez amendment, builds on his excellent work. The Gutierrez amendment to the amendment offered by the gentleman from New York (Mr. SERRANO) would allow all Puerto Ricans to participate in this historic plebiscite.

The problem that the gentleman from Puerto Rico has, it seems like he does not understand, this is about self-determination. This is not about a State election. We know that the people from New York have to vote on any election in New York and that they cannot vote on any election that takes place in Pennsylvania.

But this is not about any State election, this is about the political future of Puerto Rico. In fact, we Puerto Ricans, we are only 3 million Puerto Ricans in the United States. For the most part Puerto Ricans have not participated in the electoral process here in the United States. Because of the close ties that they still have with Puerto Rico, they follow more closely the political situation in Puerto Rico than they do in terms of what is going on in the United States.

So it is important that Puerto Ricans in Puerto Rico participate and the Puerto Ricans in the mainland and their children participate. Some of them are here because they left the island because of economic reasons. Some Puerto Ricans are here not because they wanted to be here, but because of political persecution. If that is the case, they are entitled to have a say in this self-determination process.

It will be unfair to deny it, to the entire Puerto Rican community, to participate in this process. We are a nation. The United States recognizes that Puerto Rico is a nation, that what happens there affects us, and this is an important process for all the Puerto Ricans here and in Puerto Rico.

I would say, I would urge my colleagues to allow this to be a fair process for all Puerto Rican Americans living in Puerto Rico and in the mainland. They should have a right to determine the political future of Puerto Rico. At least let us make this legislation better by allowing them to participate in the final outcome of Puerto Rico.

□ 1815

This is a legislation that has been drafted so that we push one side of the political formulas in Puerto Rico. It is a legislation that supports statehood for Puerto Rico.

Allow all Puerto Ricans to participate and to say ''no'' to statehood and ''yes'' to the democratic process.

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

Mr. GUTIERREZ. Mr. Chairman, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Illinois.

Mr. GUTIERREZ. Mr. Chairman, I thank the gentleman from New York (Mr. SOLOMON) very much for yielding me this time.

Mr. Chairman, let us think about this a moment. We want all the people to be able to participate in this process that can participate in this process. I think we all really want that. Think about it one moment. Someone is born on the island. They spend 30 years there. They move because of economic reasons. They do not get to vote. But if they show up on the island 3 months before the elections, register there and have no emotional tie until their next promotion or their next job transfer, they get to determine the future of that island.

Mr. Chairman, think about it. Think about it. Mr. Chairman, I say to the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ), the Resident Commissioner who is an ardent strong supporter of statehood, that I would think he would wish to cherish the fact that people born on the island of Puerto Rico who live in the United States of America, and who live statehood and who understand statehood, would be allowed to participate because he is such an ardent supporter of statehood. And since they live in a State, it seems to me they would be voting for statehood because that is what they want, because they already live in a State and they want everything that he already wants for the people of Puerto Rico.

Why deny those very Puerto Ricans born on that island the opportunity to participate when they live in the United States already in a State and understand this better? Let us bring the community together. Let us bring us all together, because I think that that is what is really vitally important.

Mr. Chairman, I stand here today to speak for the 100,000-plus Puerto Ricans that live in my district in Chicago who really want to participate in this process.

Let me end by saying that I think the work that the gentleman from New York (Mr. SERRANO) has done has raised a lot of other issues. We will disagree, however, and I must state this, that it is not statutory. That the 14th Amendment of our Constitution applies to the gentleman, applies to all of those Puerto Ricans, and that we should not use any tactics in order to do that.

With that, Mr. Chairman, I would like to ask that if there is no objection, that we vote on my amendment to the Serrano amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ) as a substitute for the amendment offered by the gentleman from New York (Mr. SERRANO).

The amendment offered as a substitute for the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. SERRANO).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. SOLOMON. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently, a quorum is not present.

Pursuant to clause 2, rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 31]

ANSWERED ''PRESENT''—405

Abercrombie	Bunning	Delahunt
Ackerman	Burr	DeLauro
Aderholt	Burton	DeLay
Allen	Buyer	Deutsch
Andrews	Callahan	Diaz-Balart
Armey	Calvert	Dickey
Bachus	Camp	Dicks
Baesler	Campbell	Dixon
Baker	Canady	Doggett
Baldacci	Cannon	Doyle
Ballenger	Cardin	Dreier
Barcia	Carson	Dunn
Barr	Castle	Edwards
Barrett (NE)	Chabot	Ehlers
Barrett (WI)	Chambliss	Ehrlich
Bartlett	Chenoweth	Emerson
Barton	Christensen	Engel
Bass	Clay	English
Bateman	Clayton	Ensign
Becerra	Clement	Eshoo
Bentsen	Clyburn	Etheridge
Bereuter	Coble	Evans
Berman	Coburn	Everett
Berry	Collins	Ewing
Bilbray	Combest	Farr
Bilirakis	Condit	Fattah
Bishop	Conyers	Fawell
Blagojevich	Cook	Fazio
Bliley	Cooksey	Filner
Blumenauer	Costello	Foley
Blunt	Cox	Forbes
Boehlert	Coyne	Ford
Boehner	Cramer	Fossella
Bonior	Crane	Fowler
Borski	Crapo	Fox
Boswell	Cummings	Franks (NJ)
Boucher	Cunningham	Frelinghuysen
Boyd	Danner	Frost
Brady	Davis (FL)	Furse
Brown (CA)	Davis (IL)	Gallegly
Brown (FL)	Davis (VA)	Ganske
Brown (OH)	Deal	Gejdenson
Bryant	DeGette	Gephardt

Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
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
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

□ 1837

The CHAIRMAN. Four hundred five Members have answered to their name, a quorum is present, and the committee will resume its business.

RECORDED VOTE

The pending business is the demand of the gentleman from New York (Mr. SOLOMON) for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 57, noes 356, not voting 17, as follows:

[Roll No. 32]

AYES—57

Ackerman
Blagojevich
Bonior
Brown (CA)
Carson
Cox
Davis (IL)
Delahunt
DeLauro
Diaz-Balart
Engel
Furse
Gejdenson
Gilman
Gutierrez
Hinchey
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Kennedy (MA)
Kennelly
Lewis (GA)
Maloney (CT)
Markey
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Miller (CA)
Moakley
Nadler
Neal
Obey
Olver
Owens
Pallone
Pastor
Payne
Rangel
Rohrabacher
Ros-Lehtinen
Rush
Sanders
Serrano
Shays
Tierney
Towns
Velazquez
Waters
Weller
Wynn
Young (AK)

NOES—356

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Borski
Boswell
Boucher
Boyd
Brady
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
DeLay
Deutsch
Dickey
Dicks
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gephardt
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Maloney (NY)
Manton
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meek (FL)
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Pelosi
Peterson (MN)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Yates
Young (FL)

NOT VOTING—17

Dingell
Doolittle
Franks (NJ)
Gekas
Gonzalez
Harman
Kilpatrick
LaTourette
Luther
Peterson (PA)
Portman
Poshard
Schaefer, Dan
Schiff
Schumer
Shimkus
Torres

□ 1848

Mr. SNYDER changed his vote from ''aye'' to ''no.''

Mr. COX of California changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. SCHUMER. Mr. Chairman, I was unfortunately absent for rollcall votes 28 through 32. Had I been present, I would have voted yes on rollcall votes 29 (Burton) and 32 (Serrano), no on rollcall votes 28 (Gutierrez) and 30 (Solomon), and present on rollcall vote 31, a quorum call.

In particular, I am disappointed that the House has silenced the voice of Puerto Ricans living on the mainland by denying them a vote in this historic referendum.

If you have ever been to New York City's Puerto Rican Day Parade, you have seen firsthand the pride that Puerto Ricans living on the

mainland have in their rich heritage. Their links to the island—their economic, cultural, political, and family connections—make them intensely interested in Puerto Rico's political identity.

The referendum established by H.R. 856 is no typical election. It is the most momentous decision the people of Puerto Rico have ever made. We should have ensured that all Puerto Ricans were able to participate in their people's choice.

For that reason, I filed an amendment to expand voting eligibility to all Puerto Ricans living on the mainland—both those who were born on the island and those who have at least one parent who was born here. This amendment was very similar to one offered by my colleagues Mr. GUTIERREZ and Ms. VELÁZQUEZ, which was unfortunately defeated on a voice vote.

Even with this serious flaw, Mr. Chairman, I still believe it is important for Congress to allow the people of Puerto Rico to determine their own future. For that reason, even though the bill has its shortcomings, I want to give the people of Puerto Rico this historic opportunity to determine their own destiny, and am voting in favor of H.R. 856.

Mr. YOUNG of Alaska. Mr. Chairman, I move to strike the last word.

Mr. BUNNING. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Kentucky.

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

Mr. BUNNING. Mr. Chairman, I thank the gentleman for yielding to me, and I rise in opposition to H.R. 856.

Mr. YOUNG of Alaska. Mr. Chairman, I do not want the full 5 minutes, but I do want to suggest to the Members on the floor that it is my intention to entertain the amendments that will be offered by the gentleman from Illinois (Mr. GUTIERREZ) and the gentlewoman from New York (Ms. VELÁZQUEZ) and that we will roll the votes until 9 o'clock. At that time, I hope the gentleman and the gentlewoman, and whoever is offering amendments, will have come to a fruition, finalization, of these amendments so that we can bring this legislation to the end of the day very quickly.

That is my intent, to have no more votes until, I believe, 9 o'clock.

Mr. GUTIERREZ. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Illinois.

Mr. GUTIERREZ. Mr. Chairman, I thank the gentleman from Alaska for yielding to me. I want to say two things on behalf of the gentlewoman from New York (Ms. VELÁZQUEZ) and myself.

We do not intend to call for any recorded votes, at least on our amendments, any subsequent recorded votes on our amendments. Just so that the gentleman will know, we will debate them but not ask for recorded votes on them, A.

Although we promised the gentleman from New York (Mr. SOLOMON) and the gentleman from Massachusetts (Mr. MOAKLEY) that we would offer no more than 12, we will offer no more than 5 additional amendments.

Mr. YOUNG of Alaska. Mr. Chairman, I thank the gentleman, and I thank the chairman of the Committee on Rules.

There will be an amendment offered by the gentleman from Georgia (Mr. BARR). I understand that will be debated. But I would suggest that everybody will have at least an hour if they wish to go to dinner or go to the office to do some work, and then after 8 o'clock all holds are barred and we hope to bring this to finalization by 9 o'clock.

AMENDMENT NO. 36 OFFERED BY MR. GUTIERREZ

Mr. GUTIERREZ. Mr. Chairman, I offer an amendment numbered 36.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment number 36 offered by Mr. Gutierrez: At the end of section 2, add the following paragraph:

(16) By providing for the people of Puerto Rico to express their preference as to its permanent political status, Congress is aware that Puerto Rico is sociologically and culturally a Caribbean and Latin-American nation, formed by a blend of European, African, and native ethnics with distinctive culture which, unlike the several States, has Spanish as a common language. According to the 1990 decennial census of population, only 21,000 persons born in the several States live in Puerto Rico.

Mr. GUTIERREZ. Mr. Chairman, first, before I begin, and I do not know if we can do something, but I figure with the will and the ability and the knowledge that the gentleman of New York (Mr. SOLOMON) has, and the gentleman of California (Mr. MILLER) has, and the goodwill, that we can figure some way, because they keep referring to all of these amendments as mine when, indeed, Mr. Chairman, I just want to make it clear for the record that every last amendment is a Gutierrez-Velázquez amendment.

Apparently, we did not do the right thing when we introduced them, but if somehow along the way that could be clarified, I think that is very important, because the gentlewoman from New York and I are working together on each one of these amendments.

I rise to offer my amendment to section 2 of the bill, the findings section. My amendment adds language to the bill to clarify that Puerto Rico is, instead, a nation.

I offer this amendment because I think it is very important that both the people of Puerto Rico and the people of the United States understand clearly what the United States Congress is doing in relation to the people of Puerto Rico.

The people of Puerto Rico consider themselves a nation. I think that should be made abundantly clear to all the Members of this House. They consider themselves a nation, a separate and distinct people.

They love their American citizenship. Some of my colleagues say that is a contradiction. That is the contradiction we get with colonialism. It is not their contradiction. It is a contradiction that we have. But everyone should understand that.

They love their American citizenship. But yet if you ask them, where are you from, they say Puerto Rico, not in the same sense that maybe the Chairman, when you say where are you from, and he would say from Florida, or I might say from someplace, or the gentleman from New York (Mr. SOLOMON) might say from New York, from the Empire State of New York.

No, I suggest to all of my colleagues, if they go to a Puerto Rican Day celebration anywhere in the United States of the America, in the United States of America, you have what you have, and it is the reality. If we walk up to those people and they are celebrating their nationality, and you say what are you, they say I am Puerto Rican. What are you? They say, I am Puerto Rican. That is the way they feel.

Then if you ask them, what are you a citizen of? They say the United States of America. That is the distinct difference that we must understand. That is why I must offer this amendment so that people understand it is not another territory. It is not another group of people. It is not. It is very different and distinct.

I think we should remind ourselves of that as we proceed with these deliberations. The people of Puerto Rico have an ethnicity, have a language, have a culture. Excuse me, strike the word ethnicity, have an idiosyncracy of their own.

There are words in Spanish—(The gentleman from Illinois spoke in Spanish). I mean, if you are from Mexico or Colombia or from Cuba, they say you are from Puerto Rico—(The gentleman from Illinois spoke in Spanish). That is the way it works, because those, indeed, are from here.

We may wish, as my mother many times said—(The gentleman from Illinois spoke in Spanish), which means you may wish to hide yourself from the skies with your hand, but you cannot.

The fact is that Puerto Rico is a nation, and we should recognize this here in this bill. It is a nation of people who are citizens of the United States.

Remember something. President Clinton said, oh, but in America, we have people from Poland, and they are Polish Americans. We have people from Ireland, and they are Irish Americans. We have people from Germany, and they are German American, and on, and on, and on. He said, we all blend here together in the United States of America. That is true.

The difference is, I would say to President Clinton, there is a Germany, a Poland, and an Ireland. When you make Puerto Rico a State, is there a Puerto Rico as a State or as a nation?

Let us understand this is different. All of those people came here as immigrants to this country with the intent of staying here forever. The people of

Puerto Rico want to have a special relationship with this Nation. Let us try to see if we cannot do that and achieve that together. I end my comments with that.

□ 1900

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair will remind all Members that remarks in languages other than English cannot be transcribed by the Official Reporters of Debate and cannot be printed by the Government Printing Office. Members may, however, submit translations of their remarks in other languages and such translations will appear in the RECORD in the distinctive type associated with an extension or revision of remarks.

Ms. VELÁZQUEZ. Mr. Chairman, I move to strike the last word.

Mr. Chairman, Puerto Rico is a nation, a Latin American nation and a Caribbean nation. It is a historically constituted stable ethnic community with a common culture, a common history, a common economic life, and its own language, Spanish. But more importantly, there is a common psychology of a people who are unique in their customs, traditions, music and way of being. We call it Boricua. It is unfortunate that the sponsors of this bill have ignored this fact.

Puerto Rico has been long recognized by the courts, Congress and international countries as being a distinct nation. Puerto Rico's special status as a separate nation under the sovereignty of the United States derives from an extensive history of legal precedents. The Supreme Court recognized Puerto Rico as a distinct nation when, in the early part of the century, it decided that Puerto Rico was in fact an unincorporated territory which never intended to become a State. Congress recognized Puerto Rico as a distinct Nation in 1917 when it extended U.S. citizenship to Puerto Rican nationals.

This is a national issue which deals with the rights of the Puerto Rican nation to self-determination. The island existed as its own nation well before they were annexed in 1898 by the United States. The people of Puerto Rico who are the subject of this pending legislation already consider themselves a nation and are in fact a nation who are not willing to renounce their own culture, their own heritage and, most of all, their own language in order to join the Union.

Our amendment to the ''findings'' section makes Congress aware that Puerto Rico is sociologically and culturally a Caribbean and Latin American nation. It is made up of people of European, African and native ethnicities with a distinct culture which, unlike several States, has Spanish as a common language.

I would like to correct the gentleman from Puerto Rico who said that we embraced the English language in 1902. No, that was not so. Let us set the record straight. English was imposed upon the people of Puerto Rico in 1902 and still to this day, even with that imposition, the large majority of the people of Puerto Rico do not speak English.

Mr. Chairman, Puerto Ricans are very proud of their cultural heritage and of their Puerto Rican national identity. This pride for the homeland transcends barriers and oceans. As Puerto Ricans leave the island, they take with them the intense pride they feel for their nation. Puerto Rico, the nation, shares common geographical spaces, a long history, its own economic life and its very distinct Caribbean, Latin American culture, but above all a common language, Spanish. Puerto Ricans have been speaking Spanish for 500 years, the first 100 under Spanish rule and the last century under American rule. Its closest neighbors in the Caribbean all speak Spanish.

Language, history and culture are distinct characteristics that all point to Puerto Rico being a nation. This amendment will make Congress appreciate and adopt that reality. I urge my colleagues to support the amendment.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to define the word ''nation''. It has several meanings, but the meaning that is accepted throughout the world and the meaning we first find in the dictionary is a self-containing body politic that has a relationship with other countries and other nations and has representation in worldwide organizations.

Puerto Rico is not a nation. Puerto Rico is a community. That we are definitely, a community, a community that has its own characteristics like communities throughout the world and communities throughout this Nation have their characteristics. Our language is Spanish. But we also are able to speak English.

Everyone in Puerto Rico recognizes the importance of English. We not only recognize it in Puerto Rico, I think the whole world recognizes it. A group of members of the Hispanic Caucus went over to Spain recently, 5 of us, on a trip, a good will trip. We had meetings with the King and the President, the President of the Chamber of Deputies, the President of the Senate. One thing we realized in Spain is that they study English from the first grade on, and they accept and they realize that English is the lingua franca. Throughout the world, everyone is coming to recognize that.

At home, when I was governor, I visited every single high school in Puerto Rico. When I asked them about the issues, the students that stood up, they always infallibly, the students, the parents, the teachers said that they wanted to have better opportunities to learn English. That was in every high school in Puerto Rico.

If you pick up a newspaper in Puerto Rico, in the job offers on Sunday, 90 percent or more of the job offers say bilingual, bilingual, bilingual. Everyone realizes that they have to speak English. There is no resentment against English. On the contrary.

When they talk about this Nation, there is no such thing as a nation in Puerto Rico. We are a community. We have no international standing. We are part of the United States. It was mentioned a little while ago, the Irish Americans, the English Americans, the Italian Americans, the French Americans, but the Puerto Ricans are Puerto Ricans. Do Texans call themselves Texan Americans or Californian Americans or New Yorker Americans? No, they are New Yorkers, Texans, Californians, and we are Puerto Ricans, because we are part of the Nation.

Part of our culture is the American democracy and the values for which it stands. That is what the people of Puerto Rico and everyone has accepted here, they realize it, they want their U.S. citizenship, and they will not change their U.S. citizenship for anything and they will not trade it, they will not accept anything else.

Some of them might be misguided as to what it means to be a U.S. citizen and might not realize that they do not have all the privileges and all the rights and all the responsibilities that other citizens do. But one thing the people want to do, they want to be self-supporting and we want to pay into the fiscal system and share alike, like brothers and sisters, with the rest of our citizens.

Mr. MILLER of California. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, our two colleagues in support of their amendment described, I think accurately, a history of Puerto Rico but they did not accurately describe the nation. It is that history, that is the reason why we are here today, so that the people of Puerto Rico can freely and openly choose the status which they desire. Because of that history, because of how this relationship has evolved, that is why we are here today, to pass this legislation and then the people in Puerto Rico can make the decision about their status. I oppose this amendment.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

(Mr. ENGLISH of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I rise in opposition to the amendment. I think it arises out of the justified pride of the authors, but I do not think we need to really define here the nationhood of Puerto Rico. The real issue before us is Puerto Rican self-determination. I strongly support the underlying bill, H.R. 856, which would allow us to move forward and allow Puerto Rico to make a strong and clear decision on its own destiny.

Since the founding of our Nation, the concept of self-determination has been a central

value of how we define ourselves as Americans and what we expect of other nations. As our Nation has grown, we have championed these values abroad. Today, we ask the developing democracies in Eastern Europe and the former Soviet Union to empower their citizens. We demand similar rights for communities like Taiwan and Tibet where the national right of self-determination has been challenged. We confront those nations like North Korea and Cuba that actively repress the natural right of self-determination by their own citizens.

I believe that we must now extend this same principle to Puerto Rico, a territory of the United States since 1917 and a commonwealth since 1952. As a commonwealth, the citizens of Puerto Rico exist in political twilight. They are not incorporated as a U.S. State and are not represented in Congress as such. But, they do not exist as a separate nation either. The U.S. flag proudly flies over San Juan and its citizens have fought alongside of us in war.

Today, the U.S. House of Representatives has an historic opportunity to express how much we appreciate the rich and positive contributions by the citizens of Puerto Rico. I sincerely believe we are a better nation due to their presence. To show our gratitude and our respect, we must pass H.R. 856. The legislation provides a non-biased, three-way ballot allowing the residents of Puerto Rico to choose between the current commonwealth status which is not permanent or to move towards independence or statehood. It is important to note that this bill does not create a self-executing process towards statehood. I also want to emphasize that the U.S. Congress would be the ultimate authority in deciding whether to ratify a possible choice of statehood by the citizens of Puerto Rico.

I join House Resources Committee Chairman DON YOUNG and the bill's bipartisan list of cosponsors in support of the referendum since it serves the national interest and begins the end to Puerto Rico's ambiguous territory status. Historically, the United States has advanced democratic self-determination procedures in its territories on terms acceptable to the U.S. Congress. The referenda enabled the residents to achieve the equality of full citizenship, through either statehood or independence. Since World War II, Congress has fulfilled this responsibility with respect to the Philippines, Hawaii and Alaska, but not with respect to Puerto Rico—the largest and most populous U.S. territory.

Much confusion and misinformation has been deliberately raised by the bills opponents in hopes of dooming its passage. If you listen to the opponents of H.R. 856 and those who oppose a fully self-governing Puerto Rico, they would have you believe that this bill is a vote on statehood. Nothing could be further from the truth. Chairman DON YOUNG, the primary author of the bill, went to great lengths to make any change in Puerto Rico's political status gradual and subject to terms acceptable to Congress.

As the United States strives to uphold the responsibility of being a beacon of democracy, we must undo the last vestiges of colonialism. After 100 years since Puerto Rico joined us in association, the United States should let the people of Puerto Rico exercise the liberty and independence of decision that our flag represents.

The time to do the right thing is now. We cannot forget that 3.8 million citizens—the residents of Puerto Rico—have second-class status within our democracy. I call on my colleagues to support H.R. 856, the United States-Puerto Rico Political Status Act, and to respect the rights of the people of Puerto Rico.

Mr. YOUNG of Alaska. Mr. Chairman, I move to strike the requisite number of words. The hour is getting late and it gets more difficult to participate.

I oppose this amendment, as Puerto Rico is not a nation. This bill will enable Puerto Rico to become a nation as a separate sovereignty if a majority of the U.S. citizens of Puerto Rico vote to be independent. This provision is potentially confusing and should not be accepted, and I oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ).

The amendment was rejected.

AMENDMENT OFFERED BY MR. STEARNS

Mr. STEARNS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEARNS: In paragraph (2) of section 5(c)—

(1) strike ''sovereignty or statehood, there is'' and insert the following (and adjust the margins accordingly):

sovereignty or statehood—

(A) there is

(2) strike the period at the end and insert ''; and''; and

(3) add at the end the following new subparagraph:

(B) not later than 90 days after such referenda, there shall be a second referendum held in accordance with this Act which shall be on the approval of 1 of the 2 options which received the most votes in the first referendum. Such 2 options shall be presented on the ballot using the same language and in the same manner as they were presented in the first referendum.

Mr. STEARNS. Mr. Chairman, I wanted the amendment to be read because a lot of Members will not know what it is about and I thought they could hear the amendment itself. Basically, this is an amendment to provide for a runoff referendum if the first referendum required in the bill does not result in a 50 plus percent vote for independence or statehood. My amendment is a simple method of improving H.R. 856 to make the self-determination process more fair for the Puerto Rican people.

My amendment seeks to abbreviate this self-determination process by holding a runoff referendum no more than 90 days after the first referendum. Because there would be only two choices at this point, voters could more easily achieve a binding majority vote for statehood, commonwealth, or independence in my proposed runoff. Such a process would avoid the lengthy process we have in the bill.

Let us review this again. First, should the runoff referendum result in a majority for one of the 3 processes, yet it did not have a full 51 percent, then we would have another election, 90 days later, and the top 2 would be voted on to see which one would be the winner. The runoff would serve to coalesce the interests of the voters because those who first voted for the third option would then be forced to vote for the first or second options in the runoff. This knowledge of Puerto Rico's preference on the issues could help us here in Congress tailor future referenda to their preferences.

I am introducing this amendment to H.R. 856 because I think it is important to expedite the process. What the current polls show is that 45 percent of the Puerto Rican voters support commonwealth and only 35 percent support statehood. Nevertheless, should Puerto Rico choose commonwealth, H.R. 856 mandates continued referenda until either statehood or independence gains the majority.

Would it not be nice within 90 days after the first referendum to have the top two voter preferences voted again and we decide immediately what the Puerto Rican voters support? They would be subjected to the same thing we have here in Congress. When people run for Congress during the primary, the first two in the primary run for a final runoff before the general election. Why keep having the same vote over and over on such a protracted time frame? In the alternative, why not consider the desires of the Puerto Ricans when allowing them to hold future votes and tailor future referenda to achieve a concrete result?

Mr. Chairman, my amendment seeks to abbreviate the lengthy process outlined in the bill and to clarify immediately, within 90 days, the desires of the Puerto Rican people for future referenda, both through a runoff referendum in 90 days. Supporting this amendment will produce an improved bill for Puerto Rico's self-determination. I urge my colleagues to support my amendment.

□ 1915.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am a little confused, because we have heard a lot of debate today about the Congress forcing people to do things, and I am afraid that what this will do is put the pressure on two groups to have the vote within 90 days. To my knowledge, this never happened in any other case in the United States if there was not a majority. In fact, there have been other areas that did not have a majority, and they had to wait and wait and wait until they did it again. I am a little confused why it is necessary to do this on this bill.

It is very clear in my bill, it says you have to have a majority. The gentleman from Georgia (Mr. BARR) will offer an amendment that I will not support that wants a super majority. This says we are going to have a vote on the two top ones in 90 days.

This adds confusion to the bill and is not necessary. I reluctantly oppose the amendment. I just heard about it, and the gentleman talked to me a moment

ago, and I do not really know what it is going to try to accomplish, so I do oppose the amendment.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am not sure that this approach works. I think after looking at a number of different approaches, the committee decided that all three options ought to be on the ballot; that the people, given the political cultural history of people on the islands, they ought to be able to express it along those lines.

I am sure there are many people that might vote for independence, which historically has been the third party out. The notion of a runoff to many of these people, that is not an option to them. They would not go from independence to saying they are looking for statehood. It does not work.

This is a political process where people have very, very strong convictions. We may want to transport the mainland system, where people kind of wander around between Republicans and Democrats and different options and do not seem to hold the same kind of convictions. On this issue, people have very strongly held positions, and the fact that you lose the runoff does not mean you then convert that position immediately to one of the other options, because that is not how your political positions have evolved or have been articulated over the many years of this relationship.

Mr. STEARNS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, for example, let us say it turns out commonwealth gets 46 percent, statehood gets 43 percent, and the remaining goes for a sovereign nation. Then you would have the runoff of the commonwealth and the statehood. Those people who believe in independence would probably support Commonwealth, and it would move to probably 53 or 54 percent. So then we in Congress would know immediately that they prefer the commonwealth or independence alternative rather than statehood.

I think that information is very important for the people in Puerto Rico to know and important for Members of Congress to know when we determine whether this country should move forward to statehood. It is another critical piece of information. It gives democracy a chance to work, and gives the people who support independence an opportunity to vote again.

Mr. MILLER of California. Mr. Chairman, reclaiming my time, I am not sure that is a real option to many of the people who support independence. They will have to determine that. I remain opposed to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. STEARNS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. STEARNS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 376, further proceedings on the amendment offered by the gentleman from Florida (Mr. STEARNS) will be postponed.

Are there further amendments to the bill?

AMENDMENT NO. 5 OFFERED BY MR. GUTIERREZ

Mr. GUTIERREZ. Mr. Chairman, I offer Amendment No. 5.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows.

Amendment No. 5 offered by Mr. GUTIERREZ: In section 2, in paragraph (2), strike ''Consistent with establishment of United States nationality for inhabitants of Puerto Rico under the Treaty of Paris,''.

Mr. GUTIERREZ. Mr. Chairman, the gentleman from Alaska (Mr. YOUNG) spoke earlier about the hour being late and how people do not listen and do not pay attention, but I have got to tell you, we got to. This is a very important issue.

Why do I want to strike these words? I hope that the gentleman from Alaska (Mr. YOUNG) and others would participate in this debate, because I think it is important.

Mr. Chairman, I rise to present an amendment and to move the first three lines of the findings under the word ''Paris,'' because that statement is false.

I have there at my desk a complete copy and text of the Treaty of Paris signed by both the United States of America and Spain, in Paris, France, on December 10, 1898. I have read, and I hope all of the Members before they enter into a decision read the Treaty of Paris.

Mr. Chairman, the only, I repeat, the only mention of the word ''nationality'' is found within Article IX of the treaty, and it refers to the future Spanish subjects residing in the newly acquired territories. Because this issue goes directly to whether Puerto Ricans not only are a distinct people, but also to whether this fact has always been recognized by our Congress, our government, and the people of the United States, Mr. Chairman, I am going to quote it in full.

Article IX. Listen. You will learn a little bit of history tonight.

''Spanish subjects, natives of the Peninsula, residing in the territory over which Spain by the present treaty relinquishes or secedes her sovereignty, may remain in such territory or may remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or its proceeds, and they shall also have the right to carry on in their industry, commerce and professions, being subject in respect thereof to such laws that are applicable to other foreigners. In case they remain in the territory, they may preserve their allegiance to the Crown of Spain by making before a court of record, within a year from the date of the exchange of ratification of this treaty, a declaration of their decision to preserve such allegiance; in default of which declaration they shall be held to have renounced it and adopted the nationality of the territory in which they may reside,'' Puerto Rico.

So when we talk about the issue of nationality, it is right in the Treaty of Paris.

''The civil rights and the political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.''

Let me repeat that. ''The civil rights and political status of the native inhabitants of the territory,'' that is Puerto Rico, ''hereby ceded to the United States shall be determined by the Congress.''

Mr. Chairman, I challenge any of my colleagues to prove me wrong and to find another place in the text of the Treaty of Paris in question the word ''nationality.'' It is nowhere else to be found in the treaty.

Now, let us go back to the treaty. ''In default of which declaration they shall be held to have renounced it and adopted the nationality of the territory in which they may reside.''

''The nationality of the territory in which they may reside.''

What nationality? Of Puerto Rico.

Now, Mr. Chairman, as I understand it, treaties are in essence contracts between two or several nations. Treaties tend to be specific and clear. The failure of a treaty between two or several nations to be clear about its terms has led on more than one occasion to dispute.

Mr. Chairman, this is serious business. If the United States Congress wished to grant Puerto Ricans the nationality of the United States, as it is claimed in the so-called findings of the Young bill, why is it not spelled out clearly and specifically in the Treaty of Paris?

Let me go back and read to you other relevant parts of the treaty which I think will shed light on this article. In Article I of the treaty, it says, ''Spain relinquishes all claims of sovereignty over the title of Cuba.''

In Article II it says, ''Spain cedes to the United States the island of Puerto Rico and other islands now under Spanish sovereignty in the West Indies, and the island of Guam in the Marianas or Ladrones.''

In Article III it says, ''Spain cedes to the United States the archipelago known as the Philippine Islands.''

Mr. Chairman, I ask, where in this Treaty of Paris did the Congress of the United States expressly extend United States nationality?

Ms. VELÁZQUEZ. Mr. Chairman, I move to strike the last word.

Mr. GUTIERREZ. Mr. Chairman, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentleman from Illinois.

Mr. GUTIERREZ. Mr. Chairman, I ask, where in the Treaty of Paris did

the Congress of the United States expressly extend United States nationality, think about that, to the people of Cuba, to the people of Guam, to the people of the Philippines or Puerto Rico? It is nowhere to be found in the Treaty of Paris.

This so-called finding is a lie. It implies that the failure to declare allegiance to the Crown of Spain by a specified date meant the establishment of United States nationality for the inhabitants of Puerto Rico. In other words, they interpret the Treaty of Paris to say, hey, if you did not renounce your sovereignty under Spain, you became nationals. But we did not say that. The United States of America did not grant that to those people. It says, of nationals of that territory, the only territory being Puerto Rico.

The terms of the treaty are very clear. Spanish subjects who fail to declare their allegiance to the Spanish Crown by a specified date became, in the words of the Treaty of Paris, not Americans or American citizens, but nationals of the territory in which they reside. In the case of Puerto Rico, clearly they became nationals of Puerto Rico, because they were not citizens of the United States, and we did not grant them United States nationality.

I ask anybody to look at that treaty and find something different.

Mr. Chairman, I think it is very clear, they became Cuban nationals, Guam nationals, Philippine nationals, and Puerto Rican nationals. And you know something, Mr. YOUNG, the Cubans became independent. Guam, the Philippines. So think about it, they were nationals of a nation, along with other people of other territories.

Mr. Chairman, Puerto Rico is a separate and distinct nation with its own culture, language and history. But the proponents of H.R. 856 seek to deny the existence of the Puerto Rican nation with its very defined terms.

Mr. Chairman, this fact of the existence of a clearly defined Puerto Rican nationality is exactly the reason why Congress has not once in 100 years since the Treaty of Paris incorporated Puerto Rico as a territory.

Mr. Chairman, there is very extensive public available research which will substantiate each and every one of my assertions.

Finally, I will limit my presentation to the following: Think about it. After the Treaty of Paris, what is the next document that we have in relationship between Puerto Rico and the United States? You know what it was, Mr. YOUNG? It was the act of Congress in 1900 known as the Foraker Act, the first organic act of Puerto Rico. And guess what? Under the section General Provisions of that act of Congress, it puts to rest any notion that the Treaty of Paris established United States nationality for inhabitants of Puerto Rico, as is alleged in this false finding, because I am going to quote it to you. This is an act of Congress, 1900 Foraker Act, section 7:

All inhabitants continuing to reside therein who were Spanish subjects on the 11th day of April, 1899, and their children born subsequent to them, shall be deemed and held to be citizens of Puerto Rico, and as such entitled to the protection of the United States, except such as have elected to preserve their allegiance to the Crown of Spain in accordance with the provisions of the treaty of peace between the United States and Spain; and they, together with such citizens of the United States as may reside in Puerto Rico, shall constitute the body politic under the name people of the people of Puerto Rico.

□ 1930

Puerto Rico is a nation, under the Foraker Act of Congress. We did not give them nationality, we did not give them anything. We signed a treaty. So please stop saying that it is a group of people; the Foraker Act in 1990 and every subsequent piece of legislation. I am not, and I ask anybody to stand up and find where in the Foraker Act it says that Puerto Ricans were granted American nationality. It is not there in the Treaty of Paris.

I would think that King George III, he must have just turned. I can just see him. If he would just show up for a second, I could just see him, because King George must have said, God, did I just hear a Member of Congress say that Puerto Rico is not a nation, that it is just a group of people? Because I think, as the King of England, I once said that about the 13 colonies.

They said those 13 colonies are not a nation. That is not a group of people, that is just a group of colonies that we got out there that we own. They would have been cheering and applauding the English throne. They would have said, God, we have Members of Congress who say to us today, in 1998, after 1776 declaring our independence from the King and England, that still people dispute that there are nations out there. They are there. The facts are clear.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I had a teacher in law school who said that when you had the facts, you harped on the facts. When you had the law on your side, you harped on the law. When you did not have the facts or law on your side, you made a hell of a mess, and pleaded all over the place.

That is precisely what the gentleman from Illinois is doing. He is trying to confuse the issues here. I repeat once more, Puerto Rico is not a nation, as we understand nations to be, and they have no participation in international organizations as a separate nation. The United States represents Puerto Rico and all the 50 States in all international organizations.

Mr. Speaker, I want to submit, if the gentleman from Illinois and the gentlewoman from New York feel that they belong to a different nation, a different nation than the United States, I would recommend that perhaps they should renounce their seats and let some Americans occupy their seats.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the Congress is given the responsibility to determine the civil rights and status of the inhabitants of Puerto Rico under the Treaty of Paris. I have the Treaty of Paris in front of me. I do not want to get into a great debate with my friend, the gentleman from Illinois, but Congress extended U.S. sovereignty to Puerto Rico and U.S. nationality to its residents.

Consequently, I oppose the amendment, and I think that we ought to have a vote on the amendment.

The CHAIRMAN. Is there further debate on the amendment?

If not, the question is on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ).

The amendment was rejected.

The CHAIRMAN. Are there further amendments?

AMENDMENT OFFERED BY MR. BARR OF GEORGIA

Mr. BARR of Georgia. Mr. Chairman, I offer an amendment, the short version.

The Clerk read as follows:

Amendment offered by Mr. BARR of Georgia: In section 4(c)(3)(B), strike ''Approval must be by a majority of the valid votes cast.'' and insert ''Approval of the separate sovereignty option must be by a majority of the valid votes cast, and approval of the statehood option must be by a super-majority of 75 percent of the valid votes cast.''.

In section 5(c)(2), strike ''majority vote for'' and insert ''in the approval of''.

Mr. BARR of Georgia. Mr. Chairman, we have heard a lot of proponents of H.R. 856 argue that this bill is necessary in order to offer the people of Puerto Rico the opportunity to determine their own political destiny. This is not right. This is not correct.

No one disputes that Puerto Rico should have the right to self-determination. As a matter of fact, they already have that right. Nothing prevents the Puerto Rican people from petitioning Congress for admission to the Union without the necessity of a federally-mandated plebiscite. But Puerto Rico has not done so. Why not? It may very well be that because ever since the first plebiscite was held in 1952, the majority of Puerto Ricans have never asked for statehood.

In the last plebiscite, held in 1993, none of the status options received a majority of the vote. In fact, only 46 percent of Puerto Ricans chose statehood, while an even larger number, 49 percent, voted to retain Commonwealth status. Concerning the permanent, irrevocable nature of statehood, it does not make sense to grant it unless the overwhelming majority of Puerto Ricans favor such a step.

Recent national polls show that American and Puerto Ricans alike support a requirement that statehood be approved by a supermajority of Puerto Rican voters. According to an April 1997 Public Opinion Strategies poll, 61 percent of mainland Americans favored a requirement that statehood be approved by a supermajority of at least 75 percent of the popular vote.

Likewise, a June 1997 poll of Puerto Rican voters conducted by American Viewpoint demonstrated that 57 percent of Puerto Ricans also supported such a requirement.

The amendment I am offering follows the will of the people, both in the United States mainland and in Puerto Rico, a 75 percent supermajority for the Puerto Rican approval vote, which in the later step is a completely reasonable requirement when one considers the fact that Alaskans gave 83 percent approval to statehood and Hawaii gave 94 percent.

Why is a supermajority requirement necessary? Let us look at the big picture. English is the common language of the United States. It is not the common language of Puerto Rico. Spanish is an official language of Puerto Rico. It is the language of its courts and its legislature and its schools.

According to the 1990 census, less than a quarter of all Puerto Ricans speak English. In 1996 this House voted overwhelmingly to make English the official language of the United States. Eighty-six percent of Americans favor making English the official language of the United States and 74 percent of Americans favor a requirement making Puerto Rico accept English as its official language prior to becoming a State.

Puerto Rican statehood and the overwhelming mandate for making English the official language of the United States will inevitably generate a contentious debate over issues of language and culture. If this friction translates into political turmoil similar to the bitter separatist struggle in Quebec, it could undermine the long-term assimilation of Puerto Rico, or even worse, provoke resentment, violence, or acts of terrorism against mainland U.S. and supporters of Puerto Rican statehood.

This is why I say to my colleagues, let the will of the people be heard, but let us make sure it truly is the will of the people, consistent with the historical standards that were maintained with regard to the admission of the last two States of the Union, Alaska and Hawaii, during which or in both of which votes, well over 80 percent of the people voted for statehood.

What we are simply saying in this case, with regard to Puerto Rico becoming a State, is that before that becomes a reality, and in order to ensure a true plebiscite, we ought to require and should require through this amendment a 75 percent supermajority.

I ask adoption of this amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask the question of the gentleman, if I understand the gentleman correctly, he has modified his amendment from the original text where it only applies to the admission stage; is that correct?

Mr. BARR of Georgia. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Georgia.

Mr. BARR of Georgia. That is correct.

Mr. YOUNG of Alaska. This does not apply to the plebiscite that will be taken in the first stage?

Mr. BARR of Georgia. That is correct.

Mr. YOUNG of Alaska. That does not apply to the second stage?

Mr. BARR of Georgia. To the Puerto Rican approval after congressional consideration?

Mr. YOUNG of Alaska. This is not necessary, except only in the case where the plebiscite voted for statehood and they made the application to the Congress, the Congress votes, there is a transition stage, this goes back, and they have to reach the 75 percent?

Mr. BARR of Georgia. That is correct.

Mr. YOUNG of Alaska. The only question I have, what other States required that in the title or in the text of the statehood act? Were there any other States that ever required that?

Mr. BARR of Georgia. I think this is a unique situation. The gentleman is certainly correct in his implication that this has not been required before, but I do not think that is necessarily a reason why, in this particular case, given the language difficulties and the very strong feelings; I mean, the gentleman is sitting at a desk where there is a bullet hole by some Puerto Rican separatists. Tempers can run very high on this.

This amendment was intended so that it truly reaches the vast majority of people, and I think will be a tempering amendment as well.

Mr. Chairman, to those who say that this is nothing but rhetoric; that it couldn't happen here, well, I have news for you. It has already happened here. Right here in this very Chamber. On March 1, 1954, Puerto Rican nationalists ascended to the House gallery, drew pistols, and opened fire. Before they were subdued, five Congressmen lay wounded on the House floor. To this very day, we can see the evidence of their handiwork. Inside that desk, is a drawer with a bullet hole.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think the gentleman from Georgia (Mr. BARR) is correct in one aspect of his amendment. That is, I think that ultimately for this act to succeed, the vote to change the status in Puerto Rico to State should be by a supermajority.

In the past, that has happened in other States because of the enthusiasm by the end of the process for statehood, and when they in fact voted on the admission, as the proponents of this amendment pointed out, they voted by 79 percent and other supermajorities, but there was no requirement that they voted. Had Alaska voted by 50.1 percent, it would have been a State. It voted by 79, but there was no requirement. This would be the first time that we have placed this requirement on this.

I agree with that requirement, but I am deeply disturbed by the fact that we have a 75 percent threshold here. I just think that we have raised the bar where in fact this amendment, in all likelihood, could torpedo this act; or should the people in Puerto Rico choose to go forward with the process of adopting statehood, that this in fact could be a defeat of that aspect.

I think a reasonable higher percentage, above 50 percent, is understandable, but I do not believe that 75 percent is it, and for that reason I would oppose this amendment.

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

Mr. Chairman, I just rise in support of the amendment offered by the gentleman from Georgia (Mr. BARR) that would require the supermajority of 75 percent. The reason is that we have heard many times that no other States have had to have this requirement. But no other States have been so apparently divided on the question of becoming a State; no other territories, if you will.

Mr. Chairman, I believe that 75 percent is conservative. I believe it is a minimum level. It would bother me that we would have a territory that wants to become a State with less than 75 percent. I would think, Mr. Chairman, that it would be 90 or 95 percent of the people wanting to join officially as a State into the great United States of America.

I believe that the 75 percent is there because the gentleman from Georgia (Mr. BARR) and many Members of Congress realize that this is a controversial measure. It is a measure that is dividing the island of Puerto Rico. We do not know if it is going to be yes, we do not know if it is going to be no, but both sides agree that it is going to be a very, very close vote.

I think it would be a shame to admit a new State to the Union where we do not have at least 75 percent of the people who enthusiastically are willing and want all the rights and privileges of being a State.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I oppose the amendment on the basis that this 75 percent on the final vote the third time is excessive. Today with the mass media and the use of the mass media in any kind of election, it is easy to reach 25 percent or more. Just by one 26 percent, all of a sudden something stops. And 74 percent, a majority in Puerto Rico, then if the opposition gets 26 percent, the whole thing stops.

I think the requirement of 75 percent is extremely high. I think it would dampen the spirits of the people themselves, to say, why should we be required 75 percent when nobody else was required more than 50 percent? Some States were even admitted to the Union with less than 50 percent. They voted for statehood less than 50 percent, yet they were admitted into the

Union. With Puerto Rico it is 75 percent. I think this is too exaggerated, and I would oppose it.

Mr. YOUNG of Alaska. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there is a lot of information being disseminated by members of this committee that this is a stacked deck against Commonwealth. I would respectfully ask them to read the bill. In fact, it enhances the Commonwealth position. I am a little bit concerned that the type of information being displayed and disseminated by other members of this House to those that did vote in favor of the Young-Miller-McCollum-Burton amendment ought to understand that this bill has been carefully crafted contrary to what people may say, and only the Congress has the right to define what Commonwealth is.

□ 1945

Only the Congress. And so, Mr. Chairman, those who will be watching this debate on television should reconsider some of the information they have received in the very few minutes since the last vote. I just ask Members to do that as they watch this debate, to understand that we have crafted this bill very balanced and very straightforward.

Those who say the bill has not seriously considered commonwealth, look at the original text. I did not be even include commonwealth in it. But because supporters of commonwealth came to me, we wrote with the gentleman from California (Mr. MILLER) a definition that does give them advantage. I would just like to suggest that we stick to the script.

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

Mr. Chairman, once again I would like to commend the gentleman from Alaska (Mr. YOUNG), chairman of the Committee on Resources, for his work on this bill. It is a historic bill. I feel very privileged to be a member of this committee, to have been able to work on this legislation, to have had the chance to travel to Puerto Rico many times over the course of the last 2 years to hear the voice of the people of Puerto Rico.

Initially when I came to Puerto Rico I was sympathetic to the commonwealth cause because that is the cause that has been historically identified with the Democratic Party of which I am a Member. And yet I felt from the testimony of the people in Puerto Rico that there is a transformation going on in Puerto Rico, because the people of Puerto Rico have finally come to the realization that commonwealth status is no longer the best of both worlds. It does not mean, as many people thought it meant, that there was a bilateral agreement between the people of Puerto Rico and the United States.

Mr. Chairman, I wish that we had had that bilateral agreement. I wish the people were right when they said that they had an equal voice as the United States when it came to determining the laws of Puerto Rico. But unfortunately, Mr. Chairman, that is not the case right now in Puerto Rico.

If we need evidence of it, all we need to do is go back to the 103rd Congress, last Congress, and see that this Congress unanimously, without the support of the people of Puerto Rico, did away with 936, the tax status in Puerto Rico. The reason we did away with it is, guess what, it is up to this Congress to choose; not the people of Puerto Rico. I find that very upsetting. I find that very troubling that we in this Congress can decide arbitrarily what the law is going to be for Puerto Rico, and yet they have no voice in the matter. So that is why we have come to this bill and that is why we need to support this legislation.

Mr. Chairman, in conclusion let me just say those who say commonwealth is not favored in this legislation are right, because when we define commonwealth status we understand that it can be nothing more than territorial status. Like it or not, that is the legal opinion of the Supreme Court, of the constitutional experts. Even the United Nations know that commonwealth status is not a recognized final status.

So when people say we leave it up for another vote and another vote and another vote when there is not a majority who vote for statehood, the reason is that some day the people of Puerto Rico have to choose between the constitutionally accepted choices of final status, i.e. independence which is recognized, or full assimilation with the United States with respect to statehood for the people of Puerto Rico.

Now, in conclusion, let me just say anybody who has been to the Puerto Rican community in my State should know that simply because they are in Rhode Island does not mean they have taken away any of their Puerto Rican identity. I know for sure that, having been to Puerto Rico, even if they become an ''estado,'' it is not going to change the people of Puerto Rico. They will still be the shining star of the Caribbean and will still have their own culture and identity. There is nothing that will take that away from them.

But ultimately they will have the right of every other American citizen to vote for a Congressman who will represent them in the halls of this Congress when we choose to make decisions that affect the people of Puerto Rico. That is why we need to pass the Young bill as is and let a majority of the public decide, which has always been the case: a majority decides.

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

Mr. Chairman, I would like to say to the gentleman from Rhode Island (Mr. KENNEDY), my friend, that number one, I think it would be good for us if the gentleman could please offer to us the Supreme Court decision sometime that states that the commonwealth does not exist, because I would like to read it.

Mr. Chairman, I would like to also see something from the United Nations, since the gentleman referred to the United Nations, where the United Nations says that the autonomous status is somehow also something that is not acceptable in international law. Because I would really like to see that for my own edification.

I think that that is important because I think that that is the process that we are about here today, is learning from one another. Because I can bring the gentleman the Foraker Act that was passed in 1900 that says this Congress gave Puerto Ricans Puerto Rican citizenship. I have here the Treaty of Paris which says that those members of that territory will be nationals of that territory. Complete, complete disregard for these findings that we have here.

So there is a lot to be debated and I think that we really do have to understand something. Let us have a debate about some constructive questions. Unfortunately, because of the way the rules are worked out, we only could debate it today. It seems interesting.

I always wondered, as I said yesterday, if we were determining our future relationship with Israel, if the 40-some-odd Jewish Members and others of us here who care about that relationship would want to limit it to one day; if it were about Ireland, if the gentleman from Rhode Island and others would say, ''God, Luis,'' if I came to them and said we have to limit it to one day; if it was about South Africa and the African-American Members would say, ''We have to limit it to one day?'' It is sad. So much to discuss. So much to debate. So much to learn about. And yet so little time to make this momentous decision.

That is what I really think. No one hears about the Foraker Act. Did my colleagues read the Jones Act of 1917? Did they read Law 600 of 1950? No, it is like the complete history is in these findings. Findings that were prepared.

Mr. Chairman, I want to repeat something. I think that the gentleman from California (Mr. MILLER) did a great job, but let us understand something. The gentleman said before the Committee on Rules yesterday that when he could not reach an agreement with the ''commonwealthers,'' he took that definition from the commonwealthers, took it to them and it was rejected. Then do my colleagues know what he did next? He said he sat down with the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) and the two of them made an agreement of what that definition should be.

I do not think that is an exactly fair and equitable manner of arriving at definitions that are going to determine the future of Puerto Rico. I thought we had a democracy here, bipartisan. Mr. Chairman, can my colleagues imagine if I got to write the platform for the

Democratic Party and said here it is, go run on it?

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentleman yield?

Mr. GUTIERREZ. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I appreciate the gentleman's frustration that we have only had a day. I have enjoyed the fact that we could pack a lot into this day, even more than the time that we have.

Let me just say that consistent with the Principles 6, 7, 8, and 9 of the Annex Resolution 1541 of the United Nations General Assembly, the U.N., statehood is the decolonizing status option for decolonization.

Mr. GUTIERREZ. Mr. Chairman, reclaiming my time for a moment, because that is interesting, the United Nations. And what about section 748?

Mr. KENNEDY of Rhode Island. Independence also.

Mr. GUTIERREZ. It is also independence, and also autonomy is in there. Is it not interesting that the gentleman says that the United Nations says that self-determination is statehood, the ultimate assimilation of one country by another?

My only point is the Supreme Court has ruled on this thing invariably differently. There is no definite decision about that. All I am saying is that Cabot Lodge went down there, made the agreement. We went before the Committee on Decolonization. We went before them, before the world community, and said the people of Puerto Rico and the United States have reached a compact. We came back here to Congress and we said this is what we are going to respect.

Now I know the gentleman is going to go back and say that did not exist and it was a big lie. The Congress lied. Cabot Lodge lied. We were all one big liar. Is that what we are saying here today? Eisenhower lied. Everybody lied. I do not think quite we can say that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. BARR).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. BARR of Georgia. Mr. Chairman, on that I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 376, further proceedings on the amendment offered by the gentleman from Georgia (Mr. BARR) will be postponed.

AMENDMENT NO. 29 OFFERED BY MS. VELÁZQUEZ

Ms. VELÁZQUEZ. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 29 offered by Ms. VELÁZQUEZ: At the end of section 2, add the following new paragraph:

(16) On November 18, 1997, the Supreme Court of Puerto Rico decided in Ramirez de Ferrer v. Mari Bras, CT–96–14, that there exists a Puerto Rican citizenship which is ''separate and distinct'' from the United States citizenship and that persons born in Puerto Rico who are Puerto Rican citizens may not be denied the right to vote in Puerto Rico even if they are not United States citizens.

Ms. VELÁZQUEZ. Mr. Chairman, this amendment adds a new finding to the bill. It recognizes the separate and distinct nature of Puerto Rican citizenship.

The amendment provides that on November 18, 1997, the Supreme Court of Puerto Rico decided that there exists Puerto Rican citizenship which is separate and distinct from the United States citizenship. The court further found that persons born in Puerto Rico who are Puerto Rican citizens may not be denied the right to vote in Puerto Rico if they are not United States citizens.

Juan Mari Bras, the subject of this lawsuit, has challenged us to take a close look at the nature of Puerto Rico nationality and citizenship. The proponents of the bill insist that the Puerto Rican people have no rights other than what Congress has granted them. This reading of history is outright wrong and deceiving. This deliberate omission of fact from the findings is yet another example of the misleading hand behind the drafting of this bill.

By omitting this finding, we are ignoring the fundamental protections of international human rights as well as the U.S. Constitution. Almost 50 years ago, several years after the creation of the United Nations, the Universal Declaration of Human Rights, a treaty signed and ratified by the United States Congress, provided under Article 15 that everyone has a right to nationality.

Furthermore, Article 19 of the American Declaration of the Rights and Duties of Man, as well as article 20 of the American Convention of Human Rights, recognized this fundamental international right and protection.

The existence of a separate and distinct Puerto Rican citizenship and that the Puerto Rican people form a Nation cannot be questioned. The Puerto Rican people have a distinct language and culture and a defined geographical territory, and it has been self-governing since the 1950s through the commonwealth relationship entered with mutual consent with the United States.

Neither the Jones Act nor the Puerto Rican Federal Relations Act took Puerto Ricans' inherent right to their own nationality and to be citizens of their nation. The Supreme Court, the Puerto Rico Supreme Court's recent ruling confirms this historical and legal interpretation.

Mr. Chairman, we should not approve a bill with such a misinterpretation of Puerto Rico's nationality and citizenship rights. I urge my colleagues to support my amendment.

Mr. GUTIERREZ. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of this amendment. I propose to add this finding because I think it is very important for Congress to understand the reality of the Puerto Rican people. This bill makes a formal offer of statehood, too.

This amendment informs Congress and the American people about a very recent and very important decision made by the Supreme Court of Puerto Rico of the Commonwealth of Puerto Rico, of which the Resident Commissioner was once Governor.

□ 2000

In the case of Miriam J. Ramirez de Ferrer, a great supporter of statehood in Puerto Rico, against Juan Mari Bras, somebody who wishes independence for Puerto Rico, in this momentous decision the Supreme Court of Puerto Rico, not Luis Gutierrez, the Congressman from the Fourth District of the State of Illinois, but the Supreme Court of Puerto Rico determined that Puerto Rican citizenship is a birthright of all persons born on the island, borne of the natural right of all persons guaranteed under the Constitution of the Commonwealth of Puerto Rico. I did not make this up. This is a recent decision of the Supreme Court of Puerto Rico. Talk about self-determination.

Are we simply going to disregard that decision, the same Supreme Court where there is a statehood Governor currently in Puerto Rico? This Supreme Court decision based both on Federal law and precedent as well as the Constitution of the Commonwealth was that Puerto Rican citizenship is, and I quote, separate and distinct from United States citizenship.

A very well known and respected leader of the movement for Puerto Rican independence, Mr. Juan Mari Bras traveled to Venezuela and in accordance with U.S. law went to the U.S. Embassy in Venezuela and filed an application to renounce his American citizenship. He returned to Puerto Rico and resumed his law practice. A year later he received a formal certificate accepting his resignation of American citizenship. When he registered to vote in Puerto Rico, his right to vote in the Puerto Rican election was challenged. The case went all the way to the Puerto Rican Supreme Court, which upheld his right to vote in Puerto Rican elections. The Court decided also that while it was constitutional for the Puerto Rican Legislature to require U.S. citizenship to vote in Puerto Rico, along with residence and other requirements, native-born Puerto Ricans are guaranteed their right to vote in Puerto Rican elections by sole virtue of their Puerto Rican citizenship conferred to them by their birth in Puerto Rico. So states the Supreme Court of Puerto Rico.

This is very important because it highlights the important fact that Puerto Rico is indeed a nation, that citizenship and nationality are two different things. It is in the Treaty of

Paris. It is in the Foraker Act. It is in this recent decision, because I know that some of my colleagues are saying, why are you going so far back? Well, I went back 90 years, and now I am coming present.

Members should know this, this Congress, that the Supreme Court Justices, all American citizens, had decided, what do you do with Juan Mari Bras? He was born in Puerto Rico. He renounces his American citizenship. What country do you send him to? Where do you get rid of him to? The Supreme Court said he was born on this island, there is nothing we can do. He renounced it, and he has no other country because he is a national of this nation, Puerto Rico.

I suggest to anybody to please explain to me what you do with people in the circumstances of Juan Mari Bras.

Now, I think it is important that we discuss and debate all these issues. Unfortunately, we will not have enough time today.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I rise in opposition to the amendment, and I move to strike the requisite number of words.

Mr. Chairman, we have been hearing about the nation of Puerto Rico, and once again I repeat, Puerto Rico in geopolitical terms is not a nation. One might consider Puerto Rico a nation in sociological terms, but not in geopolitical position.

We are a community. What the gentleman from Illinois and the gentlewoman from New York are trying to do here is trying to confuse the issue by saying Puerto Rico is a nation, a different nation; therefore we have to treat it differently from what we treat all the other U.S. citizens. But the issue before us is clear. The issue before us is, are we going to allow self-determination or not to the U.S. citizens in Puerto Rico. All this extraneous material that is being brought up here today is for the purpose of confusing. There is no legitimate purpose on this issue to have to consider what happened in 1900, what happened in 1902.

What we are trying to do is what happens now, what happens in the future. The decision in the case of Juan Mari Bras was by a Supreme Court in Puerto Rico where five out of the seven members were appointed by the Governor, who is of the Commonwealth Party, and all of them had been active politically before they were appointed to the bench. The Chief Judge of the Supreme Court of Puerto Rico was a lawyer of the Commonwealth Party in electoral matters, in matters of election. He is the Chief Judge of the Supreme Court.

The decision by the Supreme Court very carefully kept away from all Federal laws and the U.S. Constitution very carefully so the decision could not be questioned in the Federal forum. It has been highly criticized as a horrendous judicial decision by many outstanding attorneys in Puerto Rico.

So those things happen in this issue of the status. This is why it is necessary to bring before Congress and Congress allow the people of Puerto Rico to vote to see if we can put an end and decide finally which road Puerto Rico is going to take.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

The amendment was rejected.

The CHAIRMAN. Are there further amendments?

AMENDMENT NO. 4 OFFERED BY MR. GUTIERREZ

Mr. GUTIERREZ. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. GUTIERREZ:

Strike section 2 and redesignate the succeeding sections accordingly.

In section 1(b), in the table of contents, strike the item relating to section 2 and redesignate the succeeding items accordingly.

Mr. GUTIERREZ. Mr. Chairman, this amendment seeks to address the grave injustice done to the independence and to the commonwealth versions of Puerto Rican history that are included in these findings. As I have shown previously in the debate on the findings sections, the findings sections to be included in this bill have been chosen to provide a distorted pro-statehood version of Puerto Rican history, beginning with the very denial that Puerto Rico ever existed as a nation and as a people.

It is unfair to present such an unbalanced view of the Puerto Rican history if the true objective of this bill were truly self-determination. Rather than attempt a superficial discussion on historical facts on which those of us with a little knowledge of Puerto Rican history find it very hard to agree upon, and upon which, in all truth, the majority of my colleagues unfortunately know little of the details, and of the interpretation of those historical details, we are asked to subscribe to with our vote.

This bill is so slanted in favor of statehood, especially in the findings section, that it is really an overkill. The purpose of this very conveniently selected presentation of Puerto Rican history is to provide political ammunition to the Statehood Party during the plebiscite campaign. Adoption of this amendment will make this bill less unfair and less skewed in favor of statehood.

I have just shown you clearly, I think, when we spoke about the Treaty of Paris, that nowhere in the Treaty of Paris, and I asked the gentleman from Puerto Rico if he has found in the Treaty of Paris where it says United States nationality, because if he finds it, then you know I will take it back, because then maybe I missed it somewhere, but he has not responded to that. Where it is in the Foraker Act of 1900, I asked the gentleman from Puerto Rico to please find. And it says there, Puerto Rican citizenship. It exists. It existed as a nation of people.

There is a difference between nationality and citizenship. That has already been determined throughout the world. Yes, Puerto Ricans are nationals. I know that some of them feel less Puerto Rican than others and that there may be degrees to which people feel. I am sure that when we had the great war of independence from Great Britain, there were many of those who said, oh, God, I do not want to be a member of that new emerging Nation of those 13 colonies. I kind of like King George. He is okay. And there were others who felt as Thomas Paine, as Jefferson and as others, that it was time to incorporate into a new Nation and to make that Nation valid. That is what we have got in Puerto Rico.

Let us understand it. Let us not skew the issue. I ask that the findings just simply be eliminated because what you are doing, if you allow these findings, is a blank check, because they will take these findings, convert them into 30-second commercials and distort the reality of the congressional intent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ).

The amendment was rejected.

The CHAIRMAN. Are there further amendments?

AMENDMENT NO. 21 OFFERED BY MR. GUTIERREZ

Mr. GUTIERREZ. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. GUTIERREZ:

In section 4(a), insert after paragraph (6) of the referendum language for Statehood the following new paragraph (and redesignate the succeeding paragraphs accordingly):

''(7) Notwithstanding the Amateur Sports Act of 1978. Puerto Rico retains its separate Olympic Committee and ability to compete under its own flag and national anthem in international athletic competitions, even against the United States.''

Mr. GUTIERREZ. Mr. Chairman, under statehood, according to the International Olympic Committee and the Amateur Sports Act of 1979, the United States Olympic is the sole representative in the Olympic games and Pan American games, of which Puerto Rico participates in both the Olympics, sending its own team from Puerto Rico to the Olympics and Pan American games. No other body or organization can represent the U.S. or any part thereof if they become a State of the Union. If Puerto Rico becomes a State, it is extremely unlikely that they may compete in Olympic games separately from the U.S. as an Olympic team, as has been the long history of the people of Puerto Rico. To the end the International Olympic Committee granted the National Olympic Committee of the United States exclusive powers for their representation for their respective countries at the Olympic games and all other OIC-sanctioned events.

Evidently, if Puerto Ricans are pushed to vote in favor of statehood,

they are going to lose one of their most treasured traditions of representation in the sports arena. Furthermore, Puerto Rico would no longer be able to participate in the Olympics as a separate entity. Puerto Ricans would be forced to lose one of their richest and treasured sources of patriotic pride.

I want to remind my fellow colleagues that Puerto Rico is such a proud nation that when President Carter called for a boycott of the Moscow games in 1990, the Puerto Rican national Olympic team sent two athletes with a Puerto Rican flag. Think about it. Puerto Rico as a nation will never give up its Olympic representation that ties them with the U.S. because they could not disappoint their national athletes that train so hard. Think about it. The President of the United States says, we are going to boycott, and yet the people of Puerto Rico send their own Olympic team, American citizens, to go and participate while other citizens. You see how they are different. You see how there is a separate relationship. Let us understand that.

I just want to make one last point. I did have an amendment to pardon Bobby Knight because Bobby Knight went out to Puerto Rico in 1976, this is true, just to make the point, 1979 during the Pan American games, probably the Resident Commissioner remembers, and in the final for the gold medal it was the United States and Cuba, and there were 20,000 fans there, and they were all chanting, Cuba, Cuba, Cuba, not because they believed in Communism, not because they believed in Fidel Castro, but because they had a sense of the great andeano, the Jose Marti. They were applauding the athletes from another Spanish-speaking country. Unfortunately, he did not get it and he made some obscene gestures, was arrested and said, how can these citizens of the United States not be cheering for the American team? Why? Because they loved their American citizenship, but they are a different and a special kind of people.

Let us treat them specially in accordance with their fine tradition. That is why I present this amendment. Let us allow them to continue to have their Olympic team even if they are a State of the Union, because we want to respect their great history and pride.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we must have seen a different Pan American games in Puerto Rico because I certainly, the event that he talked about Bobby Knight did not happen with Cuba. It was something that happened during the practice, and then it was very, he pushed an officer of the law and he said some very, very unfavorable remarks about Puerto Rico, insulting remarks about Puerto Rico and Puerto Ricans. Therefore, he earned the hatred and the bad will of the people of Puerto Rico. And they took it out on the team, and it had nothing to do with Cuba.

Always there are people in Puerto Rico that feel, members of the pro-Communist party, which has never been registered as a voting party, did not maintain a registration as a voting party, and they got about half a percent of the vote when they went into elections. Yes, they went there and cheered Cuba, but it was not everyone that was there. I was there at those games.

To say that Puerto Rico cannot participate, well, Puerto Rico can participate if that would be the desire of the people of Puerto Rico, and that was the decision of the Olympic Committee. The International Olympic Committee is a private organization. It is not an official government organization. As a matter of fact, they say, government, stay out. In the International Olympic Committee bylaws it is specifically stated that any province, any State, any jurisdiction that has been allowed to have a committee, a team representing them in the Olympics, if they become integrated with another nation, become a State of or a part of another nation, they can maintain their own Olympic committee. And that is what has happened with Hong Kong.

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However, whether or not we participate in the Olympic games every 4 years for 2 weeks cannot be put in the same table of consideration as the economic welfare of the people of Puerto Rico and the political equality of the people of Puerto Rico; the right to vote, the right to representation and the right to participate in a democratic system. We believe in democracy. We cannot put that aside in order to participate in the games every 4 years for 2 weeks. That is not in the same table of consideration.

So this, again, is another issue that is brought in just to confuse and to try to tell people they should not vote for this bill because, after all, this is self-determination and this is what America is all about.

Ms. VELÁZQUEZ. Mr. Chairman, I move to strike the last word.

Mr. GUTIERREZ. Mr. Chairman, will the gentlewoman yield?

Ms. VELÁZQUEZ. I yield to the gentleman from Illinois.

Mr. GUTIERREZ. Mr. Chairman, I certainly do not want to make this the kind of issue that the resident commissioner wants to make it. I just want to make the point the fact is Bobby Knight had a few problems in Puerto Rico. He was arrested. And he did say some very disparaging words, and those disparaging words had a direct relationship between the games that were being played there and the reaction.

He could not understand how 10 American citizens, if we want to make it, it was more than 10 I assure the resident commissioner, could cheer for a team other than the United States when it was going for a gold medal. And subsequently he got into some trouble about that. But it just talks about the special nature of the relationship.

I want people to understand. It did not happen in Alaska and it did not happen in Hawaii and it did not happen in Texas. Why can we bring up all these issues, and it happened in Puerto Rico, of language and culture? And the resident commissioner said it was not geopolitical. Okay. But he said it was sociological. That is pretty incredible. That is an admission here. Sociological nationality. Let us examine what that means. That means it is a separate and distinct people.

That is our point here. Our point here is let us have a fair referendum. Look, there was a referendum in 1993. The party of the resident commissioner was the party that wrote the script and the rules. Everyone voted. The resident commissioner, that if statehood would have won that plebiscite, that he was going to come here and demand statehood for Puerto Rico. So the gentleman thought that was a good plebiscite then and those were good rules and regulations then. Why is it today that the gentleman comes with this other version when he would have taken that version and asked us to have adopted it back 5 short years ago?

Ms. VELÁZQUEZ. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Is there further debate on the amendment?

If not, the question is on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GUTIERREZ. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 376, further proceedings on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ) will be postponed.

Are there further amendments?

Mr. GUTIERREZ. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

Which amendment is the gentleman proposing?

PARLIAMENTARY INQUIRY

Mr. GUTIERREZ. Parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GUTIERREZ. Mr. Chairman, is there going to be any time allotted to close this debate after the end of all of the amendments?

The CHAIRMAN. After voting on the amendments, Members can strike the last word, after which the Committee will rise and report.

Mr. GUTIERREZ. There will be an additional 5 minutes then at the end so we can all close, those who wish to close; is that true?

The CHAIRMAN. We are proceeding under the 5-minute rule. This amendment that the gentleman proposes, though the gentleman has not stated which amendment——

Mr. GUTIERREZ. Let me explain, and the Chair can help me. I really do not want to propose an amendment, I just want to be able to close. And I was informed that there would be no opportunity after all the amendments were exhausted to say anything in closing

Mr. YOUNG of Alaska. Mr. Chairman, does the gentleman mean to close on the whole bill?

Mr. GUTIERREZ. Yes, on the whole.

Mr. YOUNG of Alaska. There will be an opportunity to close on the whole bill after the amendments are voted on. We can move to strike the last word.

The CHAIRMAN. Members will be able to offer pro forma amendments and move to strike the last word.

Mr. YOUNG of Alaska. Pro forma amendments, move to strike the last word and speak on the bill itself.

AMENDMENT NO. 24 OFFERED BY MR. GUTIERREZ

Mr. GUTIERREZ. Mr. Chairman, I offer amendment number 24.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment number 24 offered by Mr. GUTIERREZ:

In section 4(a), after paragraph (6) of the referendum language for statehood, insert the following new paragraphs (and redesignate the succeeding paragraphs accordingly):

''(7) Section 30A of the Internal Revenue Code of 1986 will continue in effect for 20 years after Puerto Rico becomes a State or until the State of Puerto Rico achieves the same per capita income as the State with the next lowest per capta income.

''(8) The internal revenue laws of the United States will not apply to residents of the State of Puerto Rico until such time as the State of Puerto Rico achieves the same per capita income as the State with the next lowest per capita income.

Mr. GUTIERREZ. Mr. Chairman, we have had a good long day here of debate and discussion and I think that people should understand something. This is a very serious decision that we are entering into. I know we have had this debate about statutory citizenship all day and it is just very important to me.

It is important because I think that we have shown that the 14th amendment should apply to all the people of Puerto Rico. Think about it. The 14th amendment of the Constitution of the United States will be simply thrown up in the air if we adopt this. That is wrong. It is wrong to all those citizens on the island of Puerto Rico.

I want a fair process. I want a process that says here is independence, and a version of independence a little kinder and gentler and a little more realistic than the one offered here; a version of statehood, a realistic version of statehood, the kind of statehood that I lived in Puerto Rico.

I would like to tell everybody that in 1972, when I was 19 years old, I registered to vote. The first time I voted was in San Sabastian, Puerto Rico, so take it from me, I know what the statehooders propose, what the independence people propose, what the commonwealthers propose, because I was there listening for many years. I went to the University of Puerto Rico. I graduated from high school in Puerto Rico. Politics, politics and the national questions and status is something that we debate and discuss everyday.

Let me tell my colleagues, if we do not clarify some of these things, here is what we will get: the 30 second spot that is going to scare the living daylights out of anybody. I see it already. Vote for statehood or your citizenship will be taken away. And you know, whoever pays, my mother said—(the gentleman spoke in Spanish)—I am sorry, I am not supposed to say. Basically what that means is that a paper will hold whatever you write on it. And whoever has the money to write those 30-second scripts and to put them up on the TV set, that is wrong for us to allow something like that. That is wrong for people to go in.

Let us not force a vote on any issue. That is what we are doing here. It is wrong to talk about citizenship which we all know will never be taken away from a people. And if we know it will never be taken away, let us not let it be used in this plebiscite.

And let us have a plebiscite. And I reiterate once again, whoever wins fair and square, we can all come together and move forward, move forward as a people.

I would like to say this last thing. Look, when Members of this Congress talked about South Africa and Nelson Mandela, nobody ever said they should just move back to South Africa if they thought that was so important. When Members of this Congress talk about Ireland and the importance of Ireland and its independence, nobody says they should go back to Ireland if they want to talk about that. When Members in this Congress talk about Israel and talk about their proud Judaism, nobody says they have to go back. When people talk about Cuba, nobody says go back to Cuba. Why is it that when people want to raise issues because I am of Puerto Rican descent that I am told go back to Puerto Rico or do not have anything to do with it.

The resident commissioner is invited to come to my district any day, as he has often done. I think we should all be invited to speak to one another as brothers and sisters in the quest for justice, equality and a fair and reasonable solution to this very critical status question.

Mr. MILLER of California. Mr. Chairman, I move to strike the last word.

In closing I again want to reiterate that I think that the committee has brought to the floor of the House a fair procedure for determining the future status of Puerto Rico, should the citizens of Puerto Rico decide to engage in that process.

There is no question that these choices are difficult choices, and that is why the process is set forth in the manner it is so that the Puerto Rican citizens can be best informed as they proceed down this path as to whether or not they want to choose independence, statehood or Commonwealth status.

And there is a very real difference between these three statuses. People like to pretend that they can argue that they are sort of the same, enhanced Commonwealth; that is, to pretend like you have all of the same rights as the citizens of the United States of America, but they know, in reality, they do not. So Commonwealth will have some burdens.

Statehood, because it puts them in the same status as all of the rest of the citizens, there will be people in Puerto Rico that think that that brings burden to the selection, to the plebiscite. They will make those decisions, and they will argue about them back and forth.

But the fact is that if you vote to become a State, you become a State. You share all of the benefits and all of the liabilities. If you vote to continue in Commonwealth, you are something less than that. You do not share equally with the citizens of California in public assistance payments and education payments and education to the handicap and food stamps and nutrition programs, because you are not a State.

The representatives of Puerto Rico historically have tried to boost those allotments, to boost those payments, to argue that these are citizens who are treated unfairly. But that has not been how the Congress has responded.

So those citizens are deprived the full benefits, but they are deprived the full benefits because the Congress has decided that they are not the same as citizens of the States. That is a burden of Commonwealth. People do not like to talk about that.

Another burden a Commonwealth has is it does not want to acknowledge that it has to live under the laws of this country as put forth by the Congress of the United States, but it does.

If this was, in fact, a nation today, then what are we doing here today? We are here because, under the current arrangement, they are forced to live under Federal laws of this country, and some people do not like that. They believe they would rather be a separate nation, or they believe that, if they have to live under these laws, they also want to participate in the benefits of everything else that goes along with being a State.

The definition of Commonwealth is an accurate description of the status of Puerto Rico today. That is the status that we would ask the people to vote on. That is Commonwealth today. Not what they hope Commonwealth would be, not what they would like it to be, but what it is under the laws of this country and the Constitution of the United States of America.

If you cannot, if that is not a winning hand in the election, so be it. But that is the laws of this country. That is the Constitution of this country. Yes, it is different. It is different than being a

citizen of the State of the United States of America.

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

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

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

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

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

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

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

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

In 1990 a commonwealth status definition was agreed to by the authors of H.R. 856 that was acceptable to the interested parties. The chairman of the Committee on Resources voted for the definition at the time. The current ranking member of the committee voted for the definition at that time. The definitions were acceptable to the parties that represented the statehood, commonwealth and independent options.

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

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

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

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

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

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

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

What really came about from my many hours of listening to testimony is this issue that I think is something that makes the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Illinois (Mr. GUTIERREZ) so upset, and that is, this Congress decides what the fate of Puerto Rico is whether or not the people of Puerto Rico like it or not.

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

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

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

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

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

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

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

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

Puerto Rico will have a say in their final determination and finally get some representation on this floor.

I want to conclude by saying the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) has taken on this issue singularly, being the Resident Commissioner who has not had the chance to vote but who has taken his position very seriously and has been a tireless advocate on behalf of the people he represents. On the eve of this historic vote, I want to salute the gentleman from Puerto Rico for the job that he has done on behalf of the people of Puerto Rico; the gentleman from Alaska (Mr. YOUNG), as well as the gentleman from California (Mr. MILLER).

Let us support this bill, and let us end colonial status for 3.8 million people and finally make them full citizens of this country with voting representation in this United States Congress.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I first of all would like to thank the gentleman from Alaska (Mr. YOUNG), the chairman of our committee, for the dedicated amount of work that he has put into this bill. He lived the frustrations of being a territory, so he really believes in it and feels it. The people of Puerto Rico, not only the people of Puerto Rico, the people of this Nation will be grateful for the steps that we are taking here today, and I hope we take this step in the final passage of the bill.

I want to thank the gentleman from California (Mr. MILLER), our ranking member, also for the dedication that he too has put into this bill, for being instrumental in doing away with all the suspiciousness that reasonable people would have about this bill and the definitions. We worked hard and we feel that our chairman, our ranking member and all of the members of the committee were very careful in making this bill a very, very serious and very objective bill.

I want to make also a special mention, when we started this bill, I had my very serious differences with the gentleman from New York (Mr. SOLOMON), the chairman of the Committee on Rules. But as we have dealt with this bill, the gentleman from New York has been a real gentleman. He has always kept his word. He has been a formidable opponent in this bill, but I must recognize that he has been a real gentleman. I would thank him for his dedication, also, to his job.

The gentleman from Rhode Island (Mr. KENNEDY) and all the others that have worked hard on this bill, I want to thank them all.

In Puerto Rico, as I mentioned earlier, they are watching this on C-SPAN. I think this probably will be one of the most watched programs in Puerto Rico for a long, long, long, long time. Everybody is understanding what is happening here. Those who do not understand English, believe me, some relative or some friend or some fellow workers there are translating the proceedings for them. They are hoping that their faith in this Congress, their faith in their Nation, in the United States, will be confirmed today.

Because, as we have spoken before, this bill is about self-determination. This bill is about the opportunity of 3.8 million U.S. citizens who have been disenfranchised for 81 years, for 81 years disenfranchised, where they have not been able to participate in the democratic process of their Nation. We have been part of the United States for 100 years it will be July 25, the American troops first landed in Puerto Rico in 1898. This Monday was precisely the 81st anniversary of our citizenship.

As we take a look at the procedures here today, one of my greatest sorrows and I am sure one of the greatest sorrows of the people of Puerto Rico is to find that the most adamant and vociferous opponents of this bill have been, one, a gentlewoman that was born in Puerto Rico and the other, a gentleman that was not born in Puerto Rico but is from Puerto Rican extraction, that they are opposing it at every instance, that the people of Puerto Rico have a chance for self-determination.

They have given a lot of reasons why this should not happen but it all boils down that they oppose this bill. They say that this bill is tilted toward statehood. That is not correct. This bill is not tilted toward statehood. This bill spells out the differences between statehood, between independence and between commonwealth.

For the first time, for the first time since Puerto Rico has been involved in plebiscite and their status, they are going to be voting on a bill that defines commonwealth as what it is. I want to read the definition of commonwealth because so much has been said. No one will disagree with this definition:

''Commonwealth. Puerto Rico should retain commonwealth in which 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.''

That is a correct and precise statement that was carefully drafted by our chairman and by the gentleman from California (Mr. MILLER). Yes, I participated in the conversations. However, my decisions were not what made the final wording of this bill.

''Two. 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, the treaties and laws of the United States.''

□ 2045

Congress retains its constitutional authority to enact laws it deems necessary relating to Puerto Rico.

What is false? That is exactly as it is. Everything in this bill is the truth, and that is what the people of Puerto Rico should be given a choice to vote on.

Mr. Chairman, I hope that all Members will vote for this bill, not only for Puerto Rico, but for the sake of this Nation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ).

The amendment was rejected.

The CHAIRMAN. Are there further amendments to the bill?

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 376, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment offered by the gentleman from Florida (Mr. STEARNS); an amendment offered by the gentleman from Georgia (Mr. BARR); and Amendment No. 21, offered by the gentleman from Illinois (Mr. GUTIERREZ).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. STEARNS

The CHAIRMAN. The pending business is the request for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) on which further proceedings were postponed, and on which the noes prevailed by a voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 28, noes 384, not voting 18, as follows:

[Roll No. 33]

AYES—28

Bachus	Jones	Sensenbrenner
Campbell	Kingston	Shadegg
Carson	McIntosh	Sherman
Combest	Moran (KS)	Smith, Linda
Cubin	Paul	Snowbarger
Duncan	Petri	Souder
Herger	Radanovich	Stearns
Horn	Rohrabacher	Taylor (NC)
Hunter	Sanford	
Istook	Schaffer, Bob	

NOES—384

Abercrombie	Bentsen	Brown (OH)
Ackerman	Bereuter	Bryant
Aderholt	Berry	Bunning
Allen	Bilirakis	Burr
Andrews	Bishop	Burton
Archer	Blagojevich	Buyer
Armey	Bliley	Callahan
Baesler	Blumenauer	Calvert
Baker	Blunt	Camp
Baldacci	Boehlert	Canady
Ballenger	Boehner	Cannon
Barcia	Bonilla	Cardin
Barr	Bonior	Castle
Barrett (NE)	Borski	Chabot
Barrett (WI)	Boswell	Chambliss
Bartlett	Boucher	Chenoweth
Barton	Boyd	Christensen
Bass	Brady	Clay
Bateman	Brown (CA)	Clayton
Becerra	Brown (FL)	Clement

Clyburn
Coble
Coburn
Collins
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
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
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schumer
Scott
Serrano
Sessions
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Adam
Snyder
Solomon
Spence
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—18

Berman
Bilbray
Doolittle
Foley
Gonzalez
Granger
Harman
Kilpatrick
Luther
McDade
Poshard
Riggs
Schaefer, Dan
Schiff
Shimkus
Smith (OR)
Torres
Yates

□ 2105

Mr. BASS and Mr. WISE changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 376, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. BARR OF GEORGIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BARR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 131, noes 282, not voting 17, as follows:

[Roll No. 34]

AYES—131

Aderholt
Archer
Armey
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Boehner
Brady
Bryant
Bunning
Callahan
Canady
Castle
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Crane
Crapo
Cubin
Cunningham
Danner
Deal
Dickey
Dreier
Duncan
Emerson
Everett
Ewing
Fawell
Fossella
Fowler
Gibbons
Gilchrest
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hastings (WA)
Hayworth
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hunter
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kingston
Klug
Knollenberg
Lazio
Lewis (KY)
Linder
Lipinski
Livingston
McCrery
McHugh
McIntosh
Metcalf
Miller (FL)
Myrick
Neumann
Ney
Northup
Norwood
Oxley
Paul
Paxon
Pease
Peterson (PA)
Petri
Pitts
Porter
Portman
Pryce (OH)
Regula
Rogan
Rogers
Rohrabacher
Royce
Ryun
Salmon
Sanford
Scarborough
Schaffer, Bob
Sensenbrenner
Shadegg
Shaw
Shays
Sherman
Shuster
Sisisky
Smith (MI)
Smith (TX)
Snowbarger
Solomon
Souder
Spence
Spratt
Stearns
Stump
Sununu
Taylor (NC)
Thornberry
Tiahrt
Upton
Wamp
Weldon (PA)
Weller
Wicker
Wolf

NOES—282

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baesler
Baker
Baldacci
Barcia
Barrett (WI)
Bass
Becerra
Bentsen
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Burr
Burton
Buyer
Calvert
Camp
Campbell
Cannon
Cardin
Carson
Chabot
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Cummings
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Etheridge
Evans
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gillmor
Gilman
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hefley
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Houghton
Hoyer
Hulshof
Hutchinson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHale
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickering
Pickett
Pombo
Pomeroy
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Reyes
Riley
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Serrano
Sessions
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith, Adam
Smith, Linda
Snyder
Stabenow
Stark
Stenholm

Stokes
Strickland
Stupak
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson
Thune
Thurman
Tierney
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Wexler
Weygand
White
Whitfield
Wise
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—17

Berman
Doolittle
Farr
Frost
Gonzalez
Harman
Kilpatrick
Luther
McDade
Poshard
Riggs
Schaefer, Dan
Schiff
Shimkus
Smith (OR)
Torres
Yates

□ 2112

Mr. ENSIGN changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 2115

AMENDMENT NO. 21 OFFERED BY MR. GUTIERREZ

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 2, noes 413, answered ''present'' 1, not voting 14, as follows:

[Roll No. 35]

AYES—2

Gutierrez
Velazquez

NOES—413

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
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
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Waters

NOT VOTING—14

Berman
Doolittle
Gonzalez
Harman
Kilpatrick
Luther
McDade
Poshard
Riggs
Schaefer, Dan
Schiff
Shimkus
Smith (OR)
Yates

□ 2122

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there any other amendments?

Mr. SOLOMON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have been on the floor since 10 o'clock this morning. We have had a very, very good debate. The amendment process is over. The committee is about to rise. I just wanted to alert the body that there will be a re-vote on the Solomon amendment as amended by Miller-Burton. That vote has been requested by U.S. English and those of us who do not want to see this thing die.

Mr. Chairman, I would just read a couple of paragraphs out of this letter from U.S. English. It says, ''There has been much confusion over U.S. English's position concerning the amendment introduced by Representatives Burton, Miller, and Young. U.S. English wishes to clarify this matter.''

Mr. Chairman, they go on to say that the Burton-Miller amendment is meaningless and has absolutely no legal effect. They go on to say that U.S. English strongly supports the Solomon amendment as originally introduced, and should the Solomon amendment be re-voted on in the full House, that they would ask for a ''no'' vote on the Solomon amendment as amended, and I too will ask for a ''no'' vote on that when it is re-voted.

At the same time, I would rise in opposition to the bill. I think Members all must revisit it one more time. Without the Solomon amendment language in the bill, anyone anywhere in the United States can challenge Federal and individual State laws and declarations of English as the official language. This opens up Pandora's box, should the bill ever become law without that amendment. I think we all should consider that.

Mr. YOUNG of Alaska. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to thank all of my colleagues that participated in the debate. They have worked from 10 o'clock this morning until the night on this historical moment. Much has been said about this bill. A lot of it true; some of it not so true.

But I would ask Members in your hearts to think about one thing for one moment. We are being asked to re-vote on an amendment that was offered by

the gentleman from New York (Mr. SOLOMON). And if Members defeat the Solomon amendment, they are left with the language in the bill. Keep that in mind.

Mr. Chairman, I started this process over 4 years ago. I have had the hearings. I have done it the right way. I want to thank the leadership on my side of the aisle and the leadership on that side of the aisle for allowing this debate to begin. This is just one small step, as I said earlier in the day. This is one small step to bring justice to America and to the Puerto Rican people. I believe it is crucially important as we go into the year 2000.

Mr. Chairman, I think it is the best thing we can do for democracy and for this great Nation. I thank you for the indulgence. I gave my word. I gave my commitment that we would bring this bill to the floor for America and the Puerto Rican people. This is the legislative process. This is how this House should work. Not behind closed doors, not by secret meetings, but open debate, discussing the merits, the cons and the pros of legislation that decides the destiny of this great Nation.

I am asking my colleagues to vote ''yes'' on the Burton-Miller-Young bill as they voted before.

□ 2130

I am asking my colleagues to vote yes on the amendment offered by the gentleman from New York (Mr. SOLOMON), my good friend, as he asked you to do. I am asking them to vote yes on final passage so we can begin this venture into future generations.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. BONILLA) having assumed the chair, Mr. DIAZ-BALART, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 856) to provide a process leading to full self-government for Puerto Rico, pursuant to House Resolution 376, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole?

Mr. SOLOMON. Mr. Speaker, I demand a vote on the so-called Solomon amendment, as amended.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment:

In section 3, amend subsection (b) to read as follows:

(b) OFFICIAL ENGLISH LANGUAGE.—In the event that a referendum held under this Act results in approval of sovereignty leading to Statehood, upon accession to Statehood, the official language requirements of the Federal Government would apply to Puerto Rico in the same manner and to the same extent as throughout the United States.

Add at the end of section 3 the following new subsection:

(c) ENGLISH LANGUAGE EMPOWERMENT.—It is in the best interest of the Nation for Puerto Rico to promote the teaching of English as the language of opportunity and empowerment in the United States in order to enable students in public schools to achieve English language proficiency by the age of 10.

In section 4(a), in the referendum language for Statehood, amend paragraph (7) to read as follows:

''(7) Official English language requirements of the Federal Government apply in Puerto Rico to the same extent as Federal law requires throughout the United States.''.

In subparagraph (C) of section 4(B)(1), strike ''(C) Additionally,'' and all that follows through ''(ii) the effective date'' and insert the following:

(C) Additionally, in the event of a vote in favor of continued United States sovereignty leading to Statehood, the transition plan required by this subsection shall—

(i) include proposals and incentives to increase the opportunities of the people of Puerto Rico to expand their English proficiency in order to promote and facilitate communication with residents of all other States of the United States and with the Federal Government, including teaching in English in public schools, awarding fellowships and scholarships, and providing grants to organizations located in various communities that have, as a purpose, the promotion of English language skills;

(ii) promote the use of English by the United States citizens in Puerto Rico in order to ensure—

(I) efficiency in the conduct and coordination of the official business activities of the Federal and State Governments;

(II) that the citizens possess the language skill necessary to contribute to and participate in all aspects of the Nation; and

(III) the ability of all citizens of Puerto Rico to take full advantage of the opportunities and responsibilities accorded to all citizens, including education, economic activities, occupational opportunities, and civic affairs; and

(iii) include the effective date

Mr. SOLOMON (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SOLOMON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 240, noes 177, not voting 13, as follows:

[Roll No. 36]

AYES—240

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barcia
Barrett (NE)
Barrett (WI)
Barton
Becerra
Bentsen
Bereuter
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Burton
Campbell
Cannon
Cardin
Carson
Castle
Christensen
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cook
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fox
Frank (MA)
Frost
Furse
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gordon
Granger
Green
Greenwood
Hall (OH)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Quinn
Radanovich
Rahall
Rangel
Redmond
Reyes
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Serrano
Shaw
Sherman
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Turner
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Young (AK)

NOES—177

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Bartlett
Bass
Bateman
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Brady
Bryant
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)

Deal
DeLay
Dickey
Dreier
Duncan
Dunn
Emerson
Ensign
Everett
Fawell
Fowler
Franks (NJ)
Frelinghuysen
Ganske
Gibbons
Goode
Goodlatte
Goodling
Goss
Graham
Gutierrez
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kingston
Klug
Knollenberg
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCrery
McIntosh
Menendez
Metcalf
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Ramstad
Regula
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryun
Salmon
Sanford
Scarborough
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shays
Shuster
Sisisky
Smith (MI)
Smith (OR)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Towns
Traficant
Upton
Velazquez
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NOT VOTING—13

Berman
Doolittle
Gonzalez
Harman
Kilpatrick
Luther
McDade
Poshard
Riggs
Schaefer, Dan
Schiff
Shimkus
Yates

☐ 2147

Mr. BENTSEN and Mr. HILLIARD changed their vote from ''no'' to ''aye.''

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. BONILLA). The question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 209, noes 208, not voting 13, as follows:

[Roll No. 37]

AYES—209

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Bishop
Blagojevich
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Burton
Buyer
Calvert
Cannon
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cooksey
Coyne
Cummings
Davis (FL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Granger
Green
Hall (OH)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King (NY)
Klink
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHale
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Olver
Ortiz
Owens
Pallone
Parker
Pascrell
Pastor
Payne
Pelosi
Peterson (PA)
Pombo
Pomeroy
Price (NC)
Quinn
Rahall
Rangel
Redmond
Reyes
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Serrano
Skaggs
Skeen
Slaughter
Smith (NJ)
Smith, Adam
Snyder
Spratt
Stark
Stenholm
Stokes
Stupak
Tauscher
Tauzin
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Turner
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Young (AK)

NOES—208

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Brady
Bryant
Bunning
Burr
Callahan
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (IL)
Deal
Dickey
Dreier
Duncan
Dunn
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Fossella
Fowler
Fox
Ganske
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kaptur
Kasich
Kind (WI)
Kingston
Kleczka
Klug
Knollenberg
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCrery
McHugh
McInnis
McIntosh
McIntyre
Menendez
Metcalf
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Oxley
Packard
Pappas
Paul
Paxon
Pease
Peterson (MN)
Petri
Pickering
Pickett
Pitts
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Riley
Rivers
Rogan
Rogers
Rohrabacher
Roukema
Royce
Rush
Ryun
Salmon
Sanford
Scarborough
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shuster
Sisisky
Skelton
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stabenow
Stearns
Strickland
Stump
Sununu
Talent
Tanner
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Towns
Traficant
Upton
Velazquez
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NOT VOTING—13

Berman
Doolittle
Gonzalez
Harman
Kilpatrick
Luther
McDade
Poshard
Riggs
Schaefer, Dan
Schiff
Shimkus
Yates

☐ 2207

The Clerk announced the following pair:

On this vote:

Mr. McDade for, with Mr. Riggs against.

Mr. FOSSELLA and Mr. RUSH changed their vote from ''aye'' to ''no.''

Mr. PETERSON of Pennsylvania and Mr. POMEROY changed their vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BONILLA). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings are in violation of the rules of the House.

REPORT ON PAYMENTS TO CUBA PURSUANT TO CUBAN DEMOCRACY ACT OF 1992—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–221)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without

objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

This report is submitted pursuant to 1705(e)(6) of the Cuban Democracy Act of 1992, 22 U.S.C. 6004(e)(6) (the ''CDA''), as amended by section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, Public Law 104–114 (March 12, 1996), 110 Stat. 785, 22 U.S.C. 6021–91 (the ''LIBERTAD Act''), which requires that I report to the Congress on a semiannual basis detailing payments made to Cuba by any United States person as a result of the provision of telecommunications services authorized by this subsection.

The CDA, which provides that telecommunications services are permitted between the United States and Cuba, specifically authorizes the President to provide for payments to Cuba by license. The CDA states that licenses may be issued for full or partial settlement of telecommunications services with Cuba, but may not require any withdrawal from a blocked account. Following enactment of the CDA on October 23, 1992, a number of U.S. telecommunications companies successfully negotiated agreements to provide telecommunications services between the United States and Cuba consistent with policy guidelines developed by the Department of State and the Federal Communications Commission.

Subsequent to enactment of the CDA, the Department of the Treasury's Office of Foreign Assets Control (OFAC) amended the Cuban Assets Control Regulations, 31 C.F.R. Part 515 (the ''CACR''), to provide for specific licensing on a case-by-case basis for certain transactions incident to the receipt or transmission of telecommunications between the United States and Cuba, 31 C.F.R. 515.542(c), including settlement of charges under traffic agreements.

The OFAC has issued eight licenses authorizing transactions incident to the receipt or transmission of telecommunications between the United States and Cuba since the enactment of the CDA. None of these licenses permits payments to the Government of Cuba from a blocked account. For the period July 1 through December 31, 1997, OFAC-licensed U.S. carriers reported payments to the Government of Cuba in settlement of charges under telecommunications traffic agreements as follows:

AT&T Corporation (formally, American Telephone and Telegraph Company)	$11,991,715
AT&T de Puerto Rico	298,916
Global One (formerly, Sprint Incorporated)	3,180,886
IDB WorldCom Services, Inc. (formerly, IDB Communications, Inc.)	4,128,371
MCI International, Inc. (formerly, MCI Communications Corporation)	4,893,699
Telefonica Larga Distancia de Puerto Rico, Inc.	105,848
WilTel, Inc. (formerly, WilTel Underseas Cable, Inc.)	5,608,751
WorldCom, Inc. (formerly, LDDS Communications, Inc.)	2,887,684
	$33,095,870

I shall continue to report semiannually on telecommunications payments to the Government of Cuba from United States persons.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 4, 1998.*

CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–222)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the national emergency declared with respect to Iran on March 15, 1995, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) is to continue in effect beyond March 15, 1998, to the *Federal Register* for publication. This emergency is separate from that declared on November 14, 1979, in connection with the Iranian hostage crisis and therefore requires separate renewal of emergency authorities.

The factors that led me to declare a national emergency with respect to Iran on March 15, 1995, have not been resolved. The actions and policies of the Government of Iran, including support for international terrorism, its efforts to undermine the Middle East peace process, and its acquisition of weapons of mass destruction and the means to deliver them, continue to threaten the national security, foreign policy, and economy of the United States. Accordingly, I have determined that it is necessary to maintain in force the broad programs I have authorized pursuant to the March 15, 1995, declaration of emergency.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 4, 1998.*

CONTINUATION OF NEED FOR U.S. ARMED FORCES IN BOSNIA AND HERZEGOVINA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–223)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

I hereby certify that the continued presence of U.S. armed forces, after June 30, 1998, in Bosnia and Herzegovina is required in order to meet the national security interests of the United States, and that it is the policy of the United States that U.S. armed forces will not serve as, or be used as, civil police in Bosnia and Herzegovina.

This certification is presented pursuant to section 1203 of the National Defense Authorization Act for Fiscal Year 1998, Public Law 105–85, and section 8132 of the National Defense Appropriations Act for Fiscal year 1998, Public Law 105–56. The information required under these sections is in the report that accompanies this certification. The supplemental appropriations request required under these sections is being forwarded under separate cover.

America has major national interests in peace in Bosnia. We have learned from hard experience in this turbulent century that America's security and Europe's stability are intimately linked. The Bosnian war saw the worst fighting—and the most profound humanitarian disaster—on that continent since the end of the Second World War. The conflict could easily have spread through the region, endangering old Allies and new democracies alike. A larger conflict would have cast doubt on the viability of the NATO alliance itself and crippled prospects for our larger goal of a democratic, undivided, and peaceful Europe.

The Dayton framework is the key to changing the conditions that made Bosnia a fuse in a regional powder keg. It is decisively in American interests to see Dayton implemented as rapidly as feasible, so that peace becomes self-sustaining. U.S. leadership is as essential to sustaining progress as it has been to ending the war and laying the foundation for peace.

I expect the size of the overall NATO force in Bosnia and Herzegovina will remain similar to that of the current SFOR. However, the U.S. contribution would decline by about 20 percent, as our Allies and partners continue to shoulder an increasing share of the burden.

Although I do not propose a fixed end-date for this presence, it is by no means open-ended. Instead, the goal of the military presence is to establish the conditions under which Dayton implementation can continue without the support of a major NATO-led military force. To achieve this goal, we have established concrete and achievable

benchmarks, such as the reform of police and media, the elimination of illegal pre-Dayton institutions, the conduct of elections according to democratic norms, elimination of cross-entity barriers to commerce, and a framework for the phased and orderly return of refugees. NATO and U.S. forces will be reduced progressively as achievement of these benchmarks improves conditions, enabling the international community to rely largely on traditional diplomacy, international civil personnel, economic incentives and disincentives, confidence-building measures, and negotiation to continue implementing the Dayton Accords over the longer term.

In fact, great strides already have been made towards fulfilling these aims, especially in the last ten months since the United States re-energized the Dayton process. Since Dayton, a stable military environment has been created; over 300,000 troops returned to civilian life and 6,600 heavy weapons have been destroyed. Public security is improving through the restructuring, retraining and reintegration of local police. Democratic elections have been held at all levels of government and hard-line nationalists—especially in the Republika Srpska—are increasingly marginalized. Independent media and political pluralism are expanding. Over 400,000 refugees and displaced persons have returned home—110,000 in 1997. One third of the publicly-indicted war criminals have been taken into custody.

Progress has been particularly dramatic since the installation of a pro-Dayton, pro-democracy Government in Republika Srpska in December. Already, the capital of Republika Srpska has been moved from Pale to Banja Luka; media are being restructured along domestic lines; civil police are generally cooperating with the reform process; war criminals are surrendering; and Republika Srpska is working directly with counterparts in the Federation to prepare key cities in both entities for major returns of refugees and displaced persons.

At the same time, long-standing obstacles to inter-entity cooperation also are being broken down: a common flag now flies over Bosnia institutions, a common currency is being printed, a common automobile license plate is being manufactured, and mail is being delivered and trains are running across the inter-entity boundary line.

Although progress has been tangible, many of these achievements still are reversible and a robust international military presence still is required at the present time to sustain the progress. I am convinced that the NATO-led force—and U.S. participation in it—can be progressively reduced as conditions continue to improve, until the implementation process is capable of sustaining itself without a major international military presence.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 3, 1998.*

GENERAL LEAVE

Mr. BURTON of Indiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 856, the bill just passed.

The SPEAKER pro tempore (Mr. BONILLA). Is there objection to the request of the gentleman from Indiana?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 856, UNITED STATES-PUERTO RICO POLITICAL STATUS ACT

Mr. BURTON of Indiana. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 856, the Clerk be authorized to make technical and conforming changes as may be necessary to reflect the action of the House just taken.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 1232

Mr. CONDIT. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 1232, a bill originally introduced by Representative Bono of California, for the purposes of adding cosponsors and requesting reprints pursuant to clause 4 of rule XXII.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

APPOINTMENT OF INDIVIDUALS TO AMTRAK REFORM COUNCIL

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 203(b)(1) of Public Law 105–134, the Chair announces the Speaker's appointment of the following individuals on the part of the House to the Amtrak Reform Council for a term of 5 years:

Mrs. Christine Todd Whitman of New Jersey;

Mr. Bruce Chapman of Washington; and

Mr. Christopher Gleason of Pennsylvania.

There was no objection.

SOCIAL SECURITY

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks, and include extraneous material.)

Mr. SMITH of Michigan. Mr. Speaker, continuing the discussion on do we really have a surplus, yesterday the Congressional Budget Office estimated that this year we would have a surplus of $8 billion. However, this year we are borrowing about $90 billion from the Social Security trust fund, so we are hoodwinking the American people, pretending there is a surplus.

We have come a long ways. We have cut down overspending by over $200 billion over the last 3 years, but it is not a surplus. We still have a long way to go, and it is important that we put Social Security first. Anybody that would like a copy of this survey, please let me know. I will include this for the RECORD.

In this survey, the voters profoundly dislike using Social Security surpluses to subsidize the remainder of the Federal Government. Ninety-three percent want Congress to balance the budget without using the Social Security deposits.

Let us still stay on track. Let us get a more efficient, more constructive government that is going to serve the needs of government at a lesser tax rate and more efficiently and not use the surplus to mask the deficit.

We have asked questions about Social Security on three national surveys this year.

The primary observations are:

Voters profoundly dislike using the Social Security surpluses to subsidize the remainder of the federal government. 93% want Congress to balance the budget without using SS deposits.

Voters overwhelmingly reject ''raiding'' of the Trust Fund. 74% approve of a new federal law prohibiting Congress and the President from raiding the Social Security Trust Fund to cover deficit spending.

Voters are inclined to believe that the federal government is using Social Security Trust Fund surpluses to mask the size of the deficit.

The President's credibility on Social Security is not secure.

Voters would rather use the overall budget surplus to shore up Social Security than to cut taxes, pay down debt or spend on federal programs.

Younger voters don't believe they'll get Social Security when they retire, and Republicans are especially dubious.

Voters do not consider the Social Security system to be basically sound.

Personal Savings Accounts is the preferred approach to strengthen Social Security.

	ALL	GOP	DEMS	IND
Personal Savings Accounts	43	52	34	47
Eliminate benefits/rich	18	13	22	21
Raise retirement age	10	11	11	9
Raise payroll taxes	6	4	8	4
Reduce benefits for everyone	3	3	4	3

Voters are strongly in favor (six to one) of allowing those under 40 to privately invest a portion of their payroll taxes for their future retirement.

□ 2015

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PITTS). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

(Mr. LIPINSKI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. RIGGS) is recognized for 5 minutes.

(Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

(Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. KINGSTON) is recognized for 5 minutes.

(Mr. KINGSTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

BALANCING THE BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. MINGE) is recognized for 5 minutes.

Mr. MINGE. Mr. Speaker, yesterday, the Congressional Budget Office announced that they anticipate we will have an $8 billion surplus in this fiscal year. This is a remarkable announcement. It is an historic announcement.

We have waited for over 30 years for the good news that the budget would, at long last, be balanced. However, as important and as significant as this may be, I urge that we not celebrate excessively. Why is this? It is because we still have a great deal of heavy lifting to do.

The announcement does not recognize the tragic condition that we face as a Nation with respect to our fiscal affairs. First, it does not recognize that we continue to operate on a consolidated Federal budget or unified Federal budget which rolls all trust fund operations into the bottom line.

As a consequence, it glosses over the fact that we are borrowing $100 billion in fiscal 1998 from the Social Security Trust Fund because that Trust Fund is running a surplus. It is running a surplus because the baby-boom generation is in its peak earning years, and it is contributing at the maximum level, and it is not drawing out.

So in reality, if we would discount this subsidy to the operating budget from the Social Security Trust Funds, we would not have an $8 billion surplus. Instead, we would have a $92 billion deficit.

We have some heavy lifting to do to overcome this $92 billion deficit that remains. That is one reason we should not celebrate too strongly.

Secondly, we have to remember that we have a debt of approximately $5.4 trillion, approximately $20,000 for every man, woman and child in this country. Indeed, it is heartwarming to learn that under one theory of calculating the budget, we have a surplus of $8 billion. But, remember, this is little more than about $17 for each man, woman and child that we can take off of that $20,000 debt.

So, again, we have a long ways to go. In fact, if you look at the years over which this surplus has been projected, we would probably not be able to reduce that debt by as much as even $1,000. So we have a ways to go in terms of making a dent in this vast national debt.

A third reason that we should not celebrate too strongly is that we have obligations that we have incurred in the operation of the Social Security program and the Medicare program that are not funded. The unfunded liabilities of those two programs are conservatively estimated to be at least $3 trillion and $9 trillion respectively. That is a total of at least $12 trillion, or approximately two and a half times the current national debt.

We have a great deal to do in reforming and revising the Social Security and Medicare programs, improving their funding, to make sure that this $9 trillion or $3 trillion unfunded liability in those respective programs does not hit us squarely between the eyes or our children and grandchildren between the eyes 30, 40, 50 years from now.

So, although we should tarry and recognize the significance of this accomplishment, of having at least a $8 billion surplus in terms of historic calculations, we should not be exuberant. In fact, I do not even think we should crack out the champagne. We could probably celebrate with a near beer and enjoy the fizz, but remain sober and committed to yet attacking with renewed vigor the problems that lie ahead in making sure that our financial fiscal house is in order in this country, and making sure that this country has a financial condition that we are proud to leave as a legacy to our children and grandchildren.

We should not allow the partisanship that has unfortunately divided us on all too many occasions to overcome our commitment to doing the right thing by the next generation in the years to come.

THE PURSUIT OF JUSTICE BY THE INDEPENDENT COUNSEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. NETHERCUTT) is recognized for 5 minutes.

Mr. NETHERCUTT. Mr. Speaker, I rise today to address a subject that is on the minds of all Americans, the pursuit of justice by the Independent Counsel.

In recent weeks, we have seen the personal character and motives of Kenneth Starr subjected to an unprecedented number of insults and attacks by friends of the President, attacks which are designed to delay justice and shift focus away from the truth.

Sadly, Mr. Speaker, these attacks only tarnish our system of law in America. Our criminal justice system was designed to operate outside the political arena. It was intended that officers of the court would seek justice based on the presentation of the facts and the determination of whether conduct based on these facts was unlawful or not.

The search for truth and determination of the facts has sadly become an indictment by political operatives of the Independent Counsel and his office. Diverting attention from the facts of this case does not serve justice, it simply demeans the Presidency.

Mr. Speaker, Congress passed the Independent Counsel statute in response to the Watergate experience of 1974, assuring that an independently appointed court official would best be able to seek justice involving allegations against high government officials. Moving the prosecution process outside the White House best assures that credible allegations of wrongdoing against such officials will not go unchecked. It is certainly not in our national interests for a President to investigate himself.

The history of the Independent Counsel statute is interesting. Congress reauthorized it three times. President Clinton himself signed the reauthorization legislation in 1994. Many Members of this Congress back in 1994 voted for such reauthorization.

Under the law, the Independent Counsel is given the same investigative authority as the Department of Justice. The authority includes conducting grand jury investigations, granting immunity to witnesses, and challenging in court any privilege claims or attempts to withhold evidence on national security grounds.

We must also understand, Mr. Speaker, that obtaining testimony by subpoena is an important investigative tool to determine the facts of allegations of wrongdoing by the President. Without facts, neither truth nor justice can be preserved.

Mr. Speaker, the Attorney General appointed Mr. Starr through a judicial

panel and maintains full authority to remove the Independent Counsel. Mr. Starr was not appointed because he was without integrity; he was appointed because he is a fine lawyer, possessed of substantial legal skills and experience, and respected for his character and honesty.

If President Clinton genuinely believes Mr. Starr has acted beyond authority, the Attorney General may remove him for cause and appoint a different Independent Counsel. The power to do so resides in this President.

If the President believes the insults that his spokesmen level at Mr. Starr, then the President should seek removal. If he does not agree with those insults, the President should instruct his defenders to stop their public criticism, criticism that is not designed to learn the truth, but to deflect it and bring contempt on our justice system.

With international challenges facing our country, the public needs reassurance that our highest national leader is truthful, that his representations to us are reliable, that we can trust his word on matters of national security, that he is an honorable representative for all Americans. Under the circumstances, the President's sacred honor is in question. All the criticisms against the Independent Counsel by political operatives of the President do not change that at all. Their criticisms serve not the best interests of the country nor the one standard that Americans support most, the truth.

Mr. Speaker, all Americans need to know that our President is honorable. Seeking the truth should not just be another political campaign. Assaulting our legal system and the officers of the court who administer it, who serve under it, may have temporary political benefit. Public opinion polls ebb and flow, but the long-term damage is more lasting. Public distrust of our legal system, the system in which we want our citizens to have faith, will result from a contradiction of the noble American principle that we are a country of laws, not men. That rule of law and justice is of paramount importance to a civil society. No person, no matter how popular, is above the law.

Mr. Speaker, we should all take a careful look at the phenomenon unfolding before us, the gaming of our justice system, where criticizing legal authority is the defense weapon of choice, where putting a proper spin on the evidence is a substitute for being truthful and honest and accepting the consequences.

□ 2230

Free societies governed by laws fairly administered can prevail over political tyranny only if citizens have faith in and respect for authorities charged with enforcing the laws. Law is the embodiment of the moral sentiment of the people. The laws of our country are the most perfect branch of ethics. Laws should be like death, which spares no one. It has been said that every violation of truth is a stab at the heart of human society.

Mr. Speaker, in conclusion, our society, our country, needs the truth in this instance. To people of integrity, there would be no conversation so agreeable as that of a man, be he the President or the independent counsel, who has no intention to deceive. The withholding of truth can be a worse deception than a direct misstatement. Searching for the truth is the noblest occupation of mankind. Obscuring it is a curse on our society that will damage our institutions of government and our national spirit for years to come.

The SPEAKER pro tempore (Mr. PITTS). Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXPLAINING THE ATTITUDES, CONCERNS, AND BELIEFS OF OUR CONSTITUENTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Colorado (Mr. SCHAFFER) is recognized for half of the time until midnight as the designee of the majority leader.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, tonight I am joined by some of my colleagues from the freshman Republican class, which includes individuals who were elected in 1996 and were sworn in at the beginning of 1997. This class is one that has come to this microphone often during special orders to talk about the agendas that we have set forward and that we are fighting to promote here in Congress, but more recently, we have had the opportunity to spend a considerable amount of time back at home in our respective districts, holding and conducting a number of town meetings and visiting with constituents and speaking about the issues that are taking place here, and describing our activities to our constituents.

So tonight our focus is primarily to report back to the Congress and to our colleagues about those things we have heard from our constituents, and to in fact explain the attitudes and opinions and beliefs of those constituents to the rest of the House.

With that in mind I am joined tonight by the gentleman from South Dakota (Mr. THUNE) and also the gentleman from great State of Minnesota, Mr. ROY BLUNT, is here. We may be joined by another gentleman from the State of Michigan, who has suggested he may join us tonight. I just wanted to have a general discussion with the Members here, and yield time back and forth and talk about the things we have heard.

As for me, conducting several town meetings and visiting throughout the country, throughout the district, rather, the concern for the key issue in the country of the national debt seemed to be first and foremost on people's minds, at about $5.5 trillion. That debt, when divided by the number of citizens in the country, comes to about $20,000 per man, woman, and child.

People are quite concerned about providing some real relief with that debt. People are encouraged by the news that we have heard and the reports that the economy has done so well and has allowed the American taxpayers to catch up with the spending of Congress, so we anticipate a budget surplus; that is to suggest that the debt may be eliminated, and that is, again, according to the way the government does its accounting. But the real question is what to do with a surplus if one is found to exist.

What I am hearing for the most part is that people would like to see us find some strategy to retire that debt, either pay it off directly, to try to find a way to relieve the tax burden on the American people in a way that allows them to be more productive, and generate more revenue to the Federal Government through tax relief, and a number of other strategies that have been suggested to me.

People would still like to see us move forward on our goals to provide further tax relief, to rein in the abuses at the IRS, and to begin treating taxpayers as though we are innocent until the IRS proves we might be guilty, rather than the other way around, as the burden is unfairly placed on taxpayers today when there is some question over tax obligation and liability.

Education was the third key issue that I had heard back in my district. We have had a lot of discussion about the government trying to usurp an independent national testing strategy that we have today, with independent operations that provide national benchmarks for our schools. The Clinton administration, as we know, has been trying to establish a national testing procedure through the U.S. Department of Education in a government-owned sort of fashion.

Many people in my district, in fact most people who are familiar with the proposal, have flatly rejected it and believe that we ought to defer authority back to our States and really focus on the freedom to teach and liberty to learn at the most local level. So that is a general sense of the key issues that have been raised in my town meetings.

Mr. Speaker, I yield to the gentleman from South Dakota (Mr. THUNE) to tell us what he has been hearing.

Mr. THUNE. Mr. Speaker, I thank the gentleman from Colorado for yielding to me.

I would say that there has been a lot of talk lately about how great the economy is doing, and just yesterday the Congressional Budget Office announced that we actually have an $8 billion Federal surplus in 1998. I think that is remarkable when we think about where we have come from, starting when our side took a poll of the

Congress back in 1994, and began to govern in 1995, and how progressively each year we have been able to whittle away at the deficit to the point today where the fiscal discipline has actually paid off and we are doing something in terms of talking about operating with a surplus. I think that is a remarkable achievement.

It has been almost 30 years since that happened, since government was in the black. When we think about 30 years ago, most people now serving in Congress probably were probably closer to studying civics in high school or in the college classroom than they were to voting on the House floor. There are a lot of staffers, interns, and pages now working here in the House that were not even born yet back in 1969, which was the last time that we actually balanced the budget, the last time that it was at that point in time that we sent a man to walk on the Moon for the first time, and he took a giant step forward for mankind, and yet we have been walking backwards in terms of the fiscal path we have been on for this country.

Our booming economy, the budget surplus, are really truly, I think, noteworthy and very positive developments for our Nation. However, I would also say that we still have a long way to go, because as the gentleman mentioned with the unified budget concept, we have reached balance. We are actually operating in the black.

But the fact of the matter is that we continue to borrow from the Social Security trust fund, which masks the true size of the deficit. This year about $100 billion, and already some $650 billion, have been borrowed from the Social Security trust fund. That is a very, very serious issue which needs to be addressed.

When I go back to my State of South Dakota, and I spent a long time out there over the President's Day break, and then again last weekend and talked to my constituents, they are not ready quite yet to break out the bubbly and start celebrating the surplus. We may be doing well, but that does not necessarily mean Congress can pat itself on the back and assume that everyone in America is satisfied.

When I travel back to South Dakota, I meet a lot with young families where the husband and wife are trying to juggle jobs and schedules so that they can pay the bills, pay for day care, and still find a way to see their kids and each other at the end of the week.

I meet college students who are taking a full load of classes plus trying to work 40 hours a week on top of it to pay for their school. I meet with retired South Dakotans and senior citizens across my State who are worried about the Medicare program and Social Security program. I meet a lot of young professionals who are just starting out in their careers who, when you ask them if they believe that Social Security is going to be there for them, laugh it off. In fact, a recent survey found that more people believe in UFOs than believe that Social Security is going to be there when they retire.

So we may have a budget surplus in the unified sense, as we call it, here in Congress, but the people who created that surplus through their hard work and tax dollars are not necessarily seeing the benefits of our booming economy.

The American people are still overtaxed, and we saw some statistics just the other day at USA Today where it talked about the overall tax burden on the average family in this country, and how it has increased in each decade, in the past several decades, to the point today that where the average family of four spends 38.2 percent of all their earnings just to pay taxes at one level, be it the Federal, State or local level. That is an enormous tax burden.

In terms of the overall economy, we heard the President say the other night that we have the smallest government in 35 years. I am not sure which criteria he was using, but I think we would have to look far and wide to find anything that would suggest that.

The fact of the matter again is that we are now, in terms of tax revenues, taxing people of this country at 20.1 percent, by the President's budget, of our total gross domestic product. That is the largest tax burden collectively on our society since the Second World War.

So to make sure that we do not go back to the budget wilderness we have been wandering in for the last 30 years, I believe that we have to do some significant things, which I will talk a little bit about in terms of some of the solutions that I see out there in terms of a long-term fix for the fiscal problems that are facing us as we head down the road with Social Security, as the number of people who are retiring and receiving benefits outnumber those poor who are paying in and working hard to pay into that system, and we look at what we can do in terms of a new tax code for a new century.

Those are some things we had talked about collectively on our side of the aisle that we have established as priorities. I have some suggestions as well in terms of how we go about doing that.

Mr. HOEKSTRA. Mr. Speaker, will the gentleman yield?

Mr. BOB SCHAFFER of Colorado. I yield to the gentleman from Michigan.

Mr. HOEKSTRA. Mr. Speaker, I thank my colleagues for inviting me, and for letting an old-timer join them this evening. But having been here in 1993 when this President set his priorities, and then seeing his budget that he just submitted to the Committee on the Budget a couple of weeks ago, and having Alan Greenspan testify to the Committee on the Budget today, I cannot help but reinforce how positive is the direction that we are going in.

Alan Greenspan came in and said that what we really need to do is we need to stick to the discretionary budget caps, because interest rates and the markets and the financial experts really are not taking us at our word. They are really not believing that we can actually hold tough on the discretionary spending.

So he sent us a clear message today, saying hold tight on discretionary spending caps and we will continue to see the benefits in our economy, because what we will do is we will continue to see lower interest rates; holding spending, perhaps cutting taxes.

But what is our President doing? His budget proposed increasing spending, so the 20.1 percent would go up; increasing taxes; and actually takes us back to a deficit. The President's budget proposal as scored by CBO says we will have a couple of years of surplus, low surplus, but by 2000, we are going to go back to deficit.

If we did nothing, if we all went home for the next 5 years and did nothing, we would be better off than doing the President's budget, because he increases taxes, but it is back to the old policies that we saw before from this President: let us increase taxes, let us increase spending. We would be $43 billion better off in terms of reducing the deficit if we did nothing. This President wants to increase spending and increase taxes, and do it in such a way that government grows and the deficit comes back.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I think people around the country recognize that, when it gets right down to it. People are beginning to get wise to the budget manipulations that they see from the White House.

I know in Missouri, and I apologize, earlier I mentioned that the gentleman from Missouri (Mr. BLUNT) was from Minnesota. That is not the case. Let me apologize. I yield to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. We have warmer winters in Missouri, and there are lots of other good things about our State.

Mr. Speaker, one of those is, I think it was one of my predecessors in Congress from our State about 100 years ago gave our State the name, the Show-me State. He said, I am from Missouri, you have to show me. And certainly we are skeptical, as many people are in my district are, about really what is happening as we work to balance this budget.

Now clearly, clearly the last two Congresses and the hard work of the American people have gotten us a long way. I think in January of 1995 the projected deficit for last year was $365 billion. This was after the President's tax increase, this was after 2, 3 years of the Clinton administration, and the projected deficit was $365 billion.

It turned out to be $22 billion. We got that announcement yesterday. As the gentleman from South Dakota (Mr. THUNE) mentioned, it looks like now for the first time in 30 years we are running a surplus, but of course what Missourians wonder about is how

we could be running a surplus and still be increasing the national debt. Clearly that does not make sense from the show-me standard that we would want to set for whether you are in a surplus situation or not.

We need to continue to work to be sure that we quit, that we stop this process of borrowing from the trust funds, that we really do run a surplus, before we even think about how to spend that surplus. That does not mean we cannot do some tax relief, that does not mean we cannot take advantage of these good economic times, but it certainly does mean that we should not be committing the government to new programs based on some surplus, when we are still borrowing this year $100-plus billion from the Social Security trust fund, from the Highway Trust Fund.

We want to see that surplus in our State become a real surplus. We would like to say that this unified budget is actually treating the trust funds like they were trust funds, and is actually paying all the bills that the government has coming in, and beginning to pay down the national debt, not continuing to increase the national debt.

It would be pretty hard to convince any Missourians, particularly southwest Missourians, where I am from, that you have a surplus, and you are continuing to borrow and you are continuing to increase your debt by around $150 billion. That does not sound like a surplus to us. The Washington standard is not a good enough standard for hard-working taxpayers who want to see us have a real surplus.

But again, I do not want to say that in a way that takes away from what has already happened, because we have gone from a projected deficit of $365 billion to, today, a surplus under the same standards, the same rules, the same guidelines, of about $8 billion. That is a pretty big turnaround. We just need to turn that corner a little bit more before we feel like we are totally in the kind of situation where we are starting to paying off the debt instead of increasing the debt.

I think the hard work of the American people and the vitality of our economy, and frankly, the hard work of this Congress to set those budget caps that our friend, the gentleman from Michigan (Mr. HOEKSTRA) has talked about, and to stay within those caps and see the interest rates go down and the economic vitality that produces and the additional tax dollars that that produces, the additional tax dollars that the tax cuts that we were able to do last year have produced, have made a real change in America.

□ 2245

But we have to be careful that we do not follow the lead of the President just a month ago, 6 weeks ago in this Chamber where in 75 minutes, in a 75-minute State of the Union message, he proposed about $75 billion in new spending. That sounds like the era of big government is definitely back. And certainly a $75 billion, $1-billion-per-minute record is probably the record for anybody's State of the Union address ever in the history of the country, and this Congress and the taxpayers of America really cannot let that happen. I do not think they want that to happen.

Frankly, I think that is why we have not heard much about the President's spending proposals since he walked out of here at the State of the Union message and nobody responded to an America that goes right back into deep, deep debt the first time we think we may be able to make our payments in one month. That is not going to happen. I think we are all hearing that as we have had time to go back home.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, let me issue a word of encouragement to conservatives and Republicans across the country based on what I heard back home. I want to share some statistics briefly. It was not too long ago in Colorado that we had runaway spending at the State level and high taxes. The voters in Colorado through a series of initiatives and ballot proposals capped spending of our State budget and spending of all of our local governments. They additionally placed pretty severe tax limitations on State government and local government.

I remember at the time when I was serving back in the State Senate, that the liberals in Colorado were just whining and crying about these limitations on spending and tax increases as though it was somehow going to crush the State. And those of us on the conservative side and the Republican party back in Colorado stood our ground and maintained that, no, we believe very firmly in these conservative economic principles that if we lower taxes, we increase revenue to the State because of economic growth and prosperity. And when we lower spending, we move more authority out of the halls of government and into the homes of free people throughout the State.

Back in Colorado during the town meetings I just returned from, things are pretty good economically when it comes down to it. Colorado is almost an oasis in the west when it comes to economics. And here is the real impact of tax reduction and spending reductions in my State for those who doubt that these principles work and that the Republicans and conservatives here in Congress are on the right track.

This is a report I am going to refer to from the Center on Budget and Policy Priorities, a very liberal organization in its goals and objectives. But here is what they found in one of the lowest tax States in the union: The poorest one-fifth of our population in my State since the mid-1980s to the mid-1990s realized the greatest amount of economic growth and income growth in poor households. This is the poorest fifth. Their incomes over that 10-year period grew 39 percent.

The second fifth of income categories, their income grew 21 percent. The middle fifth saw income growth of 12 percent. The fourth group there, which is almost to the richest category, had a 6 percent growth and the richest fifth of Colorado citizens saw 16 percent growth. All income categories saw a remarkable growth over a 10-year period.

Mr. Speaker, that is very impressive. What is most impressive is that low taxes, smaller spending has resulted in a 39 percent growth rate for the poorest one-fifth of the residents of my district in my State.

I would suggest when we talk about spending and taxes within the context of compassionate and humanitarian approaches to serving our people, the proof is right here. That it is far more humanitarian, it is far more compassionate to take cash out of Washington, D.C., not even bring it here but to leave it back into the hands of the people who earned that wealth, who are able to turn income into jobs or are willing to take the risks as entrepreneurs and create wealth on a local level and at the State level in a way that honest to goodness has helped the poorest fifth of my State.

That means that there is more dollars to spend not on welfare, not on various entitlement programs and handout programs in my State, although we continue to do that, but more dollars are going to classrooms, for example. More dollars are going to the important priorities that when I travel around the State people tell me they want to see us invest in.

So we are doing it on a State level. These are accomplishments that Congress does not deserve a whole lot of credit for and should not try to take that. But what it does show is that if we can find strategies to turn more of the authority of Washington, D.C. back to our States, we can find strategies to shrink the size of the Federal Government and empower our people locally, that we can expect more of this. We can expect to see more of the poorest families in the country begin to become self-sufficient and move toward higher income categories and achieve real success. That is a Republican vision and a strategy that we all stand for and one that I am proud to say that it is working and it ought to be a point of encouragement for this Congress and the rest of the States of the Union.

Mr. HOEKSTRA. Mr. Speaker, I can understand why the gentleman from Colorado might be reluctant to yield to the gentleman from Michigan only because we have talked about the oasis in the west, but Michigan in many respects is the oasis of the Midwest.

Under our governor, the State I believe since 1990 has had 24 tax cuts. We have moved from a point where our structural unemployment was higher than the national average for a number of years. It was structural. It was said

that Michigan's unemployment rate cannot get below the national average. I think now for the last 2 or 3 years our unemployment rate has been below the national average. Surprisingly, but not really because we have implemented the same strategies, tax cuts, aggressive business promotion, Michigan last year led the Nation in terms of job creation.

So, again, by returning power at the State level, we have returned it back to families, to businesses to grow jobs. That helps everybody. That benefits everybody.

The governor across the lake from us in Wisconsin I believe announced that he was recently signing the last welfare checks because now in Wisconsin they are going to restore the dignity that anybody receiving State assistance is going to be receiving a paycheck. They are going to be working for their benefits. So the kinds of strategies that the gentleman was talking about in Colorado are taking place and being successful all around the country. Lowering taxes, cutting spending and returning power back to the local level.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, it is interesting we find Republican governors or Republican legislators leading the way at the State level. It is a clear distinction that is exhibited here between what our party represents and what our liberal colleagues on the other side of the aisle represent.

They define compassion by how much money government can give away to the charity of politicians' choices. We believe we define compassion by how much money we leave in the hands of those who earn it and encourage more to earn higher wages. The experiences in Michigan and Colorado are great examples.

Mr. THUNE. Mr. Speaker, if the gentleman would yield, not to be outdone here, since we have heard from Michigan and Colorado, but let me just say as well that in South Dakota we are leading the way in many respects. We are one of the few States which does not have a personal corporate income tax. For that reason we have attracted a lot of economic development to a State where certainly the climate is not always conducive to attracting people.

We have businesses coming into our State because we are very attractive and have a great work ethic. And we have in a systematic way in the last few years as well lowered taxes. On property taxes, our legislature went 5 percent farther. They lowered those taxes by 20 percent a couple of years back. Cumulatively, over the past 3 or 4 years, a 25 percent rollback in property taxes in our State. I think that is significant.

What it tells us that it is consistent with our philosophy and I think it is something that should apply here at the Federal level too. That is that we want to make the Federal Government smaller and the family budget bigger. I think that is a principle that is shared by a lot of our governors, our State legislatures around this country. Frankly, we want to see Washington do less so that the American family can do more.

Mr. Speaker, when we in a systematic way work to that end, I think we give the opportunity to our people, our families, the hard-working Americans in all of our States and congressional districts to do what they do best.

So I would still say, and I think in having this discussion tonight it is important to remember that one of our first priorities and it has been mentioned earlier and I think we would all agree with it, is that we have to preserve Social Security. We have to do something about this enormous debt that we have accumulated.

Washington has not had the fiscal discipline up until recently for a very long time. And inasmuch as our States are doing well, the Federal Government is not doing so well when it comes to the debt that we have racked up on the next generation. I think that we need to put a systematic plan in place to address that issue.

Mr. Speaker, I am cosponsoring legislation offered by the gentleman from Wisconsin (Mr. NEUMANN) which would do that. I think perhaps some of my colleagues in the Chamber this evening are as well. That bill basically says that if there is a surplus, and there is some debate about that, but to the extent that there is a surplus, two-thirds of that should go to paying down the debt and restoring our trust funds, Social Security, transportation, environmental et cetera, and the last third should be used for lowering our tax burden on the people in America.

Furthermore, it puts a plan in place, a discipline over time that says the Federal Government cannot spend more than 99 percent of what it takes in in revenue. Each year we set aside 1 percent and apply that toward the debt. And having done that based on economic assumptions that I think are fairly modest in a period of 30 years, we would have actually eliminated in its entirety the $5.5 trillion debt that we have accumulated.

This is very significant because as we pare down that debt, we also pare down the interest payment which is chewing up a good part of the Federal budget. This year about $250 billion in interest. I use the illustration because it is something in my part of the country people will understand. But every personal income tax dollar raised west of the Mississippi River and then some is applied just toward the interest on the debt. That is something that when the Committee on Appropriations does the budget here in Congress that they do before anything else. They have to write the check to pay the interest on the debt.

That is tax dollars from hard-working Americans that do not go to any important governmental or public purpose. We are not paving any roads with that or doing anything to advance education or improve the quality of our kids' education in this country. We are simply saying that that is a product of the 30 or 40 years of fiscal neglect.

Mr. Speaker, I think it is high time we do something to address that. I would certainly encourage my colleagues here this evening to work with us as cosponsors of that legislation and move us in a direction that will address the long-term issue, and that is the irresponsible spending patterns that we have had here which have led us to this point.

Mr. Speaker, I notice we have the gentleman from Pennsylvania (Mr. PETERSON) here in the Chamber. I am wondering if he might have something to add to the discussion. We have been talking about what most of us have heard over the course of listening and town meetings back in our home districts.

Mr. PETERSON of Pennsylvania. Mr. Speaker, it is interesting. I wanted to share my perspective of the President's message that we heard here in this hall a few weeks ago. It was a pretty smooth message. But in the first two paragraphs, he talked about Social Security first. That is pretty basic. That has been applauded throughout the country.

But when he went on in the hour-long speech, he spent the money that could have put Social Security first. I guess it is pretty basic fundamentals. My colleagues have already chatted about it a bit. But we are balancing the budget by borrowing $100 billion in his proposed budget from Social Security. And when we add up all of the trust funds, we really will increase the debt if we pass the President's budget by about $140 billion to $150 billion. That is increasing the debt.

We may not be spending more general fund revenues than we are taking in, but we are spending more money than we are taking in. To me that is basically fundamental. So I think the President in his smooth talk, as I call it, talked about Social Security first and then put it last.

The other issue about his overall proposal that bothered me in basic budgeting, this is only my second Federal budget but I have dealt with 19 State budgets. In the State, whenever we got a one-time funding source where we had a windfall of a few million dollars, in the State it was millions, here it is billions, but he was going to use the supposed talked-about tobacco settlement to build a budget. And when we take one-time revenues, and we may get them 2 or 3 years, I am not sure what the settlement will be or how soon it is going to pay out, but it is not forever revenue. It is temporary revenue.

When we build a budget with temporary revenue, down the road we are either going to cut that spending or raise taxes to replace that spending. That is bad budgeting. That is basic,

fundamental poor budgeting. That is part of the President's proposal.

□ 2300

I think if we really want to put Social Security first, I think we have a very short window. I think in the next 2 to 3 years, we have some unusual revenue growth, if we do not somehow screw up the economy in this country, if we do not take this opportunity to back out of borrowing from Social Security and actually start a trust fund, leave that 100 million, make that 100 billion. In a 3-year period if we could stop borrowing at all, we would already have accumulated 200 billion actual money in the bank to be invested wisely and could be building for those who are worried about Social Security in the future.

If it was my choice, if I were king, I would take the tobacco settlement and whatever payments are part of it. I know we have farmers to take care of. There is a lot things to solve with the tobacco settlement because there are people that are going to be displaced out there. I have sensitivity to that. But whatever money is not allocated in that settlement, I would put in the Medicare Trust Fund. Now we have started to help extend the Medicare program for more than 10 years out because that is all that it is solvent today. Those are two things that would send the right message to especially the seniors in this country.

A couple other things that I wanted to mention was the sunsetting the IRS. I see the President has taken us on for sunsetting the IRS in the Tax Code as if that is irresponsible. I think the gentleman from Oklahoma (Mr. LARGENT) did an outstanding job the other day of his theory that it should be a national debate in the next Presidential election. And if we sunset it and give ourselves the time to go through the next election, when we are electing the next President, we can elect a President that tells the American people what kind of a simplified Tax Code they want and that he is going to give them. I think it would be an absolute time to debate that nationwide.

Those are just a few of the things that I think are very important.

Mr. BLUNT. Let me say in that regard, the President, I think yesterday, started right down the path that we all should anticipate in the fight to sunset the Tax Code. The President said, if we sunset the Tax Code, we would not have mortgage deductions anymore. Who says we would not have mortgage deductions anymore? The President takes a couple of hundred words, a couple thousand words, maybe, out of a 5.5 million word Tax Code and holds those up to the American people and says, now, to save this, we have to have all of this.

The pressure to maintain the Tax Code is going to be right here in Washington. There is not a single thing in the Tax Code that somebody did not want in there. There is not a single thing in the Tax Code that some special interest did not want in there.

The Tax Code is out of control. It is not a creature of the IRS. It is a creature of the Congress. But I think yesterday we saw exactly the reason that we need to go ahead and commit to slay the dragon of the Tax Code and then have the debate about a new system, because we saw the President get some response by just taking one appealing thing in a Tax Code that largely does not appeal to anybody and saying, you do not want to lose this. And if you slay the Tax Code without a new plan, you are going to lose this.

The truth is that the folks who are really out there to protect the 5.5 million word Tax Code, and by the way, the Declaration of Independence had 1,300 words in it, the entire Old and New Testament has 773,000 words in it. The Tax Code is eight times as big as the Old and New Testament. I think it is 42,000 pages of Tax Code and 20,000 pages of the IRS interpretations of what the 42,000 pages mean, and nobody understands that Tax Code.

But if we do not commit ourselves to eliminate the code first, the debate on what to replace it with will be used as the way to ensure that we never eliminate the code, because you will see the greatest efforts at class warfare. You will see the greatest efforts at generational warfare, all waged by people who want to save some sliver of that Tax Code that they worked so hard to get in there that does not help anybody in America but them.

The commitment that we would make as a Congress to eliminate the Tax Code at a future date, and I believe the bill that many of us, I am certainly cosponsoring the legislation, the date on our legislation is December 31, 2001, with the commitment to have a new system in place by Independence Day 2001, 6 months in advance of when it would necessarily have to go into effect, to slay that Tax Code and then have this national debate that has to meet the framework of being fairer, being simpler, producing no more revenue than the current Tax Code produces and to really truly eliminate the IRS as we know it, because the IRS is only the IRS because of a Tax Code that nobody fully understands. And that is what allows the IRS in its worst cases to be the IRS.

One of the most frustrating things in the world would have to be a well-intentioned IRS employee with a Tax Code that can mean anything somebody at the IRS decides it may mean in any given instance. We need to commit to eliminate that code, and I think the President is just as wrong on this as he was last spring when he told us the IRS does not need to be reformed. And then, again, 6 weeks ago here he turned to the Senate and says, and why do you not pass those IRS reforms that the House passed last year. Remember, he was opposed to those IRS reforms and said the IRS was running better than it ever had in any time certainly than it was 5 years ago when he took office. That is just not true. He admitted as much in the State of the Union message.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, it was so ironic when the President made this speech about characterizing our efforts to rein in the IRS as somehow irresponsible, it is important to note where he made the speech. I do not want to malign the group he was before and speaking in front of, but it was a special interest group of a particular group of individuals who are involved in a certain aspect of financial institutions.

But that really illustrates what is sick about tax policy in Washington in the first place. You stand in front of the interest group that happens to be in town for one week or another, tell them what they want to hear about their little part of the Tax Code, and that, over time, if you look at it in reverse, is how the Tax Code was created to be the way it is now, why it is so ridiculous.

I think what brings us all here together as Republicans tonight is that we want to put the average American taxpayer first. We have spent a considerable amount of time traveling around our districts listening to real people who do not care about this loophole or that loophole or that advantage or this disadvantage in the Tax Code. They want the entire program reined in. They want us to exercise our authority and provide the oversight and demand the accountability that we ought to do, and they want us to focus on liberating the American public so that this Tax Code, which now represents about 20 percent of the burden just in Federal income tax to the average American family, is reduced.

Is that what you are hearing in your part of the State?

Mr. HOEKSTRA. Mr. Speaker, that is exactly what I hear, listening to our colleague from Missouri. What we are finding is at the State level Governors are aggressively slaying the dragons of big State government, whether it is South Dakota, whether it is Colorado or Michigan. They are trimming back on bureaucracy. They are lowering taxes. They are doing all the things that the other side said you cannot do it.

The people need this. Government has to deliver these services. And what we are seeing at the State level is kind of like, we can slay those dragons, and when we do, the average person benefits because they keep more of their own money.

We create more jobs which increases wages, and we have to learn that same lesson here in Washington, that we can go out and slay those dragons. We can slay the Tax Code and develop a better Tax Code than what has developed over the last 30 years because of special interests.

We can change the education bureaucracy here in Washington so that we are focusing on kids again. The education bureaucracy here in Washington

focuses on special interests. It focuses on everything but kids learning. The study that came out last week, the Timms international study, devastating for America. I think in science and math we scored 19, 20 out of 21 countries. That is an improvement because in some of the other studies that have been done internationally, we scored about 38 or 39. These were high school seniors. The only reason we moved up is we are not compared to as many countries as we were in the other studies.

But it is devastating that we are not turning out the kinds of kids out of our education system that we need to be turning out. We have gone around the country listening, and we will be in your State in a couple weeks. We have been, I think, in 14 different States. You have to focus on parents, local control, basic academics in the classroom and safe and drug-free schools. That is the message.

What we have learned is Washington programs are focused on bureaucracy and paperwork. We have 760 programs and, you say, hallelujah, now I know why we have an Education Department to coordinate all these 760 programs. Wrong. They go through 39 different agencies. We have got to slay that dragon, get the education bureaucracy in Washington out of here and get it focused on kids, parents and local control, and helping those children learn, not bureaucracy, bureaucrats or paperwork in Washington.

Mr. THUNE. Let me just pick up on what the gentleman from Michigan said there, because I think the underlying theme that we are hearing in all these discussions this evening is the whole issue of personal freedom, taking the bureaucracy out of Washington, D.C., and allowing families and State and local governments to do what they do best.

And really I think that seems to me, the gentleman from Missouri talked about the Tax Code, 34½ pounds, we put it on a scale. It is an atrocity. And you think about the captivity that that puts people in this country in. They are so dependent and need to be released and unburdened from the shackles of big government.

If we can come up with a way that simplifies that process, I did mine a couple weeks ago. I speak firsthand from this. It is a remarkable, remarkable experience to try and go through and sort through all those forms and try and come up with, get your tax return prepared and completed in a way that satisfies all those regulations. But I think the same thing is true in education.

We are not viewed, I do not believe, out there as people who want to do anything to undermine the education of our children. We want a higher quality system, a better value to the taxpayers which puts more of the choice and freedom back home in living rooms with the men and women of this country.

I happen to believe, as I think everybody in the Chamber this evening does, that fundamentally we are a lot better served, my children are infinitely better off and your children and grandchildren, if we have that focus, that point of control back home as opposed to here in Washington.

I think the underlying theme in everything we are talking about is liberating people from big government programs, from an education bureaucracy, from a tax bureaucracy, a revenue collecting bureaucracy, and putting more control and power in their hands. As the gentleman from Missouri mentioned earlier, there has been a lot of foot-dragging along the way.

IRS reform was an issue which was very popular with us, and the President basically pooh-poohed it until he found it was also popular with the American public. Then all of a sudden he was back at the table saying this is a great idea. You look at, along the way, welfare reform. Nobody said that could happen. A balanced budget, nobody said those things could happen. Now we are talking about scrapping the Tax Code. He is saying that is irresponsible.

The only thing that is irresponsible is defending the status quo. We have an opportunity here over the next couple of years to do something that is significant and historic, which builds upon the progress of welfare reform, balanced budget, lower taxes, Medicare reform, and that is to reform this Tax Code, to scrap the old one and start from the ground up with something that makes sense because the one that we have today does not.

If we have to bring everybody kicking and screaming at the White House along on this journey, so be it, because I think the American public supports us. They are going to be leading the way when we give them some opportunities to look at the alternatives that are out there. I think it is all about more personal freedoms, smaller government, lower taxes and putting more control and more decisionmaking authority in the hands of individuals as opposed to government.

Mr. BOB SCHAFFER of Colorado. The Tax Code keeps cash out of the hands of families who might want to put their kids into a higher education setting or some other academic setting that would make them more marketable and more profitable in the job market, and these regulations that we talk about with respect to education drive up effectively the cost of education for all of our children throughout the country.

The gentleman from Missouri (Mr. BLUNT) is a former college president.

Mr. BLUNT. Mr. Speaker, I appreciate that. One of the things that we all worked for and voted for last year right here on the House floor was a resolution that did exactly what you and the gentleman from Michigan (Mr. HOEKSTRA) and others want to do and the gentleman from South Dakota (Mr. THUNE) was mentioning with education. I know the gentleman from Pennsylvania (Mr. PETERSON) was an advocate of this. That was, let us get what money we spend where it does the most good. Let us be focused on education, not focused on bureaucrats. This is the right kind of solution that we need.

I think 310 Members of the House, which means that lots of Democrats joined virtually all the Republicans, and we passed a resolution that said that 90 cents out of every dollar in every Federal elementary and secondary program needed to get to the classroom, the Dollars to the Classroom Act. And suddenly we are reducing all that money that is used up by bureaucrats, all that money that is used up by people figuring out new forms to fill out and by people that have to fill out those forms and by people that monitor those forms. We are saying, let us get that money to where it will do some good.

□ 1315

Let us be sure that we do not waste $1,800 for every classroom in America every year, like we are doing now when we are getting about 65 cents out of every dollar in the classroom. Let us get 90 cents out of every dollar in the classroom. Let us let parents be involved in that decision. Let us let local building administrators be involved in spending that money. But mostly let us let teachers and kids get together. Let us put that money not in the hands of some bureaucrats in Washington, or even in all of our State capitals, let us put that money in the hands of a teacher who knows every child's name in that class. That can make a difference.

Mr. THUNE. The gentleman presiding, it is his legislation we are talking about.

Mr. BLUNT. That is exactly right.

The SPEAKER pro tempore (Mr. PITTS). The Chair would advise the gentlemen that there being no designee of the minority leader, the gentleman from Colorado (Mr. SCHAFFER) may proceed for up to 15 minutes more.

The gentleman is recognized.

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, you are in the chair and cannot join us in the discussion, but also a Member of the freshman class the gentleman from Pennsylvania (Mr. PITTS) has led the way in urging this Congress and our Federal Government to put more cash into the classrooms and basically starve the bureaucracy back in Washington and put children first. And it is a project that we are all very happy to be a part of and be supporting and we commend him for his leadership.

The gentleman from Pennsylvania (Mr. PETERSON) also has worked on similar efforts back in his home State, and he may have a little more to add to that.

Mr. PETERSON of Pennsylvania. The gentleman used the words ''starve the bureaucracy.'' As I look at the Washington bureaucracy, I do not think there is anybody starving.

The President, in his message, also talked about that government was smaller, I forget by what percentage than when he came here. When we add back the million people who have been taken out of the military, our government bureaucracy has grown immensely under the administration of the present President. I am told there are departments that have doubled. I think EPA has doubled in numbers of employees. There are other departments that are 50 percent bigger. While we were cutting the military immensely, the rest of this government, as far as personnel is concerned, has exploded.

There is a line item in the budget called general government. And I am going on memory here tonight because I have not looked it up recently, but if my memory is correct it was a $10 billion line item that in his budget was going to increase to 17 billion. It was general government. That is personnel. That is bureaucracy. So he was asking for a 42 percent increase in that line item in this year's budget.

That is an area we need to take a look at it. I know I am personally having an audit done on how many employees there are in each department and how many there have been for the recent years. And if we want to waste money, build a huge bureaucracy. The Federal Government should not have these huge bureaucracies.

I know my communities cannot deal with EPA, my businesses cannot effectively deal with EPA, but they can effectively deal with their State environmental agencies, who should be implementing the programs that we designate or that we prioritize. So I think we can take a huge look at cutting back.

Pennsylvania had a Governor a few years ago by the name of Dick Thornberg. I think my colleagues know him or know of him. He cut the size of government from about 105,000 to 92,000. Now, at that time I was a State legislator and then ran for the Senate about that same period of time, but I was serving in government. As he cut the bureaucracy and improved the management, our casework in our offices, helping people deal with government, went down measurably because he made those departments much more efficient, more professionally run, with less people, so our workload of helping communities and people deal with government became much less.

As soon as we got a new Governor who did not pay attention to that and started adding more people to the payroll, our workload in our offices went up because of the inefficiency of the bureaucracy that was not well managed.

That is another point I wanted to make in my concluding comments. We measure Governors and Presidents on what they propose, not on what they do. We really should be taking a look at this administration and why did we have $23 billion in wrongful spending in Medicare; why do we have 21 percent error rate in the tax credits? We could go on and on with the long list. That is poor management.

That is the job of an administrator, is to run government. But we only talk about what they propose, what they promise, and what they are going to do for us, when the first job of a CEO is to manage a company. The first job of a President or a Governor is to manage their government. And we should be measuring our leaders on how they manage the resources that we give them and the programs we give them.

I think if we did that, things would change a lot because they would stop talking about new programs and they would start paying attention to managing government. And I think we need to change our whole focus.

Mr. BOB SCHAFFER of Colorado. I have a question I would like to pose to my four colleagues, and that is with respect to this issue of reining in government and the success we have seen at the State level, what the President is criticizing, trying to rein in the IRS through sunset provisions is not new throughout the country. I am curious how many of my colleagues' States have sunset provisions that we deal with at the State regulatory level. Are any of my colleagues' States involved in those back home?

There are several States that do. I will give an example out in Colorado. Pennsylvania does. In Colorado, if we look at every regulatory agency in our State laws, at the end of the statute there is a termination date. The Public Utilities Commission, by way of an example. Eight billion dollars worth of commerce and industry is regulated by that agency in my State. At the end of the act, if we open up the law books, it says this agency expires and terminates, goes away effectively on, and it will say June 31 in some year out in the future, 5 or 10 years out in the future.

What these sunset dates do, and many people do not understand this, this does not mean the agency goes away, but what it does do is it shifts the burden away from the government and it takes the advantage away from the bureaucracy, away from the status quo, and gives all of the advantages for reform to the taxpayers and the people.

That is what would happen if we sunsetted the IRS, and the reason we are pushing so hard for it. Getting any incremental change in that act is so difficult here because we have to get 218 majority votes here, another majority vote in the Senate, we have to compromise it, too, and somehow find a way to get the President to sign it. That is a tall order. But if we shift the burden and say we must come up with majority agreement in all three, the House, Senate and the President, or else the whole agency expires, well, I think people will start negotiating a lot more seriously. They start putting the taxpayers ahead of the bureaucrats, they start putting real reform ahead of status quos.

And that is why sunset dates are so effective. They are responsible. They are done in several States and done so quite effectively. And I think we ought to take a lesson from the playbook from many States and employ sunset dates, not just on the IRS, although that is the best place to start, but in several regulatory agencies.

Mr. PETERSON of Pennsylvania. If the gentleman will yield there, I would like to ask this question of the gentleman from Michigan, who is our education expert; if we had a sunset provision in all 700-some programs in the Department of Education, the gentleman's committee would be pretty busy, would it not, reviewing all those as their times came due?

Mr. HOEKSTRA. I thank the gentleman for asking the question. Absolutely. Because if there is another agency in a department that needs to be sunsetted, not that we need to get rid of it but that we need to reevaluate its purpose, because we know we are not getting the kind of results that we want so we know we have to do something; then we have to go through and we ought to be evaluating those 760 programs. We know that out of those dollars, 30 to 35 cents never gets to the classroom, which is where the leverage point is.

So then we should come back, and I have a list here of what does the Federal education program do or what does the President want it to do. The President wants the Federal education program to build our schools and hire our teachers. Are those Federal responsibilities? I do not know. We really should have a good debate about that. I am not sure. I do not think so.

We want it to develop our curriculum, test our kids, feed them breakfast, feed them lunch, teach them about sex, teach them about drugs, do after-school programs. But other than that, it is our local schools. Now, are those, are all of those decisions best driven from Washington?

This is where the education department has evolved from since 1979. And if we go back through the debate, in the debate in 1979, the people who participated in support of the education department said we do not want to move control from parents and the local and the State level to Washington. We just want to facilitate. Well, in reality if we take a look at where that bureaucracy has gone, it has moved well beyond its original mandate. It should have been sunsetted so we could have reevaluated the direction and the impact and the performance on an ongoing regular basis, rather than creating an agency where bureaucrats are just feeding themselves and getting bigger and bigger and bigger and losing focus of their real job.

Mr. THUNE. If the gentleman will yield on that point, because it is an important point. The fact we do not have sunset provisions in Federal programs is what I think makes the President's budget so dangerous.

The gentleman from Pennsylvania made the point earlier about the fact that there is all this new spending: 39 new entitlement programs. We cannot create a program in this city and ever hope, even though its purpose ceases to exist, to get rid of it if the time ever comes.

So I think before we embark on this road of new Federal spending, new government, new Washington programs, which is clearly the direction that the President wanted to go when he came out with his budget, and I did not count it up, but a billion dollars a minute is a pretty astonishing rate of government growth, but that is what the State of the Union address was all about, creating new Washington bureaucracy and new Washington spending.

And I think that is a very dangerous road to start down, given the fact that any time we create entitlement programs in this city, they are there to stay.

I think that he is assuming a whole lot of things about the performance of this economy that we really do not know about. I think we would be much better served to the extent that we have addressed long-term issues like Social Security, like Medicare, having done that, that any dollars that are left, we ought to give them back to the taxpayers whose dollars they are in the first place and really ought to have first claim.

So I think you make an important point when you talk about all the various programs over time that have been created, never been evaluated. Before we head down that road again, I think the American public would be better served if we talk in a very fundamental way about ensuring that we do not create new Washington spending. I think that is an important point that we probably all agree on.

Mr. BLUNT. If the gentleman will yield, I think that is exactly right. I think what happens is, if you do have sunset provisions, every agency not only is aware that it is going to have to come up for review, but every assignment it is given is going to have to come up for review, and that just does not happen now.

We have lots of programs on the books that are not funded, are underfunded, or just out there waiting for that moment when they can come back in and grab some more money. Nobody ever challenges those things. I think that one of the great reviews we could do would be to do that.

I think one of our freshman colleagues, the gentleman from Texas (KEVIN BRADY) has legislation he is working on that would really put sunset provisions in as an automatic part of any new program that goes into effect, any new agency that goes into effect. Then of course we ought to go back and attach those same provisions to old agencies.

I think what happens in Colorado and other States that have this is the departments themselves pretty quickly come back to the legislature and say, when they see something that is going to be a problem for them, when it comes time to defend it, when it comes time for them to be reauthorized, they say in advance, you know, we think this is really not working out like we thought it would. We think you ought to eliminate this, because we do not want to come back 2 years from now and explain why we have not been able to make it work. I think that is one of the things we could do to begin to get this government under control.

Also the other thing that has been mentioned so often tonight that we have taken great advantage of over the last 3 years has been the States themselves. How many times tonight in our discussion have we talked about, whether it is welfare programs or education programs, how much benefit we are getting by letting the 50 States be 50 laboratories for change?

There are great results happening in State after State after State where we have allowed them leeway in areas like welfare that they have not had before. The Governor of Wisconsin just the other day, as was pointed out, wrote the last welfare check. There are not going to be any more of those checks issued in that State. It has made a dramatic difference in the way they approach this problem.

Mr. PETERSON of Pennsylvania. I guess a concluding remark for me is one of the first things I said tonight. I think we really have 3 years to back out of the trust funds. If we do not stop borrowing from the trust funds the next 3 years, we probably will not have an economy that will allow us to do that. I think we have a limited time to stop borrowing from them. I think the pressure ought to be on.

I do not think we have to whack and cut with a cleaver. I think we just have to be a little bit frugal like we are with our own money, just a little bit frugal here in Washington. We can stop borrowing from the trust funds, and we can make sure Social Security and Medicare are strong and that our children do not have the debt that we are going to leave them if we do not do it.

Mr. SCHAFFER of Colorado. Our time has expired this evening. I appreciate the Speaker and his indulgence and for presiding tonight. By the way, Republican freshmen have an hour scheduled again next week on Wednesday, so I hope everybody will join us here again. We will continue our discussions about how we can move authority out of Washington back to the States and back to the policymakers and leaders who are closest to the people and know most about how to lead this great country.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LUTHER of Minnesota (at the request of Mr. GEPHARDT) for today, March 4, on account of family illness.

Ms. KILPATRICK of Michigan (at the request of Mr. GEPHARDT) for after 3 p.m. today and the balance of the week on account of a family emergency.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. LIPINSKI, for 5 minutes, today.
Mr. FILNER, for 5 minutes, today.
Ms. WATERS, for 5 minutes, today.
Mr. MINGE, for 5 minutes, today.
Mr. DAVIS of Illinois, for 5 minutes, today.

(The following Members (at the request of Mr. NETHERCUTT) to revise and extend their remarks and include extraneous material:)

Mr. NETHERCUTT, for 5 minutes, today.
Mr. CAMPBELL, for 5 minutes, on March 5.
Mrs. MORELLA, for 5 minutes, on March 5.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PALLONE) and to include extraneous matter:)

Mr. HAMILTON.
Mr. DAVIS of Illinois.
Mr. PALLONE.
Mr. DINGELL.
Mr. JOHN.
Mr. STARK.
Mr. FORD.
Mr. BENTSEN.
Mr. WISE.
Mr. PASCRELL.
Mr. SANDLIN.
Ms. NORTON.
Mr. KIND.
Ms. DELAURO.
Mrs. LOWEY.
Mr. FROST.
Mr. TOWNS.
Mr. VISCLOSKY.
Mr. SCHUMER.

(The following Members (at the request of Mr. NETHERCUTT) and to include extraneous matter:)

Mrs. MORELLA.
Mr. FORBES.
Mr. KING.
Mr. DAVIS of Virginia.
Mr. WOLF.
Mr. PACKARD.
Mr. GILMAN.
Mr. GALLEGLY.
Mr. ROHRABACHER.
Mr. PORTER.

(The following Members (at the request of Mr. BOB SCHAFFER of Colorado) and to include extraneous matter:)

Mr. RANGEL.
Mr. MCGOVERN.
Mr. CLYBURN.

Mrs. MEEK of Florida.
Mr. TIAHRT.
Mr. BARR of Georgia.

ADJOURNMENT

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Thursday, March 5, 1998, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

7686. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Walnuts Grown in California; Decreased Assessment Rate [Docket No. FV97–984–1 FIR] received February 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7687. A communication from the President of the United States, transmitting his requests for FY 1998 supplemental appropriations and FY 1999 budget amendments to address emergency funding needs related to the situation in Bosnia and in Southwest Asia as well as to natural disasters in the United States; and to designate these requests as emergency requirements pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, pursuant to 31 U.S.C. 1107; (H. Doc. No. 105–220); to the Committee on Appropriations and ordered to be printed.

7688. A letter from the Secretary of Defense, transmitting the report to Congress for Department of Defense purchases from foreign entities in fiscal year 1997, pursuant to Public Law 104–201, section 827 (110 Stat. 2611); to the Committee on National Security.

7689. A letter from the Secretary of Defense, transmitting a report that the Department has not authorized any category of merchandise to be sold in, at, or by commissary stores, pursuant to 10 U.S.C. 2486(b)(11); to the Committee on National Security.

7690. A letter from the Director, Selective Service System, transmitting a report on the operation of the system for fiscal year 1997, pursuant to 50 U.S.C. app. 460(g); to the Committee on National Security.

7691. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the semiannual report on tied aid credits, pursuant to Public Law 99–472, section 19 (100 Stat. 1207); to the Committee on Banking and Financial Services.

7692. A letter from the Secretary, Department of Health and Human Services, transmitting the 1997 annual report on the Loan Repayment Program for Research Generally, pursuant to 42 U.S.C. 2541–1(i); to the Committee on Commerce.

7693. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Adminstration's final rule— Extralabel Animal Drug Use; Fluoroquinolones and Glycopeptides; Order of Prohibition [Docket No.97N–0172] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7694. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–271, ''Suspension of Liquor Licenses Amendment Act of 1998'' received March 2, 1998, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform and Oversight.

7695. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–272, ''Make a Difference Selection Committee Establishment Act of 1998'' received March 2, 1998, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform and Oversight.

7696. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–273, ''Natural and Artificial Gas Gross Receipts Tax Amendment of 1998'' received March 2, 1998, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform and Oversight.

7697. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–276, ''Commercial Mobile Telecommunication Service Tax Clarification Amendment Act of 1998'' received March 2, 1998, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform and Oversight.

7698. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–268, ''Unemployment Compensation Tax Stabilization Second Temporary Amendment Act of 1998'' received March 2, 1998, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform and Oversight.

7699. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–270, ''Testing of District Government Drivers of Commercial Motor Vehicles for Alcohol and Controlled Substances Temporary Amendment Act of 1998'' received March 2, 1998, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform and Oversight.

7700. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–278, ''Equal Opportunity For Local, Small, and Disadvantaged Business Enterprises Temporary Act of 1998'' received March 2, 1998, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform and Oversight.

7701. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12–277, ''Mortgage Lender and Broker Act of 1996 Temporary Amendment Act of 1998 '' received March 2, 1998, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform and Oversight.

7702. A letter from the Director, Federal Mediation and Conciliation Service, transmitting the 1996 annual report in compliance with the Inspector General Act Amendments of 1988, pursuant to 5 U.S.C. app. section 8G(h)(2); to the Committee on Government Reform and Oversight.

7703. A letter from the Chairman, Federal Reserve System, transmitting a report of activities under the Freedom of Information Act for the calendar year 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

7704. A letter from the Director, Office of Science and Technology Policy, transmitting a report of activities under the Freedom of Information Act for the calendar year 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

7705. A letter from the Attorney-Advisor, U.S. Trade and Development Agency, transmitting a report of activities under the Freedom of Information Act for the calendar year 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

7706. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Offshore Component of Pollock in the Aleutian Islands Subarea [Docket No. 971208296–7296–01; I.D. 022098B] received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7707. A letter from the Director, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Financial Assistance for Research and Development Projects to Strengthen and Develop the U.S. Fishing Industry [Docket No. 960223046–8030–03; I.D. 012398C] (RIN: 0648–ZA09) received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7708. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No. 970930235–8028–02; I.D. 022498A] received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7709. A letter from the Deputy Assistant Adminstrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Amendment 8 [Docket No. 970606131–8033–02; I.D. 041497C] (RIN: 0648–AG25) received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7710. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Inshore Component Pollock in the Bering Sea Subarea [Docket No. 971208296–7296–01; I.D. 022598C] received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7711. A letter from the Deputy Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking and Importing Marine Mammals; Taking of Ringed Seals Incidental to On-Ice Seismic Activity [Docket No. 970725179–8017–03; I.D. 071497A] (RIN: 0648–AK33) received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7712. A letter from the Independent Counsel, Office of Independent Counsel, transmitting the third annual report, pursuant to 28 U.S.C. 598(a)(2); to the Committee on the Judiciary.

7713. A letter from the Secretary of Transportation, transmitting the Fifteenth Annual Report of Accomplishments Under the Airport Improvement Program for the Fiscal Year 1996, pursuant to 49 U.S.C. app. 2203(b)(2); to the Committee on Transportation and Infrastructure.

7714. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes [Docket No. 97–NM–264–AD; Amendment 39–10169; AD 97–19–16] (RIN: 2120–AA64) received February 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7715. A letter from the Acting Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Indirect

Food Additives: Polymers [Docket No. 97F–0336] received February 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7716. A letter from the Chief Counsel, Internal Revenue Service, transmitting the Service's final rule—Source and Grouping Rules for Foreign Sales Corporation Transfer Pricing [Docket No. REG–102144–98] (RIN: 1545–AV90) received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7717. A letter from the Chairman, U.S. Merit Systems Protection Board, transmitting the appropriation justification for the U.S. Merit Systems Protection Board(MSPB) for fiscal year 1999; jointly to the Committees on Government Reform and Oversight and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. MYRICK: Committee on Rules. House Resolution 377. Resolution 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 (Rept. 105–427). Referred to the House Calendar.

Ms. PRYCE of Ohio: House Resolution 378. Resolution 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 (Rept. 105–428). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SMITH of Oregon:

H.R. 3317. A bill to provide that each State may establish a pilot program for mediation of private rights of action under the Migrant and Seasonal Agricultural Worker Protection Act; to the Committee on Education and the Workforce.

By Mr. BAKER (for himself and Mr. PALLONE):

H.R. 3318. A bill to amend title 49, United States Code, to improve the one-call notification process, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WAMP:

H.R. 3319. A bill to provide for notice to owners of property that may be subject to the exercise of eminent domain by private nongovernmental entities under certain Federal authorization statutes, and for other purposes; to the Committee on Resources.

By Mr. RANGEL (for himself, Mr. STARK, Mr. MATSUI, Mrs. KENNELLY of Connecticut, Mr. COYNE, Mr. LEVIN, Mr. CARDIN, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. JEFFERSON, Mr. BECERRA, Mrs. THURMAN, Mrs. LOWEY, Mr. GEPHARDT, Mr. BONIOR, Mr. YATES, Mr. CONYERS, Mr. MURTHA, Mr. HEFNER, Mr. WAXMAN, Mr. FROST, Mr. GEJDENSON, Mr. SCHUMER, Mr. BOUCHER, Mr. EVANS, Mr. OWENS, Mr. ACKERMAN, Mr. KENNEDY of Massachusetts, Mr. SAWYER, Ms. PELOSI, Mr. FALEOMAVAEGA, Mr. ANDREWS, Mr. ABERCROMBIE, Ms. DELAURO, Mr. DOOLEY of California, Mr. EDWARDS, Mr. SANDERS, Mr. OLVER, Mr. FILNER, Mr. GREEN, Mr. HILLIARD, Mr. HINCHEY, Mrs. MALONEY of New York, Mr. MEEHAN, Mr. RUSH, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. KENNEDY of Rhode Island, Ms. JACKSON-LEE, Ms. LOFGREN, Mr. STRICKLAND, Mr. BLAGOJEVICH, Ms. CARSON, Ms. DEGETTE, Mr. ETHERIDGE, Ms. KILPATRICK, Mr. MCGOVERN, Ms. SANCHEZ, Mr. SHERMAN, Mr. TIERNEY, Mr. WEXLER, and Mr. WEYGAND):

H.R. 3320. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the construction and renovation of public schools; to the Committee on Ways and Means.

By Mr. BARR of Georgia:

H.R. 3321. A bill to amend the Communications Assistance for Law Enforcement Act, and for other purposes; to the Committee on the Judiciary.

By Mr. EDWARDS:

H.R. 3322. A bill to repeal the prohibition on the use of Robert Gray Army Airfield at Fort Hood, Texas, by civil aviation; to the Committee on National Security.

By Mr. GUTKNECHT:

H.R. 3323. A bill to amend the Harmonized Tariff Schedule of the United States to provide for duty-free treatment of oxidized polyacrylonitrile fibers; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 3324. A bill to suspend from January 1, 1998, until December 31, 2002, the duty on SE2SI Spray Granulated (HOE S 4291); to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts:

H.R. 3325. A bill to suspend temporarily the duty on a certain chemical; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts:

H.R. 3326. A bill to suspend temporarily the duty on 2–Ethylhexanoic acid; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts:

H.R. 3327. A bill to suspend temporarily the duty on the chemical Polyvinyl butyral; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself and Mr. MEEHAN):

H.R. 3328. A bill to suspend temporarily the duty on a certain anti-HIV and anti-AIDS drug; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 3329. A bill to amend the Internal Revenue Code of 1986 to expand certain enterprise zone incentives applicable to portions of the District of Columbia and to provide for individuals who are residents of the District of Columbia a maximum rate of tax of 15 percent on income from sources within the District of Columbia; to the Committee on Ways and Means.

By Mr. RIGGS:

H.R. 3330. A bill to prohibit discrimination and preferential treatment on the basis of race, sex, color, national origin, or ethnicity in connection with admission to an institution of higher education participating in any program authorized under the Higher Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. SAXTON (for himself, Mr. ARMEY, and Mr. CAMPBELL):

H.R. 3331. A bill to ensure the transparency of International Monetary Fund operations; to the Committee on Banking and Financial Services.

By Mr. SENSENBRENNER (for himself and Mr. BROWN of California):

H.R. 3332. A bill to amend the High-Performance Computing Act of 1991 to authorize appropriations for fiscal years 1999 and 2000 for the Next Generation Internet program, to require the Advisory Committee on High-Performance Computing and Communications, Information Technology, and the Next Generation Internet to monitor and give advice concerning the development and implementation of the Next Generation Internet program and report to the President and the Congress on its activities, and for other purposes; to the Committee on Science.

By Mr. STARK:

H.R. 3333. A bill to establish a policy of the United States with respect to nuclear nonproliferation; to the Committee on International Relations.

By Mr. THORNBERRY (for himself, Mrs. CUBIN, and Mr. BRADY):

H.R. 3334. A bill to provide certainty for, reduce administrative and compliance burdens associated with, and streamline and improve the collection of royalties from Federal and outer continental shelf oil and gas leases, and for other purposes; to the Committee on Resources.

By Mrs. THURMAN:

H.R. 3335. A bill to amend the Agricultural Adjustment Act to require the timely application to imported fruits and vegetables of grade, size, quality, and maturity requirements applicable to comparable domestically produced fruits and vegetables under agricultural marketing orders; to the Committee on Agriculture.

By Mrs. THURMAN (for herself and Mr. EVANS):

H.R. 3336. A bill to name the Department of Veterans Affairs medical center in Gainesville, Florida, as the ''Malcolm Randall Department of Veterans Affairs Medical Center''; to the Committee on Veterans' Affairs.

By Mrs. MORELLA (for herself, Mr. DIXON, and Mr. CUMMINGS):

H.J. Res. 113. A joint resolution approving the location of a Martin Luther King, Jr. Memorial in the Nation's Capitol; to the Committee on Resources.

By Mr. SHAW (for himself and Mr. MICA):

H.J. Res. 114. A joint resolution disapproving the certification of the President under section 490(b) of the Foreign Assistance Act of 1961 regarding foreign assistance for Mexico during fiscal year 1998; to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOUGHTON (for himself, Mr. LEVIN, Mr. ENGLISH of Pennsylvania, Mrs. JOHNSON of Connecticut, Mr. MATSUI, Mr. LEACH, Mr. BLUMENAUER, Mr. DAVIS of Florida, Mr. HALL of Texas, and Mr. MORAN of Virginia):

H. Con. Res. 233. Concurrent resolution calling on Japan to establish and maintain an open, competitive market for consumer photographic film and paper and other sectors facing market access barriers in Japan; to the Committee on Ways and Means.

By Mr. PAYNE:

H. Con. Res. 234. Concurrent resolution regarding the human rights situation in Sudan and Mauritania, including the practice of chattel slavery and all other forms of booty; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 44: Mr. COOK, Mr. UNDERWOOD, Ms. STABENOW, and Mr. POMEROY.

H.R. 65: Mr. CAMP and Mr. PETERSON of Minnesota.

H.R. 66: Mr. MALONEY of Connecticut.

H.R. 107: Ms. BROWN of Florida.

H.R. 146: Mr. RAHALL.

H.R. 284: Mr. BARRETT of Wisconsin, Mr. SANDERS, and Mr. CLAY.

H.R. 303: Mr. LOBIONDO and Mr. CAMP.

H.R. 306: Mr. MASCARA, Mr. RAHALL, Mr. ETHERIDGE, and Mr. SAWYER.

H.R. 371: Ms. SANCHEZ.

H.R. 372: Mr. NADLER.

H.R. 665: Mr. CANADY of Florida.

H.R. 900: Ms. WATERS and Mrs. JOHNSON of Connecticut.

H.R. 981: Mr. VENTO, Mr. LANTOS, Mr. ADAM SMITH of Washington, Mr. ENGEL, Mrs. TAUSCHER, and Mr. NADLER.

H.R. 1016: Mr. ENGLISH of Pennsylvania.

H.R. 1062: Mr. EVERETT.

H.R. 1075: Mrs. ROUKEMA and Mr. FAZIO of California.

H.R. 1215: Mr. VENTO, Mr. PALLONE, and Mr. PASTOR.

H.R. 1261: Mr. CHRISTENSEN and Mr. GREENWOOD.

H.R. 1289: Mr. DEUTSCH and Mr. ENSIGN.

H.R. 1302: Ms. SLAUGHTER and Mr. BALDACCI.

H.R. 1356: Mrs. LINDA SMITH of Washington, Mr. CHRISTENSEN, MR. BROWN of California, and Mrs. THURMAN.

H.R. 1401: Mr. WELLER, Mr. HINCHEY, and Mr. ENSIGN.

H.R. 1525: Mr. BROWN of Ohio.

H.R. 1531: Mr. HEFLEY.

H.R. 1571: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. HILLIARD.

H.R. 1573: Mr. ALLEN.

H.R. 1605: Mr. FROST.

H.R. 1656: Mr. GREENWOOD.

H.R. 1670: Ms. DELAURO.

H.R. 1736: Ms. JACKSON-LEE.

H.R. 1786: Mr. HINCHEY, Mr. MEEHAN, Mr. WATTS of Oklahoma, and Ms. SANCHEZ.

H.R. 1816: Mr. DOOLITTLE.

H.R. 1873: Mr. SHAYS.

H.R. 2020: Mr. HOLDEN, Mr. GILCHREST, Mr. GOODLING, Mr. COYNE, Ms. FURSE, and Mr. MORAN of Kansas.

H.R. 2023: Mr. ANDREWS.

H.R. 2130: Mr. LOBIONDO, Ms. KAPTUR, Mr. MOLLOHAN, Mr. STENHOLM, and Mr. CONDIT.

H.R. 2173: Mr. BATEMAN, Mr. BARRETT of Wisconsin, and Mr. NEAL of Massachusetts.

H.R. 2174: Mr. BROWN of Ohio, Mr. ANDREWS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KUCINICH, Mrs. MCCARTHY of New York, Mr. TIERNEY, Ms. SANCHEZ, Mr. CLAY, and Mr. PICKETT.

H.R. 2202: Mr. BLUMENAUER.

H.R. 2257: Ms. WOOLSEY and Mr. CALVERT.

H.R. 2290: Ms. RIVERS.

H.R. 2305: Mr. BURTON of Indiana and Mr. COOKSEY.

H.R. 2409: Mr. BROWN of Ohio.

H.R. 2457: Mr. GEJDENSON.

H.R. 2500: Mr. SMITH of New Jersey, Mr. JOHN, and Mr. CRAMER.

H.R. 2652: Mr. VENTO.

H.R. 2695: Mr. SCHUMER and Mrs. CLAYTON.

H.R. 2698: Mr. ACKERMAN, Ms. KILPATRICK, Mr. LAFALCE, Mr. FILNER, Ms. FURSE, Mr. CONYERS, Mr. NEAL of Massachusetts, Mr. KENNEDY of Rhode Island, Mr. FORD, Ms. HOOLEY of Oregon, Mr. LEWIS of Georgia, Mr. PRICE of North Carolina, Mr. DAVIS of Illinois, Ms. NORTON, Mrs. TAUSCHER, and Mr. MANTON.

H.R. 2699: Mr. EVANS and Mr. DEUTSCH.

H.R. 2715: Mr. CANADY of Florida.

H.R. 2752: Mr. ORTIZ and Mr. GREEN.

H.R. 2754: Mr. RUSH, Mr. FILNER, Mr. FALEOMAVAEGA, Mr. ACKERMAN, Mr. COYNE, and Mr. WYNN.

H.R. 2870: Mr. LANTOS, Mr. BALLENGER, Mr. CAMPBELL, and Mr. SMITH of New Jersey.

H.R. 2883: Mr. TALENT, Mr. BOEHNER, and Mr. YOUNG of Alaska.

H.R. 2888: Ms. RIVERS.

H.R. 2914: Mr. CLAY.

H.R. 2923: Mr. DOOLITTLE, Mr. ENGLISH of Pennsylvania, Mr. GILMAN, Mr. ENGEL, Mr. OXLEY, and Mr. GILCHREST.

H.R. 2938: Mr. WICKER and Mr. DEUTSCH.

H.R. 2941: Mr. SMITH of New Jersey and Mr. COBURN.

H.R. 2951: Ms. BROWN of Florida, Mr. POMEROY, Mr. BALDACCI, Mr. FALEOMAVAEGA, Mr. PRICE of North Carolina, Mr. SHADEGG, Ms. FURSE, Mr. DAVIS of Illinois, and Mr. SANDLIN.

H.R. 2968: Mrs. MYRICK, Mr. BOEHNER, Mr. COOKSEY, Mr. CAMPBELL, and Mr. EHLERS.

H.R. 2973: Ms. HOOLEY of Oregon, Mr. STUPAK, Mr. DEFAZIO, and Mr. BARRETT of Nebraska.

H.R. 2981: Ms. LOFGREN and Mr. MILLER of California.

H.R. 2992: Mr. BRYANT.

H.R. 3007: Ms. LOFGREN, Mr. CALVERT, Mr. KUCINICH, and Mr. LUTHER.

H.R. 3027: Mr. LEWIS of Georgia.

H.R. 3028: Mr. LEWIS of Georgia.

H.R. 3029: Mr. HOUGHTON.

H.R. 3086: Ms. LOFGREN, Mr. BALLENGER, Mr. MORAN of Virginia, and Mr. SAWYER.

H.R. 3097: Mr. HUNTER, Mr. BARTON of Texas, Mr. COLLINS, Mr. HASTINGS of Washington, Mr. BUNNING of Kentucky, Mr. LATOURETTE, Mr. LIVINGSTON, Mr. SAM JOHNSON, and Mr. ARMEY.

H.R. 3103: Mr. GIBBONS, Mr. SESSIONS, and Mr. JENKINS.

H.R. 3144: Mr. ENGLISH of Pennsylvania.

H.R. 3158: Mr. GILMAN.

H.R. 3161: Mr. WEXLER and Mr. GUTKNECHT.

H.R. 3162: Mr. ENGLISH of Pennsylvania.

H.R. 3205: Mr. GEJDENSON.

H.R. 3216: Ms. LOFGREN, Mr. HALL of Ohio, Mr. SANDLIN, and Ms. FURSE.

H.R. 3224: Mr. CALVERT and Mr. FALEOMAVAEGA.

H.R. 3228: Mr. DAVIS of Florida.

H.R. 3240: Mr. HILLIARD, Mr. BROWN of California, Mr. YATES, Mrs. MINK of Hawaii, Mr. GUTIERREZ, and Mr. FALEOMAVAEGA.

H.R. 3251: Mr. DICKS, Mr. HASTINGS of Florida, Mr. ANDREWS, Mr. NEAL of Massachusetts, Ms. WOOLSEY, Mr. BONIOR, Mr. NADLER, Mr. EVANS, Mr. GILMAN, Mr. ACKERMAN, Mr. HINCHEY, Mr. CAMPBELL, and Mr. LEWIS of Georgia.

H.R. 3254: Mr. ROGAN.

H.R. 3260: Mr. LATOURETTE, Mr. KNOLLENBERG, Mr. ENGLISH of Pennsylvania, Mr. BARRETT of Wisconsin, Mr. KLECZKA, Mr. REGULA, Mr. GILLMOR, Ms. STABENOW, Mr. COBLE, and Mr. LAHOOD.

H.R. 3269: Mr. FALEOMAVAEGA, Mr. FILNER, Mr. FROST, Mr. CLYBURN, and Mr. LEWIS of Georgia.

H.R. 3282: Mr. SUNUNU.

H.R. 3287: Ms. WOOLSEY and Mr. WEYGAND.

H.R. 3288: Mr. BACHUS and Mr. REDMOND.

H.R. 3291: Mr. BOYD, Mr. SAWYER, and Mr. NETHERCUTT.

H.J. Res. 78: Mr. GALLEGLY.

H. Con. Res. 14: Mr. TOWNS.

H. Con. Res. 27: Mr. FRANK of Massachusetts, Mr. PASTOR, and Mr. WAXMAN.

H. Con. Res. 41: Mr. BRYANT.

H. Con. Res. 125: Mr. CALVERT and Mr. ROHRABACHER.

H. Con. Res. 195: Ms. EDDIE BERNICE JOHNSON of Texas.

H. Con. Res. 211: Mr. HOSTETTLER.

H. Con. Res. 215: Mr. SNYDER, Mr. HILLIARD, Mr. RADANOVICH, Mr. BOEHNER, Mr. JEFFERSON, and Mr. FALEOMAVAEGA.

H. Con. Res. 219: Mr. GREEN, Mr. BONIOR, Mr. LANTOS, Mr. BERMAN, Mr. CALVERT, Mr. MILLER of Florida, Mr. WEXLER, Mr. FALEOMAVAEGA, Mr. CUNNINGHAM, Mr. DEUTSCH, and Mr. SHERMAN.

H. Res. 267: Mrs. MYRICK.

H. Res. 312: Ms. FURSE, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, and Mrs. TAUSCHER.

H. Res. 358: Mrs. CLAYTON.

H. Res. 364: Mr. PORTER and Mr. BEREUTER.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3130

OFFERED BY: MR. CARDIN

AMENDMENT NO. 2: In the table of contents of the bill, add at the end the following:

TITLE IV—IMMIGRATION PROVISIONS

Sec. 401. Aliens ineligible to receive visas and excluded from admission for nonpayment of child support.

Sec. 402. Effect of nonpayment of child support on establishment of good moral character.

Sec. 403. Authorization to serve legal process in child support cases on certain arriving aliens.

Sec. 404. Authorization to obtain information on child support payments by aliens.

At the end of the bill, add the following:

TITLE IV—IMMIGRATION PROVISIONS

SEC. 401. ALIENS INELIGIBLE TO RECEIVE VISAS AND EXCLUDED FROM ADMISSION FOR NONPAYMENT OF CHILD SUPPORT.

(a) IN GENERAL.—Section 212(a)(10) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(10)) is amended by adding at the end the following:

''(F) NONPAYMENT OF CHILD SUPPORT.—

''(i) IN GENERAL.—Any alien is inadmissible who is legally obligated under a judgment, decree, or order to pay child support (as defined in section 459(i) of the Social Security Act), and whose failure to pay such child support has resulted in an arrearage exceeding $5,000, until child support payments under the judgment, decree, or order are satisfied or the alien is in compliance with an approved payment agreement.

''(ii) APPLICATION TO PERMANENT RESIDENTS.—Notwithstanding section 101(a)(13)(C), an alien lawfully admitted for permanent residence in the United States who has been absent from the United States for any period of time shall be regarded as seeking an admission into the United States for purposes of this subparagraph.

''(iii) WAIVER AUTHORIZED.—The Attorney General may waive the application of clause (i) in the case of an alien, if the Attorney General—

''(I) has received a request for the waiver from the court or administrative agency having jurisdiction over the judgment, decree, or order obligating the alien to pay child support that is referred to in such clause; and

''(II) determines that the likelihood of the arrearage being eliminated, and all subsequent child support payments timely being made by the alien, would increase substantially if the waiver were granted.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect 180 days after the date of the enactment of this Act.

SEC. 402. EFFECT OF NONPAYMENT OF CHILD SUPPORT ON ESTABLISHMENT OF GOOD MORAL CHARACTER.

(a) IN GENERAL.—Section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)) is amended—

(1) in paragraph (8), by striking the period at the end and inserting ''; or''; and

(2) by inserting after paragraph (8) the following:

''(9) one who is legally obligated under a judgment, decree, or order to pay child support (as defined in section 459(i) of the Social Security Act), and whose failure to pay such child support has resulted in any arrearage, unless child support payments under the judgment, decree, or order are satisfied or the alien is in compliance with an approved payment agreement.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to aliens applying for a benefit under the Immigration and Nationality Act on or after 180 days after the date of the enactment of this Act.

SEC. 403. AUTHORIZATION TO SERVE LEGAL PROCESS IN CHILD SUPPORT CASES ON CERTAIN ARRIVING ALIENS.

(a) IN GENERAL.—Section 235(d) of the Immigration and Nationality Act (8 U.S.C. 1225(d)) is amended by adding at the end the following:

''(5) AUTHORITY TO SERVE PROCESS IN CHILD SUPPORT CASES.—

''(A) IN GENERAL.—To the extent consistent with State law, immigration officers are authorized to serve on any alien who is an applicant for admission to the United States legal process with respect to any action to enforce or establish a legal obligation of an individual to pay child support (as defined in section 459(i) of the Social Security Act).

''(B) DEFINITION.—For purposes of subparagraph (A), the term 'legal process' means any writ, order, summons or other similar process, which is issued by—

''(i) a court or an administrative agency of competent jurisdiction in any State, territory, or possession of the United States; or

''(ii) an authorized official pursuant to an order of such a court or agency or pursuant to State or local law.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to aliens applying for admission to the United States on or after 180 days after the date of the enactment of this Act.

SEC. 404. AUTHORIZATION TO OBTAIN INFORMATION ON CHILD SUPPORT PAYMENTS BY ALIENS.

Section 453(h) of the Social Security Act (42 U.S.C. 653(h)) is amended by adding at the end the following:

''(4) PROVISION TO ATTORNEY GENERAL AND SECRETARY OF STATE OF INFORMATION ON PERSONS DELINQUENT IN CHILD SUPPORT PAYMENTS.—On request by the Attorney General or the Secretary of State, the Secretary of Health and Human Services shall provide the requestor with such information as the Secretary of Health and Human Services determines may aid them in determining whether an alien is delinquent in the payment of child support.''.

Amend the title so as to read: ''A bill 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, to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, to amend the Immigration and Nationality Act to make certain aliens determined to be delinquent in the payment of child support inadmissible and ineligible for naturalization, and for other purposes.''.

H.R. 3130

OFFERED BY: MR. GILMAN

AMENDMENT NO. 3: At the end of the bill, add the following:

TITLE V—INCLUSION OF CHILD CARE COSTS IN CHILD SUPPORT ORDERS

SEC. 501. INCLUSION OF CHILD CARE COSTS IN CHILD SUPPORT ORDERS.

Section 466(a) of the Social Security Act (42 U.S.C. 666(a)) is amended by inserting after paragraph (19) the following:

''(20) CHILD CARE COSTS.—Procedures under which all child support orders issued or modified in the State on or after the date of the enactment of this paragraph include, in the case of a custodial parent who is employed or is actively seeking employment, a provision proportionately allocating actual child care costs between the custodial and noncustodial parents based on the income of each parent, excluding income from child support.''.