



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 105<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 143

WASHINGTON, TUESDAY, JUNE 10, 1997

No. 80

## House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore [Mr. YOUNG of Florida].

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
June 10, 1997.

I hereby designate the Honorable C.W. BILL YOUNG to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

### MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leader limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ] for 5 minutes.

### COLONIAL RELATIONSHIP WITH PUERTO RICO IS UNSUSTAINABLE

Mr. ROMERO-BARCELÓ. Mr. Speaker, as Puerto Rico's sole Representative in the U.S. Congress, I rise today in strong support of H.R. 856, the United States Puerto Rico Status Act.

Already 856 is a truly historic piece of legislation that will allow the 3.8 million U.S. citizens' residing in Puerto Rico to exercise their inalienable right to self-determination and to resolve once and for all their 100-year-old colonial dilemma.

In order to understand the magnitude of this very important issue, we have

to put matters in historical perspective. Puerto Rico became a territory of the United States in 1898 pursuant to the Treaty of Paris following the Spanish-American War. U.S. citizenship was extended to Puerto Ricans in 1917 under the Jones Act.

Then, in 1950, the U.S. Congress passed the Puerto Rico Federal Relations Act which authorized Puerto Rico to establish a local self-government in the image of State governments. The intent was to create a provisional form of local self-rule until the status issue could be resolved. Puerto Rico would remain an unincorporated territory of the United States subject to the authority and plenary powers of Congress under the territorial clause of the Constitution.

Puerto Rico and the United States are immersed in a colonial relationship that clearly contradicts the most basic tenets of democracy. One in which Puerto Rico's economic, social and political affairs are, to a large degree, controlled and influenced by a government over which we exercise no control and in which we do not participate fully. A relationship that, ironic as it may seem, will not even allow me to vote in favor of this historic bill on final passage when it reaches the floor, although I represent 3.8 million citizens residing in Puerto Rico.

Fellow Members, this relationship is no longer in the best interests of the Nation and the constituents that we represent here in Congress, and it certainly and clearly is not in the best interests of the 3.8 million citizens of Puerto Rico.

Congress not only has the power but also the moral obligation to put an end to the disenfranchisement of the 3.8 million U.S. citizens residing in Puerto Rico. H.R. 856, with its broad bipartisan support of nearly 90 cosponsors, including the gentleman from Georgia, Speaker NEWT GINGRICH, and the gentleman from Missouri Mr. GEPHARDT,

clearly evidences that this is not a Republican or a Democratic issue. This is not a liberal or a conservative issue. This is not a majority or minority issue. The issue here is whether the United States, as a nation and as an example and inspiration of democracy throughout the world, can continue to deny equality and maintain 3.8 million of its own citizens disenfranchised.

After 100 years, our Nation has finally begun to recognize that its colonial relationship with Puerto Rico is unsustainable. On June 6, 1997, the Washington Post published an editorial entitled "An Obligation of Equality" that evidences the growing concern nationwide regarding the disenfranchisement of the U.S. citizens of Puerto Rico.

In addressing Congress' long overdue role in this issue, the editorial mentioned a referendum next year giving the territory's nearly 4 million residents a once and for all choice over its relationship with the United States. The key moment came a few weeks ago when the House Committee on Resources approved 44 to 1 a bill from the gentleman from Alaska, DON YOUNG, chairman of the committee, allowing Puerto Ricans to decide the future of their island. The old question is being brought to a new boil by the approach of the centennial of the Spanish-American War.

The gentleman from Alaska said in May when his bill was passed in the committee:

It is time for Congress to permit democracy to fully develop in Puerto Rico, either as a separate sovereign republic or as a State, if a majority of the people are no longer content to continue the existing commonwealth structure for local self-government.

Its supporters tried hard in committee to sweeten the defense of commonwealth that would be put to referendum. For now, anyway, the island's statehood party is on a roll.

□ 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.



Printed on recycled paper containing 100% post consumer waste

H3579

For Americans, but wait a minute. Puerto Ricans are already Americans. The issue for all of us is that they are citizens without political rights, including a vote in Congress. This is the anomaly the proposed referendum system proposed to remedy. Whatever the Puerto Rican choice, we continental Americans have an obligation of equality to our fellow citizens on the island.

And that is the end of testimony from an editorial in the Washington Post.

H.R. 856 is the most comprehensive measure affecting self-determination of a U.S. territory since the Alaska and Hawaii Admission Acts of the late 1950's.

I cannot emphasize the importance of this bill not only for the 3.8 million U.S. citizens of Puerto Rico but for the Nation as a whole. The time has come to empower the people by giving them clear choices which they understand and which are truly decolonizing so we can reveal the people of Puerto Rico's true desire through a legitimate act of self-determination.

Let us comply with the call history is making upon us. Let us give our fellow citizens an opportunity in the name of freedom.

Mr. Speaker, I include for the RECORD the editorial from the Washington Post to which I referred.

[From the Washington Post, June 6, 1997]

#### AN OBLIGATION OF EQUALITY

Americans don't have long to get accustomed to the possibility that they may soon be considering admitting Puerto Rico as the 51st state. This outcome arises from the fact that, largely unattended, Congress is heading toward organizing a referendum next year giving the territory's nearly 4 million residents a "once and for all" choice of its relationship to the United States. The key moment came a few weeks ago, when the House Resources Committee approved 44 to 1 a bill from Chairman Don Young (R-Alaska) allowing Puerto Ricans to decide the future of their island. This old question is being brought to a new boil by the approach of the centennial of the Spanish-American War, in which the United States acquired bits of global empire. To many people, 100 years of American sovereignty over a territory denied full rights is enough.

The proposed referendum offers voters a choice among statehood, independence and the existing "commonwealth." Commonwealth, however, enters the contest under a double burden. It has been tried over the decades and found wanting by many, and it is now widely seen as anachronistically "colonial," even though it was a status voluntarily chosen and repeatedly affirmed. Chairman Young said in May, when his bill was passed in committee: "It is time for Congress to permit democracy to fully develop in Puerto Rico, either as a separate sovereign republic or as a state if a majority of the people are no longer content to continue the existing commonwealth structure for local self-government." Its supporters tried hard in committee to sweeten the definition of commonwealth that would be put to referendum. They failed. For now, anyway, the island's statehood party is on a roll.

For Puerto Ricans, the status question bears deeply on identity as well as practical benefit. Closely related is the issue of language; the committee declared that English—a minority language in Puerto Rico—

shall apply "to the same extent as Federal law requires throughout the United States." Tough issues of taxes and benefits must also be calculated.

For Americans. . . . But wait a minute. Puerto Ricans are already Americans. The issue for all of us is that they are citizens without full political rights, including a vote in Congress. This is the anomaly the proposed referendum is meant to remedy. Whatever the Puerto Rican choice, we continental Americans have an obligation to equality to our fellow citizens on the island.

#### FLAG BURNING AMENDMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Texas [Mr. PAUL] is recognized during morning hour debates for 5 minutes.

Mr. PAUL. Mr. Speaker, the Congress will soon vote on a flag burning amendment to the Constitution. This issue arouses great emotions, even without any evidence flag burning is a problem. When was the last time we heard of a significant incident involving flag burning? It is a nonissue, but Congress has managed to make it one while avoiding the serious matters of life, liberty, and property.

As Congress makes plans to attack the flag enemies, it stubbornly refuses to consider seriously the Doctrine of Enumerated Powers, property rights, political propaganda from a government-run educational system, taxpayers' paid-for NEA sacrilege, licensing of all broadcast networks, or taxpayers' financing of monopolistic political parties, let alone the budget, the debt, the deficit, honest money, policing the world and the entire welfare state.

Will the country actually be improved with this amendment? Will true patriotism thus thrive as the malcontents are legislated into submission? Do we improve the character of angry people because we threaten them with a prison cell better occupied by a rapist?

This whole process fails to address the anger that prompts such misguided behavior as flag burning. We have a government growing by leaps and bounds, our citizens are fearful of the future and we respond by creating the underwear police. Surely flag underwear will be deemed a desecration.

Why is dealing with a symptom of anger and frustration by suppressing free expression a moral good?

The best I can tell is legislative proposals like this come from Congress' basic assumption that it can legislate economic equality and mold personal behavior. The reasoning goes; if Congress thinks it can achieve these goals, why not legislate respect and patriotism, even if it does undermine freedom of expression and property ownership.

Desecration is defined as: "To divest of a sacred character or office, commit sacrilege or blasphemy or to deconsecrate." If consecrate is "to make sacred; such as a church or bread or wine", how can we deconsecrate

something not first consecrated? Who then consecrated the flag? When was it done?

"Sacred" beliefs are those reserved for a religious or Godly nature, "To set apart for the worship of a deity. To make holy." Does this amendment mean we now concede the flag is a religious symbol? Will this amendment, if passed, essentially deify the State?

There are some, I am sure, who would like to equate the State with God. The State's assumption of parental rights is already a deep concern to many Americans. Will this encourage more people to accept the State as our God? We imply by this amendment that the State is elevated to a religion, a dangerous notion and one the founders feared. Calling flag burning blasphemous is something we should do with great caution.

Will it not be ironic if the flag is made sacred and we write laws against its desecration at the same time we continue to steal taxpayers' money to fund the National Endowment for the Arts, which truly desecrates Christ and all of Christianity in the name of free speech?

The flag, indeed, is a loved patriotic symbol of American pride and freedom. Many of us, I for 5 years, served our country in the military fighting for the principles of liberty, but not for the physical cloth of which the flag is woven.

There is confusion between the popular symbol and the real stuff, and in the process of protecting our symbols we are about to undermine the real stuff: liberty. The whole notion of legislating against desecration is vague and undefinable. Burning can be easily identified, but should it not matter who paid for the flag? And are there no owners of the particular flag involved? Are all flags to be communal property?

If we pretend flags are universally owned, that means we can use them randomly. If there is no individual ownership, how can one buy or sell a flag? Should it not be a concern as to where the flag is burned and on whose property? With this legislation, the flag will lose its identity as property and become a holy government symbol not to be desecrated. These are difficult questions but they must be answered.

Whatever happened to the notion that freedom to express unpopular, even obnoxious views, including Marxist views, was the purpose of guaranteeing freedom of expression? Of what value is protection of only popular and majority-approved opinions? That is a mockery of liberty. Soviet citizens had that much freedom. Remember, dissidents who burned the Soviet flag were shot.

A national flag police can only exist in a totalitarian state. We should have none of it. Why not police the burning of the Constitution, the Declaration of Independence, the Emancipation Proclamation? These acts, expressing a radical fringe view, would be as equally repugnant.