

ever admitted as a state had better recognize that the real danger of a Quebec-like problem is if the current ambiguous status continues and this nation-within-a-nation ideology is imposed by local authorities without a clear choice by the people based on a Federal policy to define the current status and options for change accurately. The local judiciary's ruling in this case is an attempt to usurp the authority of Congress under the territorial clause in Article IV, Section 3, Clause 2 and Section 8 of Article I to determine the nationality and nationality-based citizenship of persons born in Puerto Rico. That authority also is recognized in Article IX of the Treaty of Paris under which the U.S. became sovereign in Puerto Rico. The United States has not ceded or restricted that authority by agreeing to establish internal self-government under the commonwealth structure.

The United States gave the mechanisms of internal self-government in the territory the chance to resolve this problem under local law by sorting out the mess and conforming local law to federal law. The elected co-equal branches of government acted responsibly and consistent with the federal and local constitutions. Unfortunately, the territorial court of last resort failed the test. Now this has become a political question which must be resolved by the political branches of the Federal government.

The failure of the judicial branch of the local constitutional government to respect the separation of powers under the local constitution does not bode well for the viability of continued territorial status under the commonwealth structure. The court's ruling in this case suggests that the present status quo is not a permanent solution to the question of Puerto Rico's political status.

However, the territorial commonwealth structure cannot be made acceptable by defining it as something other than what it really is. Revisionist judicial rulings which attempt to transform unincorporated territory status into a form of permanent statehood without going through the admissions process under Article IV of the federal constitution, and at the same time seek separate nationality do nothing to clarify Puerto Rico's political future. It is becoming more clear every day that either statehood or separate nationhood are the only viable solutions to the problem of Puerto Rico's political status.

Clearly, Puerto Rico is not a state, but an internally self-governing territory of the United States. Likewise, the "people of Puerto Rico" are not a separate nationality, but a body politic consisting of persons with United States nationality and citizenship who reside in Puerto Rico. This includes those born there and those who were born or naturalized in a state of the union and now reside there. See, 48 U.S.C. 733; also *Gonzales v. Williams*, 192 U.S. 1 (1904).

CONCLUSION

The local election law in Puerto Rico requiring U.S. citizenship to vote in local elections was enacted by the democratically elected representatives of the people. The local statute approved by the Legislature of Puerto Rico properly recognizes that only the United States can define and confer nationality and citizenship on people born in Puerto Rico as long as it is within U.S. sovereignty.

The attempt of local courts to recognize, and thereby exercise the sovereign power to create, an alternative separate nationality and citizenship status in lieu of the federally defined status, and to impose non-citizen voting on the people of Puerto Rico without their consent, has been repudiated by the Federal government through the State De-

partment's action in the Mari Bras "copy cat" case of Lazada Colon.

Only if the people of Puerto Rico, acting through their constitutional process and in an exercise of self-determination, requested that the U.S. Congress approve legislation to end the current U.S. nationality and citizenship of persons born in Puerto Rico, and Congress in fact does so, would a different result appear to be constitutionally possible.

In that event, presumably, a process leading to separate sovereignty, nationality and citizenship for Puerto Rico would commence. Previously, neither the electorate in Puerto Rico nor the local legislature have expressed significant levels of support for that approach to resolving the ultimate status of Puerto Rico. Inevitably, the decision must be made by the people of Puerto Rico through a process of self-determination in a clear and transparent election. Judicial usurpation of the process of self-determination harms all of us.

INTRODUCTION OF THE MEDICAL INNOVATION TAX CREDIT BILL

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1998

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to introduce legislation to establish the Medical Innovation Tax Credit with my colleague, SANDER M. LEVIN. This new credit will provide an important incentive for companies to expand their pioneering clinical research activities at our nation's leading medical institutions such as M.D. Anderson, the University of Texas, and the University of Michigan. By promoting more medical research, the credit will help enhance the development of new products and therapies to prevent, treat and cure serious medical conditions and diseases.

The Medical Innovation Tax Credit establishes a narrowly targeted, incremental 20% credit in the Internal Revenue Code. The credit is available to companies for qualified expenditures on human clinical trials conducted at medical schools, teaching hospitals that are under common ownership or affiliated with an institution of higher learning, or by non-profit research hospitals that are designated as cancer centers by the National Cancer Institute (NCI).

The additional private sector investment generated by the Medical Innovation Tax Credit is also essential so that medical schools and teaching hospitals can continue to fulfill their unique and vital roles that benefit both the health of the American public and the economy. These institutions are the backbone of innovation in American medicine. By linking together research, medical training and patient care, they develop and employ the knowledge that can result in major medical breakthroughs.

Today, however, they are under increased financial pressures as markets for health care services undergo rapid, fundamental change. These financial pressures may have an adverse impact on funds traditionally dedicated for research. Recent reports indicate that there has been a decline in clinical trials at medical schools and teaching hospitals. This decline is troubling, since it signals that research dollars are shrinking at our nation's leading medical research institutions. A new infusion of funds

for expanded clinical research activities, stimulated by the Medical Innovation Tax Credit, can help stem and reverse this trend. Moreover, continued and expanded investment in our leading medical research institutions will ensure that the United States maintains its position as the leader in innovative, biomedical research.

The credit also provides an important incentive for research activities to remain in the United States since only domestic clinical research activities are eligible for the credit. This requirement will encourage biotechnology and pharmaceutical companies to keep their clinical trial research projects at home by decreasing the economic incentive to move such activities to "lower-cost" facilities off-shore.

I urge all of my colleagues to support this important legislation. The Medical Innovation Tax Credit will strengthen the partnership between the private sector and our nation's leading medical institutions to ensure America's continued world leadership in research and medical innovation.

HONORING THE 50TH ANNIVERSARY OF ED AND JERRY WATSON

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1998

Mr. BENTSEN. Mr. Speaker, I am pleased to join with my colleague GENE GREEN in congratulating Ed and Jerry Watson of Deer Park, Texas, as they celebrate their 50th wedding anniversary on May 7, 1998. Throughout their lives, Ed and Jerry have provided tremendous examples of public service, contributing unselfishly to numerous causes while raising a fine family.

Both Ed and Jerry are native Texans who have an abiding love for their state and community.

Ed was born in "Pole Cat Ridge," Wallisville, Texas, on July 20, 1920. He graduated from Anahuac High School in 1939 and joined the U.S. Navy in 1942. After his service in World War II, he attended the University of Houston until he went to work in 1946 at Shell Oil Refinery in Deer Park.

Jerry was born in Saratoga, Texas, on September 30, 1923. She was named Susan Geraldine Eaves, but was called Jerry as her parents had hoped for a boy. Jerry graduated from Kilgore High School in 1941 and was working in Houston when she and Ed met. Jerry's parents were living in Hankamer (near Anahuac) when her younger sister asked Ed to give her big sister a ride back to Houston. The rest, as they say, is history.

They were married on May 7, 1948 at the Lawndale Baptist Church in Houston. Shortly after, Ed was called back into service during the Korean Conflict in 1950 for 15 months. In 1954, having outgrown their home in Pasadena, the Watsons and their four children moved to Deer Park. In March 1955, they became members of the First Baptist Church of Deer Park. At the time, the church was still meeting in the old wooden buildings on Sixth Street. Jerry recalls many Vacation Bible Schools in which she helped and the children participated.

Ed has been involved in politics and community affairs since 1947. He is a 50-year

member of the Oil, Chemical, and Atomic Workers International Union, and he was serving as President of Local 4-367 when elected in 1972 as a member of the Texas House of Representatives, a position in which he served for 8 terms. In the Texas Legislature, Ed was a leader on issues of law enforcement, education, environmental protection, and creating economic opportunity, and he served several terms as Chairman of the Harris County Delegation. Currently he is a Community Liaison on my congressional staff in Pasadena and Deer Park, Texas.

Ed is a charter member of the Deer Park Chamber of Commerce and a charter member of the Lions Club. He served fourteen years as a volunteer fireman and is now one of six honorary members. He has been actively involved in the Wheel House, a 30-day alcohol rehabilitation facility, since 1954 and serves on their board of directors. Ed visits daily, reaching out to the residents, solving problems when they arise, and funding.

Ed also serves on the board of directors of the Interfaith Helping Hands Ministry. He also volunteers his time at First Baptist Church, serving on the Benevolence Committee and reaching out to people not only in the church, but in the community as well. Because of his caring ways, Ed was named Deer Park Citizen of the Year in 1987.

Jerry's achievements are also impressive. In 1961 Jerry went to work for the Registrar of San Jacinto College. In 1963 the College began teaching about computer science, and Jerry began taking classes and working on the college information system. During some semesters, she was taking a class, working, and teaching a key-punching class after work. During this time, she and three of her children were all enrolled in college. Jerry received her Certificate Technology Degree in Computer Science the same night her younger son received his A.A. Degree in Computer Science. She retired from San Jacinto College in 1982.

Jerry was one of the earliest members of the Deer Park Ladies Civic Club and assisted in preparing the first Deep Park telephone book to be published. With Ed, Jerry also works with the Interfaith Helping Hands Ministry and she has served on the Bereavement Committee at First Baptist Church many times.

Mr. Speaker, I am honored to recognize Ed and Jerry Watson on the occasion of their 50th wedding anniversary and commend them on a lifetime of achievement. Their commitment not only to one another, but to others as well, is an example for all of us. May the coming years bring good health, happiness, and time to enjoy their eight grandsons, one granddaughter, and one great grandson. On this joyous occasion, I am pleased to join their family, friends, and community in saying congratulations and thank you.

**"OVERTURN THE ROYALTY
GIVEAWAY AMENDMENT"**

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1998

Mr. MILLER of California. Mr. Speaker, last week, legislative larceny was committed in the conference committee on the Emergency Supplemental. As happens too often in this Con-

gress, the hold up was committed by wealthy interests who want to make themselves still richer with money that belongs to the taxpayers of this country.

Senator BARBARA BOXER put up a valiant fight to prevent the committee from accepting the oil companies' \$66 million royalty giveaway amendment, but the industry had the conference wired. The oil industry, which has been cheating taxpayers for years, won.

Today, we are introducing legislation to reverse that legislative maneuver and restore the money to the people who own the oil: the taxpayers of the United States.

I wrote the provision of the offshore oil law in 1978 that requires that coastal states receive a share from the oil produced from federal lands adjacent to their coasts. But the oil companies have been cheating taxpayers and the states by underestimating the value of the oil and underpaying royalties to the tune of hundreds of millions of dollars. The Department of Interior's Minerals Management Service drafted rules to end this underpayment fraud and assure that taxpayers get the money they deserve.

But the royalty giveaway amendment stops the Interior Department from implementing new rules that would require more accurate pricing of oil produced from public lands. Those rules, the product of long investigations, would base the value of the oil on actual market prices instead of on the much lower prices reported by the oil companies. Delaying this rule from going into effect will cost taxpayers \$66 million a year—\$5.5 million for each month that the rule is delayed. That means a loss of \$1.8 million a year for California alone.

Our state turns federal oil and gas royalties over to the public schools, and most other states share a portion of these revenues with their schools—money that could be used to buy computers or pay teachers' salaries or reduce class size. If the federal government had collected the royalties we were due, California could have paid the salaries of 45 teachers next year. Instead, thanks to this sneaky amendment, that money will line the oil industry's pockets.

Senator HUTCHISON, who sponsored this amendment, claims more time is needed to study the issue. We already spent years studying the issue. A task force has filed its report documenting hundreds of millions of dollars in underpayments.

The current system must be changed. The Justice Department recently decided to intervene in litigation accusing four major oil companies of knowingly having underpaid hundreds of millions of dollars in royalties from federal and Indian leases in the Gulf of Mexico, Wyoming, New Mexico and California. There is no justification for preventing the Interior Department from performing its legal mandate: to ensure that we get fair market value from the production from public lands.

The giveaway rider ignores substantial evidence of underpayments developed by the House Government Reform and Oversight Committee, thanks to the leadership of Congresswoman CAROLYN MALONEY, who joins us this morning. We call on the Congress to reverse this greedy and unwarranted action and pass the Miller-Boxer bill to restore the royalties that the taxpayers, and the schoolchildren, of this nation deserve.

**PART 2: JOBS WITH JUSTICE:
FIRST NATIONAL WORKERS'
RIGHTS BOARD HEARING**

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 7, 1998

Mr. KUCINICH. Mr. Speaker, Jobs With Justice convened its "First National Workers' Rights Board Hearing on Welfare/Workfare Issues" in Chicago in 1997. This hearing featured a number of community, labor and political leaders. I include their remarks for the CONGRESSIONAL RECORD.

Part 2 of this statement includes: Joselito Laudencia of Californians for Justice; Christopher Lamb of the Center on Social Welfare Policy and Law; Sabrina Gillon of the Campaign for a Sustainable Milwaukee; and Paul Booth of the American Federation of State, County and Municipal Employees (AFSCME).

CALIFORNIANS FOR JUSTICE

(By Joselito Laudencia, Executive Director)

Good morning. My name is Joselito Laudencia and I am the Executive Director of Californians for Justice. Californians for Justice is a grassroots multiracial organization working to build political power among communities of color, and poor and young people of all colors in California. Earlier this year, we launched a campaign for Economic Justice. With welfare reform devastating our constituencies, we decided to launch a multi-year campaign for public jobs. Specifically, with the state government pushing hundreds of thousands of welfare recipients into the workforce, we feel that the state government has a responsibility to ensure that jobs are available, that these jobs are good paying jobs with benefits, and that these jobs actually address the needs of California's communities.

Let me provide some context. The signing into law of welfare reform on a federal level sent a simple message that everyone on welfare needs to get a job. The new law says that everyone on welfare must be at work within 24 months for a minimum of 20 hours a week. Currently, there are over 900,000 welfare recipients in California, with at least 300,000 facing this two-year time limit within two years. And families have only 5 years in a lifetime to receive welfare—even if there are no jobs.

This destruction of the welfare system comes at a time when jobs have been leaving over the last 25 years. Corporations have been downsizing, automating, shifting to part-time workers and moving overseas.

If any job growth is happening, it occurs in two fields. One area includes highly skilled jobs. As Times Magazine in January 1997 highlighted, the hottest fields in terms of new jobs include teachers, nurses, executives, lawyers, financial managers, computer engineers, and accountants, jobs which require extensive levels of education and training.

The other arena includes the fast growing occupations and industries that frequently offer part-time or temporary work and often lack basic benefits, especially in the retail trade and the service sector.

We also have to realize that the U.S. and the California economy have never provided enough jobs. Although the unemployment rate has been at its lowest in 23 years, over 1 million people in California are "officially" unemployed. On top of that, California will witness over 100,000 college graduates and over 270,000 public high school graduates. This also doesn't take into account the over