

H. Con. Res. 203: Mr. BILIRAKIS, Mr. ENGLISH of Pennsylvania, Mr. DOYLE, Mrs. THURMAN, and Mr. KANJORSKI.

H. Con. Res. 210: Mr. DAVIS of Florida.

H. Con. Res. 211: Mr. BOSWELL, Mr. REDMOND, Mr. MCCOLLUM, Mr. SESSIONS, Mr. SNOWBARGER, and Mr. PORTER.

H. Res. 16: Ms. SANCHEZ.

H. Res. 212: Mr. BACHUS, Mr. BARRETT of Wisconsin, Mr. BEREUTER, Mr. BRYANT, Mr. CLYBURN, Mr. ENSIGN, Mr. FROST, Mrs. KELLY, Ms. KILPATRICK, Ms. HARMAN, Ms. LOFGREN, Mr. McDERMOTT, Mr. NETHERCUTT, Ms. ROS-LEHTINEN, Mr. RUSH, and Mr. TAYLOR of North Carolina.

H. Res. 304: Mr. YOUNG of Alaska.

H. Res. 361: Mr. ROHRBACHER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2495: Mr. WATT of North Carolina.

DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

On February 25, 1998, the following Member added his name to the following discharge petition:

Petition 1 by Mr. YATES on H. Res. 141: GEORGE E. BROWN, JR.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 856

OFFERED BY: MR. SERRANO

AMENDMENT NO. 2: 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.

H.R. 856

OFFERED BY: MR. SOLOMON

AMENDMENT NO. 3: 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.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 4: 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.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 5: In section 2, in paragraph (2), strike "Consistent with establishment of United States nationality for inhabitants of Puerto Rico under the Treaty of Paris,".

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 6: In section 2(3), strike "including" and insert "and".

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 7: In the first sentence of section 2(4), insert "to be approved by the people of Puerto Rico," after "constitution".

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 8: In the last sentence of section 2(4)—

(1) strike "remains an unincorporated territory"; and

(2) insert before the period the following: "instead the Commonwealth has a unique relationship based on a bilateral compact".

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 9: In the second sentence of section 2(5), strike "the territory" and insert "Puerto Rico".

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 10: In the first sentence of section 2(7)—

(1) insert "per curiam" and "The";

(2) strike "(651) confirmed" and insert "(651) expressed"; and

(3) strike "Constitution; and" and insert "Constitution on matters of Federal programs; nevertheless".

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 11: In the last sentence of section 2(7), strike "status which is" and all that follows through the period and insert the following: "status. However, the United States Supreme Court has never directly addressed the nature of the political status of Puerto Rico.".

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 12: In section 2(10), strike the second sentence.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 13: In section 2(14), strike "United States citizens live in the islands of Puerto Rico, which" and insert "Puerto Ricans who are United States citizens".

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 14: In section 2(15), strike "status" and all that follows through the period and insert "status essentially consistent with United Nations Resolution 1541(XV)".

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 15: In section 3(a), strike "the people of the territory" and insert "Puerto Ricans".

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 16: In section 3, redesignate subsection (b) as subsection (c) and insert after subsection (a) the following:

(b) NONRESIDENT PUERTO RICANS.—(1) A substantial number of the Puerto Rican people reside outside of Puerto Rico, mostly in the several States.

(2) During any year, a large number of Puerto Ricans live in one of the several States for part of the year and in Puerto Rico for part of the year.

(3) Since the referenda held under this Act may lead to a final disposition of the political status of Puerto Rico, it is of the utmost importance that Puerto Ricans who are United States citizens residing outside of Puerto Rico be permitted to vote in such referenda.

(4) Congress recognizes the right of Puerto Ricans residing outside of Puerto Rico to vote in any referenda held under this Act and requests that the Electoral Commission of Puerto Rico to devise methods and procedures for such Puerto Ricans (including those who were born in Puerto Rico or who have at least one parent who was born in Puerto Rico) to register for and vote in absentia in any referenda held under this Act.

(5) Congress authorizes and encourages all State governments and Federal agencies to

cooperate with and assist the Electoral Commission of Puerto Rico in achieving the goals described in paragraphs (3) and (4).

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 17: In section 4(a), amend paragraph (7) of the referendum language for statehood to read as follows:

"(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."

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 18: In the second sentence of section 3(b)—

(1) strike "rather than English is currently the predominant language" and insert "is the vernacular language";

(2) strike "the majority of"; and

(3) strike "Puerto Rico; and that Congress" and all that follows through the period and insert "Puerto Rico."

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 19: At the end of the bill, add the following new section:

SEC. 8. LANGUAGE USED IN FEDERAL COURT IN PUERTO RICO.

English and Spanish shall be the official languages of business and communication in the Federal courts in Puerto Rico.

In section 1(b), in the table of contents, add the following item at the end:

Sec. 8. Language used in Federal court in Puerto Rico.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 20: At the end of the bill, add the following new section:

SEC. 8. LANGUAGE USED IN FEDERAL COURT IN PUERTO RICO.

English and Spanish shall be the official languages of business and communication in the Federal courts in Puerto Rico in any proceeding in which a party speaks fluent Spanish and does not speak fluent English.

In section 1(b), in the table of contents, add the following item at the end:

Sec. 8. Language used in Federal court in Puerto Rico.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 21: 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."

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 22: 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) Puerto Rico may continue to have its own representative in international beauty pageants in competition with a representative of the United States."

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 23: In section 4(a)(1)(A), strike "10 years" and insert "180 days".

Strike section 4(b)(1)(C).

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 24: 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 capita 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.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 25: In section 7(c), add at the end the following:

No agency or instrumentality of the Government of the Commonwealth of Puerto Rico, except the Commonwealth Elections Commission, may directly or indirectly use funds made available by this Act. Amounts made available by this Act and by the Puerto Rico legislature for purposes of this Act which are used in media shall be distributed equitably among all major newspapers, radio stations, and television stations in Puerto Rico."

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 26: In section 4, redesignate subsection (a) as subsection (b) and insert before subsection (b), as so designated, the following new subsection (and redesignate the succeeding subsections accordingly):

(a) APPROVAL OF ACT.—Notwithstanding any other provision of this Act, prior to holding any referendum under this Act, this Act must be approved by a majority of the qualified voters of Puerto Rico through an islandwide referendum to be held in accordance with the laws of Puerto Rico.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 27: At the end of section 2, add the following new paragraph:

(16) According to the 1990 decennial census of population, Puerto Rico's population, 3,522,037, is greater than the population of 26 of the several States.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 28: At the end of section 2, add the following new paragraph:

(16) In the 50 States of the Union, there are currently approximately 3,300,000 Puerto Ricans who maintain a very close relationship with their relatives in Puerto Rico and who consider themselves to be part of the Puerto Rican nation.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 29: 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.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 30: At the end of the bill, add the following new section:

SEC. 8. NONINCORPORATION.

Nothing in this Act shall be interpreted to make Puerto Rico an incorporated territory of the United States.

Amend the table of contents by adding at the end the following new item:

Sec. 8. Nonincorporation.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 31: In section 4(a) strike "A. COMMONWEALTH" and all that follows through "(b) TRANSITION STAGE" and insert the following:

"(A) COMMONWEALTH.—If you agree, mark here _____.

"(B) INDEPENDENCE.—If you agree, mark here _____.

"(C) STATEHOOD.—If you agree, mark here _____.

(b) TRANSITION STAGE

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 32: Strike the last sentence of section 2(7), and insert the following:

The courts have also recognized the existence of a unique political relationship created by the peoples of Puerto Rico and the United States. The United States Supreme Court has never addressed directly the nature of the political status of Puerto Rico.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 33: In the last sentence of section 2(5), strike "the territory" and insert "Puerto Rico".

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 34: Strike the last sentence in section 2(4).

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 35: In the first sentence of section 2(4), strike "instituting" and all that follows through the period and insert "Puerto Rico to adopt its own constitution."

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 36: 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.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 37: In section 4(a)—
(1) strike "'B. SEPARATE SOVEREIGNTY'" AND INSERT "'B. INDEPENDENCE AND ASSOCIATED REPUBLIC'";

(2) in the matter before paragraph (1) of the referendum language for independence and associated republic (as amended by paragraph (1)), strike "separate sovereignty in the form of independence or free association" and insert "independence or associated republic"; and

(3) in paragraph (7) of the referendum language for independence and associated republic (as amended by paragraph (1)), strike "a free association" and insert "an associated republic".

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 38: In the heading of section 5, strike "INCLUDING INCONCLUSIVE REFERENDUM".

Strike section 5(c).

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 39: Strike section 7 (and amend the table of contents accordingly).

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 40: Strike all after 1(a) and insert the following:

(b) SUBMISSION OF PETITION.—The 3 main political parties in Puerto Rico may submit a unanimous petition to Congress requesting that Congress provide for a referendum to be held by the people of Puerto Rico to choose among options fully described in such petition.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 41: At the end of the bill insert the following (and amend the table of contents accordingly):

SEC. 8. SUNSET PROVISION.

This Act shall cease to have effect 10 years after the date of enactment.

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 41: In section 2(14), strike "at the southeastern-most boundary of our Nation,".

H.R. 856

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 43: In the second sentence of section 3(b), strike "and that Congress has the authority to expand existing English language requirements in the Commonwealth of Puerto Rico".

H.R. 856

OFFERED BY: MR. ROMERO-BARCELÓ

AMENDMENT NO. 44: Page 1, after line 9, add the following:

The provisions of this paragraph shall be subject to the non-resident voting qualifications, eligibility requirements, and procedures established by the Commonwealth Legislature pursuant to the electoral laws of Puerto Rico, and votes cast in any referendum held under this Act by persons eligible to vote pursuant to this paragraph shall be counted independently from other votes cast and shall not be considered in determining which status option has received a majority of votes in such referendum.

H.R. 856

OFFERED BY: MR. SCHUMER

AMENDMENT NO. 45: In section 4(a), strike paragraph (4) of the referendum language for separate sovereignty, and insert the following:

"(4) the Constitution and laws of the United States no longer apply in Puerto Rico, and United States sovereignty in Puer-

to Rico is ended; thereupon, birth in Puerto Rico shall cease to be a basis for United States nationality or citizenship, but persons who had such United States nationality or citizenship, no matter how attained, have the right to retain United States nationality and citizenship, and to the same extent as all other United States citizens, to become dual nationals of the United States and any other sovereign nation, including the Republic of Puerto Rico; and relationship to persons with United States citizenship, no matter how attained, will continue to be a basis for United States citizenship to the same extent, and subject to the same requirements, including requirements as to residency in the United States, that such relationships form the basis for the citizenship of other persons, including persons born to United States citizen parents in other sovereign nations;

In section 4(a), strike paragraph (2) of the referendum language for Commonwealth, and insert the following:

"(2) Puerto Rico is an unincorporated territory of the United States, and the Constitution of the United States as determined by the courts, and the laws of the United States as determined by Congress and interpreted by the courts, protect the fundamental rights of the people of Puerto Rico, including (but not limited to) the rights to due process and to equal protection of the laws, freedom of speech and of the press, the right to travel, and the right to be free from unreasonable searches: *Provided*, That the Constitution of Puerto Rico, including its Bill of Rights, provides additional protections with respect to non-Federal matters;

In section 4(a), strike paragraph (3) of the referendum language for Commonwealth, and insert the following:

"(3) persons born in Puerto Rico have statutory United States nationality and citizenship as prescribed by Congress; and additionally, relationship to persons with legal United States citizenship, no matter how attained, will continue to be a basis for United States citizenship to the same extent, and subject to the same requirements, including requirements as to residency in the United States, that such relationships form the basis for the citizenship of other persons, including persons born to United States citizen parents in other sovereign nations;

In section 4(a), strike paragraph (7) of the referendum language for Commonwealth, and insert the following:

"(7) the extension, continuation, modification, and termination of Federal law and policy applicable to Puerto Rico and its residents is unchanged by this referendum and is within the discretion of Congress; and it is the policy of the Congress to take all necessary steps to ensure that the provisions of the Bill of Rights to the United States Constitution fully protect the people of Puerto Rico; and

In section 4(a), in paragraph (4) of the referendum language for statehood, strike the semicolon at the end and insert the following: "": *Provided*, That the Constitution of Puerto Rico, including its Bill of Rights, provides additional protections with respect to non-Federal matters;".

H.R. 856

OFFERED BY: MR. SCHUMER

AMENDMENT NO. 46: In section 5(a), add at the end the following paragraph:

(3) PUERTO RICAN RESIDENCY NOT REQUIRED.—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)(I) is a resident of the United States, including any territory, possession, or military installation of the United States, at the time that the referenda is held; and

(II) would be eligible to vote in such referenda but for that individual's residency outside of Puerto Rico; and

(B)(I) was born in Puerto Rico; or

(II) has at least one parent who was born in Puerto Rico.

H.R. 856

SUBSTITUTE

OFFERED BY: MR. SCHUMER

(Substitute to the Amendment Offered by Mr. Serrano)

AMENDMENT NO. 47: In section 5(a), add at the end the following paragraph:

(3) PUERTO RICAN RESIDENCY NOT REQUIRED.—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)(I) is a resident of the United States, including any territory, possession, or military installation of the United States, at the time that the referenda is held; and

(II) would be eligible to vote in such referenda but for that individual's residency outside of Puerto Rico; and

(B)(I) was born in Puerto Rico; or

(II) has at least one parent who was born in Puerto Rico.

H.R. 856

OFFERED BY: MR. STEARNS

AMENDMENT NO. 48: In paragraph (2) of section 5(c), strike "there is authorized to be further referenda" and all that follows through the period and insert the following: 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.