

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
Boehkert
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
Coynce
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
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
Gilchrist

Gillmor
Gilman
Gordon
Granger
Green
Greenwood
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
Pascarell
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. PASCARELL 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 referendum 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 referendum 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 referendum 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 referendum held under this Act; and

(B) would be eligible to vote in such referendum 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-BARCELÓ. 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. VELAZQUEZ. 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 par-

ticipate 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)	Galleghy
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
Klecza
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
Oberstar
Obey
Oliver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Pelosi
Peterson (MN)
Petri
Pickering
Pickett
Pitts
Pommo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
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
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
Kennedy (GA)
Maloney (CT)
Markey
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Miller (CA)
Moakley
Nadler
Neal
Obey
Oliver

Owens
Pallone
Pastor
Payne
Rangel
Rohrabacher
Ros-Lehtinen
Rush
Sanders
Serrano
Shays
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
Blumauer
Blunt
Boehlert
Boehner
Bonilla
Borski
Boswell
Boucher
Boyd
Edwards
Ehlers
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
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
Klecza
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
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 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 idiosyncrasy 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-BARCELO. 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 referendum 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 referendum, 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 yeas 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. VELAZQUEZ. Mr. Chairman, I move to strike the last word.

Mr. GUTIERREZ. Mr. Chairman, will the gentlewoman yield?

Ms. VELAZQUEZ. 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. And 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 1900 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 gentleman 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 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 gentleman 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 nec-

essary 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 gentleman 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.

□ 2015

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 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.

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 day-lights 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 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.

□ 2030

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 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
Heger	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	Hoekstra	Neumann	Tierney	Waters	White	Petri	Schaffer, Bob	Spratt
Coble	Holden	Ney	Towns	Watkins	Whitfield	Pitts	Sensenbrenner	Stearns
Coburn	Hooley	Northup	Trafcant	Watt (NC)	Wicker	Porter	Shadegg	Stump
Collins	Hostettler	Norwood	Turner	Watts (OK)	Wise	Portman	Shaw	Sununu
Condit	Houghton	Nussle	Upton	Waxman	Wolf	Pryce (OH)	Shays	Taylor (NC)
Conyers	Hoyer	Oberstar	Velazquez	Weldon (FL)	Woolsey	Regula	Sherman	Thornberry
Cook	Hulshof	Obey	Vento	Weldon (PA)	Wynn	Rogan	Shuster	Tiahrt
Cooksey	Hutchinson	Olver	Visclosky	Weller	Young (AK)	Rogers	Sisisky	Upton
Costello	Hyde	Ortiz	Walsh	Wexler	Young (FL)	Rohrabacher	Smith (MI)	Wamp
Cox	Inglis	Owens	Wamp	Weygand		Royce	Smith (TX)	Weldon (PA)
Coyne	Jackson (IL)	Oxley				Ryun	Snowbarger	Weller
Cramer	Jackson-Lee	Packard				Salmon	Solomon	Wicker
Crane	(TX)	Pallone				Sanford	Souder	Wolf
Crapo	Jefferson	Pappas	Berman	Harman	Schaefer, Dan	Scarborough	Spence	
Cummings	Jenkins	Parker	Billray	Kilpatrick	Shiff			
Cunningham	John	Pascrell	Doolittle	Luther	Shimkus			
Danner	Johnson (CT)	Pastor	Foley	McDade	Smith (OR)			
Davis (FL)	Johnson (WI)	Paxon	Gonzalez	Poshard	Torres	Abercrombie	Foley	McGovern
Davis (IL)	Johnson, E. B.	Payne	Granger	Riggs	Yates	Ackerman	Forbes	McHale
Davis (VA)	Johnson, Sam	Pease				Allen	Ford	McInnis
Deal	Kanjorski	Pelosi				Andrews	Fox	McIntyre
DeFazio	Kaptur	Peterson (MN)				Bachus	Frank (MA)	McKeon
DeGette	Kasich	Peterson (PA)				Baessler	Franks (NJ)	McKinney
Delahunt	Kelly	Pickering				Baker	Frelinghuysen	McNulty
DeLauro	Kennedy (MA)	Pickett				Baldacci	Furse	Meehan
DeLay	Kennedy (RI)	Pitts				Barcia	Gallegly	Meek (FL)
Deutsch	Kennelly	Pombo				Barrett (WI)	Ganske	Meeks (NY)
Diaz-Balart	Kildee	Pomeroy				Bass	Gejdenson	Menendez
Dickey	Kim	Porter				Becerra	Gekas	Mica
Dicks	Kind (WI)	Portman				Bentsen	Gephardt	Millender-
Dingell	King (NY)	Price (NC)				Berry	Gillmor	McDonald
Dixon	Kleczka	Pryce (OH)				Bilbray	Gilman	Miller (CA)
Doggett	Klink	Quinn				Billrakis	Gordon	Minge
Dooley	Klug	Rahall				Bishop	Green	Mink
Doyle	Knollenberg	Ramstad				Blagojevich	Gutierrez	Moakley
Dreier	Kolbe	Rangel				Bliley	Hall (OH)	Mollohan
Dunn	Kucinich	Redmond				Blumenauer	Hamilton	Moran (KS)
Edwards	LaFalce	Regula				Blunt	Hansen	Moran (VA)
Ehlers	LaHood	Reyes				Boehrlert	Hastert	Morella
Ehrlich	Lampson	Riley				Bonilla	Hastings (FL)	Murtha
Emerson	Lantos	Rivers				Bonior	Hefley	Nadler
Engel	Largent	Rodriguez				Borski	Hefner	Neal
English	Latham	Roemer				Boswell	Hilliard	Nethercutt
Ensign	LaTourette	Rogan				Boucher	Hinchey	Nussle
Eshoo	Lazio	Rogers				Boyd	Hinojosa	Oberstar
Etheridge	Leach	Ros-Lehtinen				Brown (CA)	Holden	Obey
Evans	Levin	Rothman				Brown (FL)	Hoolley	Olver
Everett	Lewis (CA)	Roukema				Brown (OH)	Houghton	Ortiz
Ewing	Lewis (GA)	Roybal-Allard				Burr	Hoyer	Owens
Farr	Lewis (KY)	Royce				Burton	Hulshof	Packard
Fattah	Linder	Rush				Buyer	Hutchinson	Pallone
Fawell	Lipinski	Ryun				Calvert	Jackson (IL)	Pappas
Fazio	Livingston	Sabo				Camp	Jackson-Lee	Parker
Filner	LoBiondo	Salmon				Campbell	(TX)	Pascrell
Forbes	Lofgren	Sanchez				Cannon	Jefferson	Pastor
Ford	Lowey	Sanders				Cardin	John	Payne
Fossella	Lucas	Sandlin				Carson	Johnson (WI)	Pelosi
Fowler	Maloney (CT)	Sawyer				Chabot	Johnson, E. B.	Peterson (MN)
Fox	Maloney (NY)	Saxton				Clay	Kanjorski	Pickering
Frank (MA)	Manton	Scarborough				Clayton	Kaptur	Pickett
Franks (NJ)	Manzullo	Schumer				Clement	Kasich	Pombo
Frelinghuysen	Markey	Scott				Clyburn	Kelly	Pomeroy
Frost	Martinez	Serrano				Condit	Kennedy (MA)	Price (NC)
Furse	Mascara	Sessions				Conyers	Kennedy (RI)	Quinn
Gallegly	Matsui	Shaw				Cook	Kennelly	Radanovich
Ganske	McCarthy (MO)	Shays				Cooksey	Kildee	Rahall
Gejdenson	McCarthy (NY)	Shuster				Costello	Kim	Ramstad
Gekas	McCollum	Sisisky				Cox	Kind (WI)	Rangel
Gephardt	McCrery	Skaggs				Coyne	King (NY)	Redmond
Gibbons	McDermott	Skeen				Cramer	Kleczka	Reyes
Gilchrest	McGovern	Skelton				Cummings	Klink	Riley
Gillmor	McHale	Slaughter				Davis (FL)	Kolbe	Rivers
Gilman	McHugh	Smith (MI)				Davis (IL)	Kucinich	Rodriguez
Goode	McInnis	Smith (NJ)				Davis (VA)	LaFalce	Roemer
Goodlatte	McIntyre	Smith (TX)				DeFazio	LaHood	Ros-Lehtinen
Goodling	McKeon	Smith, Adam				DeGette	Lampson	Rothman
Gordon	McKinney	Snyder				Delahunt	Lantos	Roukema
Goss	McNulty	Solomon				DeLauro	Largent	Roybal-Allard
Graham	Meehan	Spence				DeLay	Latham	Rush
Green	Meek (FL)	Spratt				Deutsch	LaTourette	Sabo
Greenwood	Meeks (NY)	Stabenow				Diaz-Balart	Leach	Sanchez
Gutierrez	Menendez	Stark				Dicks	Levin	Sanders
Gutknecht	Metcalf	Stenholm				Dingell	Lewis (CA)	Sandlin
Hall (OH)	Mica	Stokes				Dixon	Lewis (GA)	Sawyer
Hall (TX)	Millender-	Strickland				Doggett	LoBiondo	Saxton
Hamilton	McDonald	Stump				Dooley	Lofgren	Schumer
Hansen	Miller (CA)	Stupak				Doyle	Lowey	Scott
Hastert	Miller (FL)	Sununu				Dunn	Lucas	Serrano
Hastings (FL)	Minge	Talent				Edwards	Maloney (CT)	Sessions
Hastings (WA)	Mink	Tanner				Ehlers	Maloney (NY)	Skaggs
Hayworth	Moakley	Tauscher				Ehrlich	Manton	Skeen
Hefley	Mollohan	Tauzin				Engel	Manzullo	Skelton
Hefner	Moran (VA)	Taylor (MS)				English	Markey	Slaughter
Hill	Morella	Thomas				Ensign	Martinez	Smith (NJ)
Hilleary	Murtha	Thompson				Eshoo	Mascara	Smith, Adam
Hilliard	Myrick	Thornberry				Etheridge	Matsui	Smith, Linda
Hinchey	Nadler	Thune				Evans	McCarthy (MO)	Snyder
Hinojosa	Neal	Thurman				Fattah	McCarthy (NY)	Stabenow
Hobson	Nethercutt	Tiahrt				Fazio	McCollum	Stark
						Filner	McDermott	Stenholm

NOT VOTING—18

□ 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	Dickey	Hyde
Archer	Dreier	Inglis
Armey	Duncan	Istook
Balenger	Emerson	Jenkins
Barr	Everett	Johnson (CT)
Barrett (NE)	Ewing	Johnson, Sam
Bartlett	Fawell	Jones
Barton	Fossella	Kingston
Bateman	Fowler	Klug
Bereuter	Gibbons	Knollenberg
Boehner	Gilchrest	Lazio
Brady	Goode	Lewis (KY)
Bryant	Goodlatte	Linder
Bunning	Goodling	Lipinski
Callahan	Goss	Livingston
Canady	Graham	McCrery
Castle	Granger	McHugh
Chambliss	Greenwood	McIntosh
Chenoweth	Gutknecht	Metcalf
Christensen	Hall (TX)	Miller (FL)
Coble	Hastings (WA)	Myrick
Coburn	Hayworth	Neumann
Collins	Herger	Ney
Combest	Hill	Northup
Crane	Hilleary	Norwood
Crapo	Hobson	Oxley
Cubin	Hoekstra	Paul
Cunningham	Horn	Paxon
Danner	Hostettler	Pease
Deal	Hunter	Peterson (PA)

Stokes Tierney Waxman
Strickland Towns Weldon (FL)
Stupak Traficant Wexler
Talent Turner Weygand
Tanner Velazquez White
Tauscher Vento Whitfield
Tauzin Visclosky Wise
Taylor (MS) Walsh Woolsey
Thomas Waters Wynn
Thompson Watkins Young (AK)
Thune Watt (NC) Young (FL)
Thurman Watts (OK)

NOT VOTING—17

Berman Kilpatrick Schiff
Doolittle Luther Shimkus
Farr McDade Smith (OR)
Frost Poshard Torres
Gonzalez Riggs Yates
Harman Schaefer, Dan

□ 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 Bonilla Coburn
Ackerman Bonior Collins
Aderholt Borski Combust
Allen Boswell Condit
Andrews Boucher Conyers
Archer Boyd Cook
Arney Brady Cooksey
Bachus Brown (CA) Costello
Baesler Brown (FL) Cox
Baker Brown (OH) Coyne
Baldacci Bryant Cramer
Ballenger Bunning Crane
Barcia Burr Crapo
Barr Burton Cubin
Barrett (NE) Buyer Cummings
Barrett (WI) Callahan Cunningham
Bartlett Calvert Danner
Barton Camp Davis (FL)
Bass Campbell Davis (IL)
Bateman Canady Davis (VA)
Becerra Cannon Deal
Bentsen Cardin DeFazio
Bereuter Carson DeGette
Berry Castle Delahunt
Bilbray Chabot DeLauro
Bilirakis Chambliss DeLay
Bishop Chenoweth Deutsch
Blagojevich Christensen Diaz-Balart
Bliley Clay Dickey
Blumenauer Clayton Dicks
Blunt Clement Dingell
Boehlert Clyburn Dixon
Boehner Coble 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
Ingليس
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
Klecza
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
Markay
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

ANSWERED "PRESENT"—1

Waters

NOT VOTING—14

Berman Luther Schiff
Doolittle McDade Shimkus
Gonzalez Poshard Smith (OR)
Harman Riggs Yates
Kilpatrick Schaefer, Dan

□ 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	Gejdenson	Mollohan
Ackerman	Gekas	Moran (VA)
Allen	Gephardt	Morella
Andrews	Gilchrist	Murtha
Baldacci	Gillmor	Nadler
Barcia	Gilman	Neal
Barrett (NE)	Gordon	Nussle
Barrett (WI)	Granger	Oberstar
Barton	Green	Obey
Becerra	Greenwood	Olver
Bentsen	Hall (OH)	Ortiz
Bereuter	Hamilton	Owens
Berry	Hastings (FL)	Oxley
Bishop	Hefner	Pallone
Blagojevich	Hilliard	Pascarell
Blumenauer	Hinchey	Pastor
Boehlert	Hinojosa	Payne
Bonilla	Hooley	Pelosi
Bonior	Hostettler	Peterson (MN)
Borski	Houghton	Pomeroy
Boswell	Hoyer	Price (NC)
Boucher	Hulshof	Quinn
Boyd	Jackson (IL)	Radanovich
Brown (CA)	Jackson-Lee	Rahall
Brown (FL)	(TX)	Rangel
Brown (OH)	Jefferson	Redmond
Burton	John	Reyes
Campbell	Johnson (WI)	Rivers
Cannon	Johnson, E. B.	Rodriguez
Cardin	Kanjorski	Roemer
Carson	Kaptur	Ros-Lehtinen
Castle	Kelly	Rothman
Christensen	Kennedy (MA)	Roybal-Allard
Clay	Kennedy (RI)	Rush
Clayton	Kennelly	Sabo
Clement	Kildee	Sanchez
Clyburn	Kim	Sanders
Condit	Kind (WI)	Sandlin
Conyers	King (NY)	Sawyer
Cook	Kleczka	Saxton
Costello	Klink	Schumer
Coyne	Kolbe	Scott
Cramer	Kucinich	Serrano
Cummings	LaFalce	Shaw
Danner	Lampson	Sherman
Davis (FL)	Lantos	Skaggs
Davis (IL)	Lazio	Skeen
DeFazio	Leach	Skelton
DeGette	Levin	Slaughter
Delahunt	Lewis (GA)	Smith (NJ)
DeLauro	Lofgren	Smith (TX)
Deutsch	Lowe	Smith, Adam
Diaz-Balart	Maloney (CT)	Snyder
Dicks	Maloney (NY)	Spratt
Dingell	Manton	Stabenow
Dixon	Markey	Stark
Doggett	Martinez	Stokes
Dooley	Mascara	Strickland
Doyle	Matsui	Stupak
Edwards	McCarthy (MO)	Tanner
Ehlers	McCarthy (NY)	Tauscher
Ehrlich	McCollum	Tauzin
Engel	McDermott	Taylor (MS)
English	McGovern	Thompson
Eshoo	McHale	Thurman
Etheridge	McHugh	Tierney
Evans	McInnis	Torres
Ewing	McIntyre	Turner
Farr	McKeon	Vento
Fattah	McKinney	Visclosky
Fazio	McNulty	Walsh
Filner	Meehan	Waters
Foley	Meek (FL)	Watt (NC)
Forbes	Meeks (NY)	Waxman
Ford	Mica	Wexler
Fossella	Millender-McDonald	Weygand
Fox	Miller (CA)	Wise
Frank (MA)	Minge	Woolsey
Frost	Mink	Wynn
Furse	Moakley	Young (AK)
Gallegly		

NOES—177

Aderholt	Bliley	Chambliss
Archer	Blunt	Chenoweth
Armey	Boehner	Coble
Bachus	Brady	Coburn
Baesler	Bryant	Collins
Baker	Bunning	Combest
Ballenger	Burr	Cooksey
Barr	Buyer	Cox
Bartlett	Callahan	Crane
Bass	Calvert	Crapo
Bateman	Camp	Cubin
Bilbray	Canady	Cunningham
Bilirakis	Chabot	Davis (VA)

Deal	Klug	Rohrabacher	Barrett (WI)	Gilchrest	Murtha	Horn	Myrick	Shays
DeLay	Knollenberg	Roukema	Becerra	Gilman	Nadler	Hostettler	Nethercutt	Sherman
Dickey	LaHood	Royce	Bentsen	Granger	Neal	Houghton	Neumann	Shuster
Dreier	Largent	Ryun	Bishop	Green	Oberstar	Hulshof	Ney	Siisky
Duncan	Latham	Salmon	Blagojevich	Hall (OH)	Olver	Hunter	Northup	Skelton
Dunn	LaTourette	Sanford	Blumenauer	Hamilton	Ortiz	Hutchinson	Norwood	Smith (MI)
Emerson	Lewis (CA)	Scarborough	Boehlert	Hastings (FL)	Owens	Hyde	Nussle	Smith (OR)
Ensign	Lewis (KY)	Schaffer, Bob	Bonilla	Hefner	Pallone	Inglis	Obey	Smith (TX)
Everett	Linder	Sensenbrenner	Bonior	Hilliard	Parker	Istook	Oxley	Smith, Linda
Fawell	Lipinski	Sessions	Borski	Hincheey	Pascarell	Jenkins	Packard	Snowbarger
Fowler	Livingston	Shadegg	Boswell	Hinojosa	Pastor	Johnson (CT)	Pappas	Solomon
Franks (NJ)	LoBiondo	Shays	Boucher	Holden	Payne	Johnson (WI)	Paul	Souder
Frelinghuysen	Lucas	Shuster	Boyd	Hooley	Pelosi	Johnson, Sam	Paxon	Spence
Ganske	Manzullo	Siisky	Brown (CA)	Hoyer	Peterson (PA)	Jones	Pease	Stabenow
Gibbons	McCrery	Smith (MI)	Brown (FL)	Jackson (IL)	Pombo	Kaptur	Peterson (MN)	Stearns
Goode	McIntosh	Smith (OR)	Brown (OH)	Jackson-Lee	Pomeroy	Kasich	Petri	Strickland
Goodlatte	Menendez	Smith, Linda	Burton	(TX)	Price (NC)	Kind (WI)	Pickering	Stump
Goodling	Metcalf	Snowbarger	Buyer	Jefferson	Quinn	Kingston	Pickett	Sununu
Goss	Miller (FL)	Solomon	Calvert	John	Rahall	Klecza	Pitts	Talent
Graham	Moran (KS)	Souder	Cannon	Johnson, E. B.	Rangel	Klug	Porter	Tanner
Gutierrez	Myrick	Spence	Cardin	Kanjorski	Redmond	Knollenberg	Portman	Taylor (NC)
Gutknecht	Nethercutt	Stearns	Carson	Kelly	Reyes	LaHood	Pryce (OH)	Thomas
Hall (TX)	Neumann	Stenholm	Clay	Kennedy (MA)	Rodriguez	Largent	Radanovich	Thornberry
Hansen	Ney	Stump	Clayton	Kennedy (RI)	Roemer	Latham	Ramstad	Thune
Hastert	Northup	Sununu	Clement	Kennelly	Ros-Lehtinen	LaTourette	Regula	Tiahrt
Hastings (WA)	Norwood	Talent	Clyburn	Kildee	Rothman	Lewis (CA)	Riley	Towns
Hayworth	Packard	Taylor (NC)	Condit	Kim	Roybal-Allard	Lewis (KY)	Rivers	Trafficant
Hefley	Pappas	Thomas	Conyers	King (NY)	Sabo	Linder	Rogan	Upton
Henger	Parker	Thornberry	Cooksey	Klink	Sanchez	Lipinski	Rogers	Velazquez
Hill	Paul	Thune	Coyne	Kolbe	Sanders	Livingston	Rohrabacher	Wamp
Hilleary	Paxon	Tiahrt	Cummings	Kucinich	Sandlin	LoBiondo	Roukema	Watkins
Hobson	Pease	Towns	Davis (FL)	LaFalce	Sawyer	Lucas	Royce	Watts (OK)
Hoekstra	Peterson (PA)	Trafficant	Davis (VA)	Lampson	Saxton	Manzullo	Rush	Weldon (FL)
Holden	Petri	Upton	DeFazio	Lantos	Schumer	McCrery	Ryun	Weldon (PA)
Horn	Pickering	Velazquez	DeGette	Lazio	Scott	McHugh	Salmon	Weller
Hunter	Pickett	Wamp	Delahunt	Leach	Serrano	McInnis	Sanford	White
Hutchinson	Pitts	Watkins	DeLauro	Levin	Skaggs	McIntosh	Scarborough	Whitfield
Hyde	Pombo	Watts (OK)	DeLay	Lewis (GA)	Skeen	McIntyre	Schaffer, Bob	Wicker
Inglis	Porter	Weldon (FL)	Deutsch	Lofgren	Slaughter	Menendez	Sensenbrenner	Wolf
Istook	Portman	Weldon (PA)	Diaz-Balart	Lowey	Smith (NJ)	Metcalf	Sessions	Young (FL)
Jenkins	Pryce (OH)	Weller	Dicks	Maloney (CT)	Smith, Adam	Miller (FL)	Shadegg	
Johnson (CT)	Ramstad	White	Dingell	Maloney (NY)	Snyder	Moran (KS)	Shaw	
Johnson, Sam	Regula	Whitfield	Dixon	Manton	Spratt			
Jones	Riley	Wicker	Doggett	Markey	Stark			
Kasich	Rogan	Wolf	Dooley	Martinez	Stenholm			
Kingston	Rogers	Young (FL)	Doyle	Martinez	Stokes			
			Edwards	Matsui	Stupak			
			Ehlers	McCarthy (MO)	Tauscher			
			Engel	McCarthy (NY)	Tauzin			
			English	McCollum	Taylor (MS)			
			Eshoo	McDermott	Thompson			
			Etheridge	McGovern	Thurman			
			Evans	McHale	Tierney			
			Farr	McKeon	Torres			
			Fattah	McKinney	Turner			
			Fazio	McNulty	Vento			
			Filner	Meehan	Visclosky			
			Foley	Meek (FL)	Walsh			
			Forbes	Meeks (NY)	Waters			
			Ford	Mica	Watt (NC)			
			Frank (MA)	Millender-	Waxman			
			Franks (NJ)	McDonald	Wexler			
			Frelinghuysen	Miller (CA)	Weygand			
			Frost	Minge	Wise			
			Furse	Mink	Woolsey			
			Gallegly	Moakley	Wynn			
			Gedjenson	Mollohan	Young (AK)			
			Gekas	Moran (VA)				
			Gephardt	Morella				

NOT VOTING—13

Berman	Luther	Schiff
Doolittle	McDade	Shimkus
Gonzalez	Poshard	Yates
Harman	Riggs	
Kilpatrick	Schaefer, Dan	

□ 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	Allen	Baldacci
Ackerman	Andrews	Barcia

Adersholt	Castle	Ewing
Archer	Chabot	Fawell
Armey	Chambliss	Fossella
Bachus	Chenoweth	Fowler
Baessler	Christensen	Fox
Baker	Coble	Ganske
Ballenger	Coburn	Gibbons
Barr	Collins	Gillmor
Barrett (NE)	Combest	Goode
Bartlett	Cook	Goodlatte
Barton	Costello	Goodling
Bass	Cox	Gordon
Bateman	Cramer	Goss
Bereuter	Crane	Graham
Berry	Crapo	Greenwood
Bilbray	Cubin	Gutierrez
Bilirakis	Cunningham	Gutknecht
Bliley	Danner	Hall (TX)
Blunt	Davis (IL)	Hansen
Boehner	Deal	Hastert
Brady	Dickey	Hastings (WA)
Bryant	Dreier	Hayworth
Bunning	Duncan	Hefley
Burr	Dunn	Henger
Callahan	Ehrlich	Hill
Camp	Emerson	Hilleary
Campbell	Ensign	Hobson
Canady	Everett	Hoekstra

NOES—208

Archer	Castle	Ewing
Chabot	Chabot	Fawell
Chambliss	Chambliss	Fossella
Chenoweth	Chenoweth	Fowler
Christensen	Christensen	Fox
Coble	Coble	Ganske
Coburn	Coburn	Gibbons
Collins	Collins	Gillmor
Combest	Combest	Goode
Cook	Cook	Goodlatte
Costello	Costello	Goodling
Cox	Cox	Gordon
Cramer	Cramer	Goss
Crane	Crane	Graham
Crapo	Crapo	Greenwood
Cubin	Cubin	Gutierrez
Cunningham	Cunningham	Gutknecht
Danner	Danner	Hall (TX)
Davis (IL)	Davis (IL)	Hansen
Deal	Deal	Hastert
Dickey	Dickey	Hastings (WA)
Dreier	Dreier	Hayworth
Duncan	Duncan	Hefley
Dunn	Dunn	Henger
Ehrlich	Ehrlich	Hill
Emerson	Emerson	Hilleary
Ensign	Ensign	Hobson
Everett	Everett	Hoekstra

NOT VOTING—13

Berman	Luther	Schiff
Doolittle	McDade	Shimkus
Gonzalez	Poshard	Yates
Harman	Riggs	
Kilpatrick	Schaefer, Dan	

□ 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