Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Goodlatte
Gordon
Goss
Granger
Green
Greenwood
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Hall (OH)
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Hastings (FL)
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Hayworth
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Hinojosa
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Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Largent
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rohrabacher
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schumer
Scott
Serrano
Shadegg
Shaw
Shays
Sherman
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Souder
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tierney
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—41

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

NOT VOTING—19

Chenoweth
Doolittle
Ewing
Frank (MA)
Gibbons
Gonzalez
Harman
Kennedy (RI)
Luther
Poshard
Rogan
Ros-Lehtinen
Scarborough
Schiff
Shimkus
Stark
Tiahrt
Torres
Towns

□ 1209

Messrs. ARCHER, GRAHAM, HEFLEY and RILEY changed their vote from ''yea'' to ''nay.''

Ms. DELAURO changed her vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ROGAN. Mr. Speaker, on rollcall No. 27, I was inadvertently detained. Had I been present, I would have voted ''aye.''

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2369, WIRELESS PRIVACY ENHANCEMENT ACT OF 1998

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 105–427) on the resolution (H. Res. 377) providing for consideration of the bill (H.R. 2369) to amend the Communications Act of 1934 to strengthen and clarify prohibitions on electronic eavesdropping, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3130, CHILD SUPPORT PERFORMANCE AND INCENTIVE ACT OF 1998

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 105–428) on the resolution (H. Res. 378) providing for consideration of the bill (H.R. 3130) to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, and to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, which was referred to the House Calendar and ordered to be printed.

UNITED STATES-PUERTO RICO POLITICAL STATUS ACT

The SPEAKER pro tempore (Mr. PEASE). Pursuant to House Resolution 376 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 856.

□ 1212

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 856) to provide a process leading to full self-government for Puerto Rico, with Mr. DIAZ-BALART in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Alaska (Mr. YOUNG), the gentleman from California (Mr. MILLER), the gentleman from New York (Mr. SOLOMON) and the gentleman from Illinois (Mr. GUTIERREZ) each will control 22½ minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

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

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a very historical moment, one that is long overdue. In debate on the rule, there were some statements made that I think should be clarified before I go into the full text of my presentation today, why I support this legislation.

The Northern Marianas were mentioned and other territories were mentioned, and how they came into this great united part of our United States, even as territories are separate governments. But, for instance, the Northern Marianas, the Government of the United States and the Government of the Northern Marianas will consult regularly on all matters affecting the relationship between them. At the request of either government, and not less frequently than every 10 years there shall be an additional consultation taken.

Mr. Chairman, over 100 years ago, this Congress was passionately discussing the 400-year-old colonial grip that Spain had on the islands adjacent to and south of Florida. Just over 2 weeks earlier, on February 15, 266 American servicemen lost their lives in Havana harbor with the explosion of the United States warship, the Maine.

□ 1215

The monument to these gallant mean stands highest above all else in Arlington National Monument. Many others lost their lives in the ensuing Spanish-American War amid the cries of ''Remember the Maine.'' But why?

This Congress declared war and sent Americans in harm's way in the defense of the sacred ideal: self-determination. America won the war, and assumed sovereignty over Cuba, Puerto Rico, and some of Spain's Pacific possessions. All but one are no longer territories. Only Puerto Rico still stands, after 100 years, a territory.

Mr. Chairman, Congress promptly delivered on its promise of self-determination to the people of Cuba by providing for a process which permitted Cuba to become a separate sovereign after a few brief years.

In contrast, the Rough Rider who had charged up San Juan Hill to ensure the United States' victory in the Caribbean had become President of the United States and urged Congress to grant United States citizenship to the people of Puerto Rico in his 1905 State of the Union address. Quote, ''I earnestly advocate the adoption of legislation which will explicitly confer American citizenship on all citizens of Puerto Rico. There is, in my judgment, no excuse for the failure to do this.''

I believe President Teddy Roosevelt's words are even more true today to this bill as when he spoke them in 1905.

Our fellow Americans in Puerto Rico, now numbering some 4 million, have been loyal to this Nation and have valiantly fought in every major conflict. We have all benefited in ways that cannot be calculated from the bravery, the loyalty, and the patriotism of over 200,000 Americans from Puerto Rico who have served in our Nation's Armed Forces.

It is clear that a heavy price has been paid by Puerto Rico for this country, which has yet to fully deliver on the promise of the U.S. General Miles when he landed in Puerto Rico 100 years ago this year:

''In the continuation of the war against the Kingdom of Spain by the people of the United States, in the cause of freedom, justice and humanity, their military forces have come to occupy the island of Puerto Rico. They come bearing the flag of freedom. They bring you the encouraging strength of a Nation of free people whose greatest power consists of justice and humanity for all those who live in their community. The principal objective will be to give the people of your beautiful island the largest extent of freedom possible. We have not come to wage war, but to bring protection, not just for you but for your property, in order to promote your prosperity and in order to obtain for you the privileges and the blessings of our government. It is not our purpose to interfere with any of the laws and customs present that are wise and beneficial.''

The Congress provided Puerto Rico with increasing levels of self-government for the first half of this century, culminating with the authorization in 1950 for the process of a development of a local constitutional government.

By 1952, Congress conditionally approved a draft constitution submitted by the legislature of Puerto Rico. After those changes were made by Puerto Rico, the new constitutional government of the territory became effective under the name declared by the constitutional convention as the Commonwealth of Puerto Rico.

The establishment of local constitutional self-government did not alter Congress' constitutional responsibility under the Territorial Clause for Puerto Rico. However, it was under the first years of the commonwealth that President Eisenhower established the Eisenhower Doctrine regarding Puerto Rico which is still in effect today and is reflected in the United States-Puerto Rico Political Status Act.

After the local constitutional government of Puerto Rico was established, Puerto Rico was removed from the United Nations' decolonization list, prompting questions as to whether Puerto Rico was still a territory under the sovereignty of the United States and subject to the authority of Congress. President Eisenhower, a Republican, acted decisively by sending a message to the United Nations that he recommended that the United States Congress grant Puerto Rico separate sovereignty if requested by the Puerto Ricans through the legislature of Puerto Rico.

While the legislature has never petitioned for separate sovereignty, the legislature sent joint resolutions to Congress in 1993, 1994, and 1997 requesting congressional action. Keep that in mind, because I have heard time and again that the Congress, by doing this, is dictating to the Puerto Rican people. But the legislature sent to this Congress in 1993, 1994, 1997 requesting congressional action to define the political status and establish a process to resolve, establish the process to resolve Puerto Rico's political status dilemma.

Although in recent years the Puerto Rican legislature formally requested the Congress to resolve Puerto Rico's political status, U.S. citizens in Puerto Rico had been advocating action for over a decade. I remember the submission to Congress in 1985 to 1987 of over 350,000 individually signed petitions for full citizenship rights. This incredible grassroots effort was led by Dr. Miriam Ramirez of the nonprofit, nonpartisan civic organization, Puerto Ricans in Civic Action.

Mr. Chairman I believe this initiative influenced the then president of the Senate to include in his first State of the Union address as President on February 9, 1989, the following request: ''I've long believed the people of Puerto Rico should have their right to determine their own political future. Personally, I strongly favor statehood. But I urge the Congress to take the necessary steps to allow the people to decide in a referendum.''

Mr. Chairman, about the same time as President Bush requested Congress authorize a political status referendum in Puerto Rico, the three presidents of the three principal political status parties in Puerto Rico asked Congress to help resolve Puerto Rico's political status, as Puerto Rico has never been formally consulted as to their choice of ultimate political status.

While Congress has yet to formally respond to the request of the President, the leaders of Puerto Rico, and the petitions of the Americans in Puerto Rico, this bill will do just what has been asked by the people of Puerto Rico in numerous years and numerous times by the president of the Senate, by the Presidents in the past in their platforms.

The United States-Puerto Rico Political Status Act, H.R. 856, establishes in Federal law for the first time a process to resolve Puerto Rico's political status. I remind my colleagues it will not happen overnight, regardless of what we do here today. This is just a process that will take place.

My colleague who was speaking on the rule said that the public is not aware of this action today. May I remind my colleagues that if we were to pass this bill today, and I hope we do pass this bill today, it must be passed by the Senate and the people of Puerto Rico must also pass it in 1998. It comes back to the Congress in 1999, and by 1999 we again in Congress must act. We must pass a bill approving the transitional stage. Then it goes back to the people of Puerto Rico. And, by the way, the start of the transition period begins in the year 2000.

But this more than anything else is a bill that establishes the right to determine for the first time in 100 years their self-determination. It is a fair and balanced process that has been developed with an enormous amount of input. Mr. Chairman, I resent certain Members saying that this has not been fair. We asked all of those people involved, all three parties, to submit what their definition should be in this bill. We have in my substitute recognized commonwealth. We recognize independence. We set forth a process which will create a State.

Mr. Chairman, if it does become a State, I am one of the few people, along with the gentleman from Hawaii (Mr. ABERCROMBIE) that has gone through this process.

I have heard some statements here today about English language only. When Alaska became a State, that was not a requirement. We had 52 different dialects in Alaska. People speak English. They also speak many other languages. It was not a requirement. Hawaii has two official languages. They have English and Hawaiian. New Mexico has two official languages, English and Spanish.

The concept of the amendments that will be offered to this bill, especially the amendment of the gentleman from New York (Mr. SOLOMON), he is my

good friend and we talk about what good friends we are, it is a poison pill amendment. America is a melting pot. It is a group of people coming together under one flag. We all speak different languages at different times. Some of us are more fortunate to speak more than one language, but we must always recognize the cohesive part of the United States, and that is being an American. English will come. But to pick out one part of this bill and to say this is a requirement before it ever happens is a poison pill amendment to this legislation.

Let us talk about history again. This is the last territory of the greatest democracy, America. A territory where no one has a true voice, although our government does an excellent job, but there are approximately 4 million Puerto Ricans that have one voice that cannot vote. This is not America as I know it. This is an America that talks one thing and walks another thing. This is an America that is saying, if Members do not accept this legislation, ''no'' to who I think are some of the greatest Americans that have ever served in our armed forces and are proud to be Americans but do not have the representation that they need.

This legislation is just the beginning. It is one small step of many steps. It is a step for freedom, it is a small step for justice, it is a small step for America. But collectively it is a great stride for democracy and for justice.

This legislation should pass. The amendment of the gentleman from New York (MR. SOLOMON) should be defeated. We should go forth and show the people of America, show the people of Puerto Rico, that our hearts are true, so that the rest of the world will follow the example of the great United States and free their territories and free the people so they can have self-determination. This is what this bill does, and that is all it does.

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

Mr. MILLER of California. Mr. Chairman, I yield 30 seconds to the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ).

Mr. ROMERO-BARCELÓ. Mr. Chairman, I would love to be able to speak for 30 minutes, an hour or two hours on this subject, but there are so many other people that want to speak on this subject, and many of my colleagues have heard me over and over on this, that I am going to yield some of the time that I would have been allotted so that other Members of this Congress can address the House in support of this bill which is a very, very important bill for the people of Puerto Rico, for the 3,800,000 U.S. citizens in Puerto Rico.

Mr. MILLER of California. Mr. Chairman, I yield myself 4½ minutes.

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman, the Committee on Resources of the House of Representatives had an obligation to report to this floor a fair and accurate plan for the citizens of Puerto Rico to choose their status. I believe that this committee has met that obligation.

Mr. Chairman I thank the gentleman from Alaska (Mr. YOUNG), chairman of the committee, for leading us through what has been a difficult process. I also thank the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ), our friend, for all of his help in this process.

Mr. Chairman, the people of Puerto Rico, if this bill is passed, will be given the opportunity by the Congress of the United States under the laws of this Nation to choose their status. They can choose to continue in the commonwealth arrangement, they could choose to become an independent nation, they could choose to become one of the States of the United States of America.

Our obligation was to see that when this process went forward to the people of Puerto Rico, that it was a fair process, that it was an accurate process. We had had an earlier plebiscite where the parties wrote their own definitions and the people voted, and the Congress has done nothing because the Congress knew in fact those definitions, whether they were of statehood or of commonwealth, were, in fact, not accurate and would not be supported by the Congress of the United States and did not reflect the laws and the Constitution of this country.

In the committee, I was very distraught at beginning of this process because I felt that those who support commonwealth were not able to present their definition to the Congress, to the committee. I worked very hard so that that definition could be offered. I offered that definition. It was turned down overwhelming on a bipartisan basis. It was something called ''enhanced commonwealth.'' It was sort of a make-believe status of commonwealth.

□ 1230

The suggestion was that if you voted for commonwealth, you would then be empowered to pick your way through the Constitution of the United States and the laws of the United States and pick and choose which laws you wanted to apply and not have apply, and that you did not have to live under the power of the Congress of the United States or of the Constitution of the United States. That simply was unacceptable to the overwhelming majority of the committee. I believe it is unacceptable to the overwhelming majority of this House. Someone can certainly come forward and offer that amendment this afternoon, should they choose, and I believe it would clearly be unacceptable to the people of this country.

So what we put forth is a definition of commonwealth that recognizes their current status today, that they live in a commonwealth arrangement. It says Puerto Rico is joined in relationship under the national sovereignty of the United States. It is the policy of the Congress that this relationship should only be dissolved by mutual consent. That is the situation that we have.

We went on to say that in the exercise of the sovereignty, the laws of the commonwealth shall govern Puerto Rico to the extent that they are consistent with the Constitution of the United States. There is no other way to do business, consistent with the Constitution of the United States, treaties and laws of the United States, and the Congress retains its constitutional authority to enact laws that it deems necessary relating to Puerto Rico.

That is the burden of commonwealth. That is why some people do not like it. Some people would prefer independence over commonwealth, and some people would prefer statehood. There is a certain burden to commonwealth. We cannot pretend that there is not. But the people of Puerto Rico ought to be able to choose that. They have to be able to choose the status that they want.

That is what this legislation does. It enables the people of Puerto Rico to make their choice; not our choice, their choice. And hopefully under this legislation, the Congress would then honor that choice after the President and others have worked out a plan to enable that choice to go forward. That is what this legislation does. Nothing more, nothing less.

I think it is an important piece of legislation. I think it is recognized that the people of Puerto Rico are entitled to and must have a free and fair vote on this matter. I would hope that my colleagues would support this legislation to allow that to happen.

Mr. Chairman, the House today considers H.R. 856, a complex bill that has, at its core, a very basic concept: the right of a free people to determine the political system under which they live.

Puerto Rico has been a part of the United States for a century. Its residents, whether they live in San Juan, Mayaguez, New York or San Francisco, are United States citizens. H.R. 856 gives those 4 million Americans the right to decide their future status relationship to the rest of the United States: to become an independent nation, to become a state, or to remain in commonwealth status.

Unlike some of my colleagues who have worked on this issue over the past decade, I do not have a personal preference. I believe status should be determined by the governed. Our obligation is to present fair and accurate status options to the voters of Puerto Rico—options that reflect Constitutional and political reality—and to honor the choice made by a majority of the voters.

During much of the consideration of this legislation by the Resources Committee in this Congress and the previous Congress, I could not support the legislation because I did not believe that the very sizeable number of Puerto Rican voters who support the Commonwealth option were treated fairly. Originally, this bill did not even contain any Commonwealth option.

But I am pleased to say that Chairman YOUNG worked closely with me and with others to ensure that each of the political parties

was heard, and that we ultimately agreed on definitions that are fair and accurate. They are included in Mr. YOUNG's substitute, and I support that substitute strongly.

Rarely have we seen more intense lobbying on an issue. It is obvious that opinions are divided on Puerto Rico's status and on this legislation. But let them address some of the misconceptions and misrepresentations that are being circulated about this bill, because Members should not be confused and should not be deceived into voting on this subject based on inaccuracies.

No one in this Chamber is more qualified than I to speak about how we addressed the Commonwealth issue. I so strongly advocated inclusion of a Commonwealth option that I was accused of being pro-Commonwealth. The definition of Commonwealth supplied by that party, which is similar in many respects to the definition on the ballot during the 1993 referendum in Puerto Rico, is not accurate and is not acceptable to the Congress. It is not acceptable that Puerto Rico would be eligible for full participation in all federal programs without paying taxes; it is not acceptable that Puerto Rico would pick and choose which federal laws apply on the island; it is not acceptable that Puerto Rico would be free to make its own foreign treaties.

I appreciate that this is what the supporters of ''enhanced Commonwealth'' want. But the Congress is not prepared to give such unprecedented rights to Puerto Rico while denying them to every state in the Union. Nevertheless, I offered that definition in the Resources Committee so that it would be clear what is and is not acceptable to the Congress. It was overwhelmingly, and bipartisanly, defeated. And Congress should not offer an option to the voters of Puerto Rico that we are not prepared to embrace.

The definition of Puerto Rico now included in the substitute by Mr. YOUNG may not be utopian, but it is historically and Constitutionally accurate.

There are some who argue that this bill is unfair because it fails to recognize that Puerto Rico is a ''nation.'' Puerto Rico, like many other areas of the United States, has a unique history and unique culture; that is in part what makes our country so remarkable and enduring. But Puerto Rico is not a nation in any sense under U.S. law or international law. Our refusal to recognize Puerto Rico as a ''nation'' in H.R. 856 is not a slight; it is accurate.

There are some who oppose this bill because they do not want America to ''wake up tomorrow'' and find out Puerto Rico is going to be the 51st state. This bill provides for a plebiscite to choose among three options, only one of which is statehood. Even if that option is chosen, there is a transition period of up to a decade during which a plan for achieving statehood would be developed, and then voted on in the Congress and in Puerto Rico. And Congress also will vote on an admissions act. So no one should be under a misimpression that this legislation railroads statehood.

Some have raised concerns that admitting Puerto Rico at some point in the future will cost some states seats in this House. I personally support increasing the size of the House to 441 seats to accommodate the 6 new seats Puerto Rico would occupy. In any event, that is a statutory decision to be made by the Congress, just as Congress increased the size of the House permanently when other multi-Member territories were admitted in the 19th and early 20th century.

There are those who argue that Puerto Rico would cost the federal government money were it to become a state. I would hope that the financial status of citizens would not be an issue in determining whether they are accorded the full rights of citizenship. I thought we had resolved that issue by declaring the poll tax and properly ownership unconstitutional. And we should be careful about applying such a standard: as of FY 1996, 29 states—more than half—received more federal expenditures than they paid in taxes. Let's not impose a standard on Puerto Rico that we wouldn't apply to other states.

I also have noted some questions as to why the bill calls for periodic referenda should either permanent status—independence or statehood—not be selected. Let us be clear that the bill authorizes additional referenda, it does not mandate them. The purpose of the referenda is to determine a permanent status, and commonwealth is generally recognized not to meet that test. Should the voters of Puerto Rico decide to continue as a commonwealth, they could do so indefinitely.

Lastly, let me address what has unfortunately become a centerpiece of this debate: whether we should, in this legislation, mandate English as the official national language.

The House voted on that legislation in 1996; the leadership could bring it before the full House again at any time. But this is not the time or place to do it. The Solomon amendment declares English to be the national language, but it imposes a series of additional unconstitutional burdens on the people of Puerto Rico, requiring that ''all communications with the federal government by the government or people of Puerto Rico shall be in English''; requiring that ''English will be the sole official language of all federal government activities in Puerto Rico''; imposing English as the ''language of instruction in public schools.''

We don't need to single out Puerto Rico like this, to inflame this debate and insult the 500-year-old culture of 4 million Americans. We have a reasonable alternative amendment that is going to be introduced by Congressmen DAN BURTON, BILL MCCOLLUM, DON YOUNG and myself that takes a different, and fairer, approach. The Clinton Administration supports our substitute.

Our amendment says Puerto Rico, if it becomes a state, will be treated exactly like every other state. If Congress decides that English is to be the official language and passes a comprehensive law to that effect, then Puerto Rico will be covered Just like every other state. But let's not single out Puerto Rico in a divisive and unconstitutional manner for special treatment.

Our amendment also calls for Puerto Rico to promote the teaching of English because that language is clearly the language that allows for the fullest participation in all aspects of American life. And we call for inclusion in any transition plan of proposals and incentives for promoting English proficiency in the schools and elsewhere in Puerto Rico. Surely, we can reasonably address this issue in an equitable manner without passing a confrontational and unfair insult to our fellow countrymen and women.

The time has come to tell the people of Puerto Rico that the rest of the nation of which they are a part is prepared to hear their views and respond to their desires. That we will stand by our historic and legal tradition that inclusion in America is not dependent on one's background or ethnicity, but on a common allegiance to this nation and its Constitution. After being a part of the United States for 100 years, after sending its sons to war five times in this century, it is time that this Congress recognized the right of Puerto Rico to determine its future in a democratic fashion. That is the purpose and the policy contained in H.R. 856, and I call on the House today to pass this bill, and defeat the divisive Solomon amendment.

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

In April of 1775, hundreds of brave men stormed the bridges of Lexington and Concord, setting in motion a revolutionary struggle for liberty that culminated in my hometown of Saratoga, New York, in the greatest victory for individual freedom and democracy in all of human history. That bloodstained victory of our forefathers has left the legacy that you and I and all of us call America.

Liberty and justice and democracy, these are words that do more than describe our Nation's ideals and principles. They are the very essence of this country of ours. These ideals are able to thrive and to dominate the political and economic landscapes of the United States because of the people's devotion to its unit as a Nation, to an idea that there is something unique, something distinct about being an American.

Throughout my military service, my small-business career and the last 31 years in public office, I have dedicated my life to further the principles of freedom and democracy and self-determination throughout this world. Like all of my colleagues, I have been blessed to live in this most free and democratic Nation in the world, and sometimes you ought to travel overseas into the former Soviet Union and see how much they respect this democracy of ours. It was a product of blood and sweat and commitment to principle, of those who have gone before us.

While serving in the United States Marine Corps during the Korean era, I was privileged to serve side by side with so many Puerto Rican Americans, great people, great personal friends of mine, and to be stationed for a time on the island of Viacus in Puerto Rico where I made some of my closest friendships that today still exist, and during that time I was able to gain a personal affection for the people of Puerto Rico and for their love of liberty and their distinct culture. As a result Puerto Rico and its people hold a very warm space in my heart.

Today the House considers a bill which may lead to a dramatic and permanent change in the lives of these U.S. citizens. It is billed by its supporters as a bill to permanently resolve the political status of Puerto Rico through a process of self-determination. But however lofty and worthy the objectives of this bill, it is a flawed measure

that flips the very principles of self-determination and democracy on their heads, Mr. Chairman. In establishing a self-determination process for Puerto Rico, Congress, under the U.S. Constitution, must answer to two distinct yet equally important interests, my colleagues should listen to this, the citizens of Puerto Rico and the citizens of the United States. I believe this bill as currently drafted fails to answer to either interest, either the Puerto Rican citizens or the American citizens on this mainland, for this bill actually violates self-determination. Read the conference, read the report of this bill which was authored by the gentleman from California (Mr. MILLER).

I strongly support allowing the citizens of Puerto Rico to vote on the future of their political status. In fact, they actually do not need to get permission from this Congress of the United States to do so. In fact, they already did in 1952, in 1967, and again in 1993. However, I firmly believe that in order for a political process to deliver self-determination, it must always allow for the participation of all of its citizens, not just some. This bill as currently drafted not only requires, but listen to this, it demands that Puerto Rico hold a plebiscite before the end of this year, 1998. Who are we to tell them? In that referendum the citizens of Puerto Rico will be asked to choose between commonwealth, between separate sovereignty and statehood. This seems to be simple enough. However, Mr. Chairman, there is a catch to it.

Members of this House should be aware that the Statehood Party of Puerto Rico supports the ballot definition of statehood in this bill, and the Puerto Rican Independence Party supports the ballot definition of independence in this bill. However, the Commonwealth Party, the party that actually won every past referendum on political status, does not support the definition of commonwealth in this bill. And ask yourself why not?

In fact, the definition of commonwealth was written not just once but twice by the supporters of the statehood option without the approval of the vast majority of the people in Puerto Rico, the Commonwealth Party. What this means is that the largest political party in Puerto Rico is faced with a grave choice under this bill. They can either choose to campaign, to support, to vote for a ballot definition that directly contradicts the very premise of their political party's existence, or they cannot participate in the referendum. They have chosen not to participate, and that is a terrible shame.

So first and foremost, the House is debating a measure designed to determine Puerto Rico's political status in which one of the three local political parties, in fact the largest in Puerto Rico, will not even participate. How is that going to take an accurate and democratic measure of the political choices of those 3.8 million U.S. citizens there? The fact is, it is not.

Mr. Chairman, back in 1990, the last time this House considered similar legislation, all of the parties were supportive of the process and supported that bill because it was a fair bill. I voted for it. It sailed through the House under suspension of the rules only to be stalled in the other body. Today we debate a controversial bill not just here in the United States, but also in Puerto Rico.

One final comment on this bill's self-determination problems, Mr. Chairman. As this bill currently stands, it requires Puerto Rico permanently to hold this referendum every 10 years until statehood gets 50 percent plus 1. Then the transition and implementation process begins. Since the current support for independence hovers around 5 percent and for statehood around 45 percent, the likely outcome of a forced decennial vote seems likely to be statehood with hardly half the population supporting it.

This bill also contains certain constitutional pitfalls. Mr. Chairman, Members should listen carefully to what I am about to say because their constituents want to know this. Under this bill, if the citizens of Puerto Rico choose statehood in the first referendum, the constitutional protections given States begin to apply to Puerto Rico upon the President's submission of a transition plan taking Puerto Rico from commonwealth to statehood.

What this means is that the process of integrating Puerto Rico into this Union begins with a vote of the transition bill. Members better remember that. According to the Supreme Court in Balzac v. People of Puerto Rico, way back in 1922, once the process of integration begins, it is very difficult to reverse, and we will not reverse it.

The catch with this provision is that under this bill, Congress will be required to vote on this transition plan as early as early next year. While Puerto Rico may not officially join the Union for another 5 or 6 or 7 or 10 years, the vote to begin the admissions process could take place as early as next year, and there would be no turning back at that point.

Such a voting strategy is almost identical to that done when we gave away the Panama Canal to Panama and when Great Britain gave Hong Kong back to China. Members better start thinking about that because their constituents are thinking about it. A vote to do it occurs now, while it actually changes hands sometime in the future. That is what we are voting on here today.

Mr. Chairman, our constituents want to know, they want us to listen and to be careful about this. With the referendum required to be held before the end of this year, this bill requires the President to send Congress transition legislation within 180 days of that referendum. That means if that referendum is held in December, as late as December of this year, within 180 days the President is ordered to send us a transition bill. Within 5 days of the receipt of that bill, the majority leaders of the House and the Senate are required to introduce the bill. And within 120 days of introduction, a vote occurs on the bill on the floor of this House of Representatives, which could happen next July or August or September or October or November or December of 1999. That is how close this is.

In essence, this bill sets up a process whereby the citizens of Puerto Rico are forced to vote until they choose statehood, and then the process kicks in to high gear under expedited procedures as I have just outlined.

Yes, it is true that it may take up to 10 years, as the bill says, for the process to run its course, but the bulk of the actual process occurs up front, and Members had better understand it.

The most serious constitutional reservation of this bill involves the treatment of the rights enjoyed by the people of Puerto Rico currently under the commonwealth status. The ballot contained in the bill states that Congress may determine which rights under the United States Constitution are guaranteed to the people of Puerto Rico.

This statement is wrong at several levels. First, it rests upon the remarkable proposition that Congress has the authority to deprive the people of Puerto Rico of any and all of their constitutional rights. This provision of this bill is demonstrably false, Mr. Chairman, because even Puerto Rico, if it were an unincorporated territory, the people of Puerto Rico would be still guaranteed fundamental constitutional rights. That is why so many people in Puerto Rico support commonwealth.

The description of the citizenship rights of Puerto Rico is similarly flawed. It states that Puerto Ricans are merely statutory citizens and implies that their citizenship may be revoked by Congress. Well, the people of Puerto Rico are United States citizens within the meaning of the 14th amendment. Get the amendment out. Read it. The 14th amendment. These points were clearly enunciated yesterday by our colleague, the chairman of the House Committee on the Judiciary, Subcommittee on the Constitution. We have it over here, if Members want to read it.

Third and finally, this bill fails to clearly lay out how assimilation would occur under the bill for either Puerto Rico or the United States, and this is the most important part of this entire debate. As I stated earlier, I have a great deal of respect for the pride and for the culture of the people of Puerto Rico. They are wonderful people. I believe, as do many of my colleagues, that Puerto Rico is a nation, it is unique and distinct in its own right, and Puerto Rico has every right to preserve and enhance this rich heritage of culture and history. That is their right.

But if the citizens of Puerto Rico freely choose to seek statehood, they should understand clearly, and I think my good friend the gentleman from Illinois (Mr. GUTIERREZ) made this point

earlier, what are the assimilation expectations of the American people, of the 260 million Americans in this country? Puerto Rico deserves a clear, concise and direct discussion of these issues. They have not had that. They do not know what the assimilation would be. Admitting a State requires the assimilation of a territory within the Union of States, and language differences are the number one barrier to actual assimilation. The bill before us today contains the most vacuous statement of language policy that I have ever seen.

□ 1245

How will the average citizen of Puerto Rico understand what this means if we cannot even understand what it means ourselves? And I would ask every Member back in their offices to pick up the bill and read it. In this regard, the bill's language regarding English is weak, it is inadequate, and must be clarified for the benefit of the people of the island of Puerto Rico because they need to know what they are getting into.

My fellow colleagues, it was Winston Churchill who stated that the gift of common language is a priceless inheritance and, Members, not explicitly stating what role Puerto Rico's inherited Spanish language and our common tongue, English, would play in a State of Puerto Rico, I believe, would be a grave mistake for everyone.

To rectify this I intend to, later in the debate, offer an amendment regarding the role of the English language, which I believe very clearly explains this issue to both the American people and to the people of Puerto Rico.

Now, some of my friends are going to argue that I have specifically selected the statehood option for the bulk of my criticism with this bill and that it is merely a process bill which includes that as an option. Let me make something perfectly clear. For my constituents in upstate New York, who are wedged between Canada and New York City, between Quebec and New York City, the statehood option for Puerto Rico is the choice with the most far-reaching and permanent consequences. It is a permanent relationship that requires assimilation, and that choice needs to be decided by an overwhelming majority of the citizens of Puerto Rico before my constituents and before my colleagues' constituents will agree to let them join the Union.

It must be clear to our good friends in Puerto Rico that if they choose statehood, it is still within Congress' powers as representatives of this country to say no. Statehood may be an option at some point in the future, but the American people are going to have to examine that situation at that time, and that time is today. We cannot force a decision on the citizens of Puerto Rico and the citizens of Puerto Rico cannot force the United States to accept a decision.

The Puerto Rican people deserve to know exactly what they are voting on and the American people deserve to know the ramifications of each of those options. Until this bill becomes an actual self-determination bill, passes constitutional muster in all of its components, and fundamentally addresses the issue of assimilation, I will oppose this bill. And I hope we can clarify it by adoption of my amendment later on this afternoon.

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

Ms. VELÁZQUEZ. Mr. Chairman, I rise as the designee of the gentleman from Illinois (Mr. GUTIERREZ), and I yield myself such time as I may consume.

Mr. Chairman, I rise today to express my strenuous opposition to H.R. 856, the United States-Puerto Rico Political Status Act. Mr. Chairman, I think that we can all agree that the people of Puerto Rico must be given the right to self-determination. Unfortunately, H.R. 856 does not accomplish this.

This bill is the product of a flawed legislative process that was designed to produce a very specific result. It was written without consulting all the parties that have a very real interest in its outcome.

Proponents of H.R. 856 will try to say that this is a bill about self-determination. They are misleading their colleagues. Instead, H.R. 856 is a one-sided bill that is biased in favor of Puerto Rican statehood. It was written by the party that supports statehood in a way that promotes statehood without consulting all the participants in this very, very sensitive process.

Under H.R. 856, Puerto Ricans will be given the choice between statehood, Commonwealth status or separate sovereignty, yet the Commonwealth option does not even guarantee citizenship. Why was citizenship not statutory back in 1990 when this House voted for this bill? I do not understand what happened since 1990.

The authors of this legislation have said that our citizenship is statutory. Simply put, this means that our citizenship can be taken away. Tell that to the widows of men who fought and died in foreign wars so that citizenship of all Americans will be guaranteed. Mr. Chairman, tell that to my uncle, who fought valiantly in Korea for my colleagues and for me and for all Americans everywhere.

Furthermore, if the people of Puerto Rico were to choose Commonwealth status, the bill will require further plebiscites until either statehood or separate sovereignty wins. This double standard applied to Commonwealth shows how the deck is stacked in favor of statehood. Under those conditions, not even the most forceful defender of Commonwealth status will vote for it.

Many people forget that the original version of this bill did not even include a Commonwealth option. The party that supports Commonwealth status had no input in the drafting of H.R. 856 and has been repeatedly shut out of the process. Amazingly, the president of the Commonwealth party learned about the bill's definition of Commonwealth from a reporter.

In fact, the statehood party had to rewrite the Commonwealth definition after a poll in a major Puerto Rican newspaper showed that 75 percent of Puerto Ricans supported the inclusion of a fair and balanced Commonwealth option, which this bill lacks. Today, and I repeat, today in Puerto Rico a new poll was released that shows that 65 percent of the people of Puerto Rico reject this bill.

Mr. Chairman, it is an outrage to the democratic process that the definition for Commonwealth status was written by the very party that opposes it. It is like allowing Republicans to decide who could appear on a Democratic ballot.

Five years ago, the people of Puerto Rico held a plebiscite on this issue and chose to maintain their current status. This is a situation that the losers in that contest do not seem willing to accept. Yet the outcome was an important one. It reaffirmed the permanent United States citizenship of the people of Puerto Rico that is guaranteed under the Constitution. It acknowledged the bilateral nature of the U.S.-Puerto Rico relationship. It confirmed the autonomous status of Puerto Rico, which can only be changed by mutual consent.

The supporters of H.R. 856 are rejecting each and every one of these arguments when they say that citizenship can only be protected under statehood. Puerto Ricans are American citizens and we are proud to be American citizens. We do not need a plebiscite to prove that we are Americans any more than the people of Massachusetts or Virginia do.

This bill is not the result of a democratic process. It does not define all the choices to the satisfaction of the very people who will participate in this plebiscite. By defeating this bill we will be sending a message that we truly honor the idea of self-definition for the people of Puerto Rico.

Mr. Chairman, I urge my colleagues to not be fooled by the arguments of the other side. A vote for H.R. 856 is a vote for statehood, not a vote for self-determination.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. MCCOLLUM).

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

Mr. MCCOLLUM. Mr. Chairman, we have embarked on one of the more significant debates this Congress will have in this 2-year period, maybe one of the more significant debates that we can have because we are trying to find a way to resolve concerns we all have about a part of the United States. Make no mistake about it, Puerto Rico is part of the United States.

In my State of Florida, which is right next door, it is a neighbor, it is a very

friendly neighbor, the people of Puerto Rico are citizens of the United States. There are no Customs checks or boundaries between our country and theirs or my State and Puerto Rico.

Puerto Rico is a Commonwealth. It is a funny kind of status to most of us because we do not think of it in that way very often, at least I do not. I know that anybody who lives in Puerto Rico can come live at my State or Texas or Minnesota or New York, anywhere, any time they want to. That is fine.

Travel is free. People talk to each other all the time. There is a common bond that is there. And I think it is important for us as we debate this bill today to recognize the depth of this relationship and the importance of it and the tenderness of it.

The people of Puerto Rico have sacrificed many times over for the United States. Many men have given their lives in the service of this country from Puerto Rico over the years. We have been partners for years and years and years.

I believe it is very, very important that we give the people of Puerto Rico, as this bill does, an opportunity to determine what they wish us to consider in this Congress in the coming years regarding their future status.

It is not, as has been said before, that this legislation would determine whether or not Puerto Rico were to be a State or not. It is to give to the people of Puerto Rico a plebiscite, a vote, an opportunity to say yes to statehood, we would like you to consider that, Congress, or, no, we would rather stay in the Commonwealth status, or possibly we would rather be independent.

If this is not resolved in favor of statehood or independence now, it provides a vehicle for there to be future opportunities for the people of Puerto Rico to speak out on this issue and to debate all of those things that have been discussed today that need to be debated. There needs to be that kind of debate. That is what it is all about.

Yes, if Puerto Rico becomes a State, there will be expectations on both sides. We need to have a further airing of that. That is what the plebiscite debate in Puerto Rico would be all about.

Certainly assimilation in that broad sense of the word has always been part of the American tradition. But we assimilate immigrants into this country, and Puerto Ricans are not immigrants. They are citizens. But we assimilate immigrants into this country, and, ultimately, make them citizens every year, every day. We have done it since the beginning of the nations history.

We should not be concerned about the challenges involved in it. I do not think either side should be concerned. But we should be open about it. We should discuss it, and we should have a fair debate about it. But above all else, we need to be sure that the people of Puerto Rico get the chance to have that debate first.

So I urge my colleagues in the strongest sort of way to vote for this resolution today to give the Puerto Rican people that opportunity.

I would like to make a couple of comments, too, about who has supported this in the past. We have heard people debate, what did Ronald Reagan or George Bush say about it? Well, when the Puerto Rican statehood plebiscite was being discussed in November 1993, Ronald Reagan said,

> My friends, as you consider whether or not you wish to continue being a part of the United States, I want you to know one thing, the United States will welcome you with open arms.
>
> We've always been a land of varied cultural backgrounds and origins, and we believe firmly that our strength is our diversity.
>
> There is much Puerto Rico can contribute to our Nation, which is why I personally favor statehood. We hope you will join us.
>
> Thank you and God bless you.

So I think that it is important that we understand that the history has been of this Nation that many, many, many people have urged statehood on Puerto Rico in the past. But, again, that is not the purpose of the plebiscite. It is for the people of Puerto Rico to decide that.

We are also going to hear the question about English being discussed out here. The gentleman from New York (Mr. SOLOMON), a moment ago, was discussing that question.

I favor English as the official language of the United States. I have been a cosponsor of bills to do that for a long time. All 50 States, and if we get a 51st State, the 51st State, too, should abide by that. That should be our official language. We should put it in the statute of the books of this country to say that. But to attach it to this bill sends the wrong signal.

We are interested in seeing Puerto Rico treated as everybody else. If we actually have an official language statute ever become law, and I hope it does, it should apply to all of the territories, the Commonwealths, the possessions of the United States. It should be known that English is the official language of the United States. But I do not believe it should be adopted on this bill today.

I would urge the support for the substitute amendment that I am helping cosponsor later on.

The CHAIRMAN. Who rises as the designee for the gentleman of California (Mr. MILLER)?

Mr. ROMERO-BARCELÓ. I do, Mr. Chairman.

Mr. SOLOMON. Mr. Chairman, we have a Member that has to get back to a hearing, so I would take him out of order.

Mr. Chairman, I yield 4 minutes to the gentleman from Virginia (Mr. GOODLATTE.)

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

Mr. GOODLATTE. Mr. Chairman, I rise in strong opposition to H.R. 856 because I have serious reservations about the constitutionality of this legislation which authorizes the Commonwealth of Puerto Rico to hold a referendum to determine Puerto Rico's political future and prescribes the wording of the ballot to be submitted to the voters.

Under the Act, the voters of Puerto Rico purportedly may choose to maintain the current Commonwealth status, to become a State, or to become an independent Nation. The ballot language mandated by the Act, however, severely mischaracterizes and denigates Puerto Rico's current Commonwealth status.

□ 1300

The ballot language mandated by the act, however, severely mischaracterizes and denigrates Puerto Rico's current commonwealth status. These repeated misstatements clearly appear to be designed to ensure that the statehood option prevails. Any doubt on this vanishes when the act's prescribed ballot is read in conjunction with other provisions of the act.

For instance, the act calls for a referendum every 10 years until the statehood option prevails. And the legislative history, the committee report is openly hostile to the current commonwealth status. Thus, a referendum using the prescribed ballot would deny the people of Puerto Rico an informed and accurate choice concerning their future political status and would reveal nothing about the true sentiments of the people of Puerto Rico on this important question.

The most serious misstatements contained in the act relate to its treatment of the rights enjoyed by the people of Puerto Rico under commonwealth status. The ballot contained in H.R. 856 states that Congress may determine the rights under the United States Constitution that are guaranteed to the people of Puerto Rico. This statement is wrong.

The act's description of the citizenship rights of the people of Puerto Rico is similarly flawed. The act states that Puerto Ricans are merely statutory citizens and implies that their citizenship may be revoked by Congress. The people of Puerto Rico, however, right now are United States citizens within the meaning of the 14th Amendment of the United States Constitution.

The ballot language mandated by H.R. 856 also mischaracterizes Puerto Rico's current political status. The act describes Puerto Rico as an unincorporated territory of the United States. Beyond the pejorative connotations associated with this term, which was used to describe the United States' colonial possessions, this description is inappropriate because the United States Supreme Court has held that Puerto Rico, like a State, is an autonomous political entity sovereign over matters not ruled by the Constitution. But these falsehoods are to be right on the ballot, mischaracterizing the commonwealth's status, when Puerto Ricans vote.

The purpose of the proposed referendum is to learn the sentiments of the

people of Puerto Rico. In light of the fundamental inaccuracies, any referendum using the prescribed ballot could not be relied upon as an honest reflection of the sentiments of the people of Puerto Rico. Accordingly, the act as currently formulated necessarily fails to accomplish its very purpose.

Equally important, these fundamental inaccuracies in the ballot's description of the commonwealth status option effectively deny the people of Puerto Rico their constitutional right to exercise the franchise in a meaningful way. As the proponents of Puerto Rican statehood well understand, the commonwealth option described in the ballot will attract no significant support among Puerto Rico's voters, including voters who are otherwise ardent advocates of continuing Puerto Rico's commonwealth status.

Thus, the referendum contained in the act infringes on the voting rights of the people of Puerto Rico by presenting them with a factually inaccurate choice, a false choice as to their political future status. In short, H.R. 856 presents the people of Puerto Rico with a ballot that is stacked in favor of the statehood option. From the very start, the election is rigged. The ballot language mandated by the act is designed to ensure this result regardless of the true sentiments of the people of Puerto Rico.

Such a palpably deficient ballot raises serious constitutional issues. Moreover, as a matter of policy, it certainty cannot be justified as an effort to give Puerto Ricans meaningful self-determination. Mr. Chairman, I oppose this legislation and I ask others to do so as well.

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself 30 seconds to respond to the gentleman's comments. I want everybody to understand one thing. As chairman of this committee, we did this job right.

The gentleman talks about constitutionality. He does not know the Constitution from something else. We sent this down to the Justice Department. They reviewed it with the best constitutional lawyers. Everything in this bill is constitutional. I did this job correctly as chairman. To have someone say it is not constitutional or allude it is unconstitutional when it has been thoroughly scrubbed by those that know the Constitution, I think is inappropriate.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Chairman, let me just underscore this. Let us go over it and over it and over it again. If Members do not like the language of this bill, if they do not like the definition of commonwealth in this bill, they do not like commonwealth. If Members find that the language that we use to describe commonwealth is repugnant——

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The gentleman will suspend.

The Chair will admonish those in the gallery and remind all persons that they are here as guests of the House, and that any manifestation of approval or disapproval of any of the proceedings is a violation of the rules of the House and will not be permitted.

The gentleman may proceed.

Mr. KENNEDY of Rhode Island. Mr. Chairman, the fact is that if everyone is so insulted by this process, I hear the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Illinois (Mr. GUTIERREZ) say, ''I don't like this process because they shut out a political party in Puerto Rico.'' Let us understand what they are shutting out, although it is not the case, I will argue.

But let us just assume that we are shutting out the PDP, the Populares in Puerto Rico. What do they want? They want the commonwealth status. What is the commonwealth status? It is colonial status. It is saying that this Congress can decide unilaterally, without Puerto Rico's opinion or approval, what we want Puerto Rico to do. End of story, I say to the gentleman from New York (Mr. SOLOMON).

So when you talk about how we are being unfair, think about it. We are being unfair because we do not like commonwealth. You bet I do not like commonwealth. I do not like the fact that 3.8 million people are disenfranchised, 3.8 million United States citizens who fought in our wars, who died in our wars are not even allowed to vote for their Commander in Chief. Can you imagine?

This country was founded, at the Boston tea party we declared our Revolutionary War, because we did not have representation here. That is what they do not have. Puerto Ricans cannot decide this bill. The gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) has no vote. He represents 3.8 million United States citizens. This is a bill that affects them, and they have no vote. What is that, other than colonialism?

This bill will give them statehood if they vote for it. Let us say they do not want to vote for statehood now, they still like this quasi-colonial status. We give them an opportunity, because in the final analysis, it has to be the United States.

I think it is so insulting that I have to be up here deciding on something that the people of Puerto Rico should be able to decide with or without my approval, with or without the approval of the gentleman from New York (Mr. SOLOMON), with or without the approval of the gentleman from Alaska (Mr. YOUNG). We represent other States. Why should we have any say in the matter with respect to Puerto Rico? We were not elected by the Puerto Ricans. They deserve their own representation. If we vote for this bill, they will get their own representation.

Mr. GUTIERREZ. Mr. Chairman, I yield myself such time as I may consume. Let me explain to the gentleman from Rhode Island (Mr. KENNEDY) why we are deciding this bill. We are deciding this bill because, unlike the description that the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) has given, we did not welcome the United States to Puerto Rico. Puerto Rico was invaded by the United States during the Spanish-American Civil War.

Mr. KENNEDY of Rhode Island. No argument there. No argument there.

Mr. GUTIERREZ. Let us be clear. The gentleman is right. We are making the decisions because that is what is happening.

Mr. Chairman, I rise to strongly oppose H.R. 856 because this is the exact opposite of what its supporters pretend it to be. H.R. 856 is supposed to be a bill for self-determination, not for statehood, which my friend from Rhode Island has every ability, he is for statehood. That is what he wants. If I were for statehood and I was willing to gamble everything for statehood, I would be for this bill because this is a guarantee that statehood is going to win the plebiscite. I can understand that. Let us be clear.

Now I want to be clear about my position, also, Mr. Chairman. I am for independence for Puerto Rico. I am for independence for Puerto Rico. There was a time that the statehooders and the commonwealthers and the whole system would jail people like me for being for independence for Puerto Rico. That is why there are not more people for the independence of Puerto Rico. As they jailed the people of your former fatherland, Ireland, for wishing the independence and the sovereignty of that nation.

I would suggest to everybody what we can oppose, and it is wrong. Supporters of this bill have approached my colleagues on both sides of the aisle, Mr. Chairman, and told them that the passage of this bill only means that Congress authorizes the people of Puerto Rico to express their preference for political status among 3 options.

Some supporters of the bill have played a very cynical game of telling some of my Democrats, ''Vote for this bill, and you will have 6 new Democratic Members of the House and 2 new Democratic Senators. That is why we should vote for the bill.'' That is being and that should be said here, because that is part of the debate and the conversation, and we should fully explain to the people of Puerto Rico how it is that this Congress is arriving at a decision to make their self-determination.

At the same time, some of the very same people have circulated a memorandum full of very strange statistics. Mr. Chairman, beware of strange numbers for they could be telling stranger lies. It is a memorandum entitled ''Puerto Rico, Republican Territory,'' in which some magician tries to convince the uninformed that Puerto Rico will produce 6 Republican Congressmen and 2 Republican Senators.

It sounds strange to me. The gentlewoman from New York (Ms. VELÁZQUEZ), a Puerto Rican; the gentleman from Illinois (Mr. GUTIERREZ), of Puerto Rican descent; the gentleman from New York (Mr. SERRANO); and even the Resident Commissioner has decided to sit on our side of the aisle, the main proponent of this bill, and he is in the Democratic Caucus. Let us not play games with one side or the other getting some advantage over this, because that is not respectful. Mr. Chairman, this is a strange manner in which to conduct a serious debate on the future of a whole people.

Self-determination is a serious matter. The sacred right of self-determination has to be exercised in a totally democratic, open and above-board fashion. The true sovereignty of any nation, and Puerto Rico is indeed a nation, rests with its people. I think that the Members of this Congress should understand what the people of Puerto Rico believe, because this is something that is going to affect them.

They did a poll in Puerto Rico, El Nuevo Dia, that is The New Day, the largest paper of circulation in Puerto Rico; by the way, owned by a statehooder. They asked the people. On the nationality question, 65 percent of the people see themselves as Puerto Rican and not American, 65 percent of the people in Puerto Rico; 62 percent of the people consider their Nation to be Puerto Rico and not the United States.

But at the same time, 75 percent consider their American citizenship to be very important. Strange, you say, that sounds like a contradiction. It is the contradiction of colonialism, obviously. But it is also what the authors of this understand very well. On the one hand, they tell you, Puerto Rico is not a nation, it is just a group of people. It is this little tropical island that sits out there somewhere in the Caribbean.

But let me tell everybody in this room, the people of Puerto Rico which you are deciding today their options, consider themselves as a Nation. They consider to have a nationality, that nationality being Puerto Rican. You should understand that. You should understand that very, very clearly.

At the same time they want to keep their American citizenship. I think that that is very clear. Just March 4, they asked the people of Puerto Rico what they think about the Young bill. They asked the people of Puerto Rico. They said 35 percent reject the Young bill, 33 percent support the Young bill, and another third do not have an opinion on the Young bill. It says if Puerto Ricans within the great diaspora of Puerto Rico, that is Puerto Ricans in the United States, do not get to vote on this, over half of them say we should reject the Young bill.

□ 1315

That is the people of Puerto Rico. But let me go further, Mr. Chairman, because I think it is very, very, very important that we understand what is going on here.

Look, there is a value I hold even dearer than my wish for the independence of Puerto Rico, and that is the respect that I have for the true aspirations of the Puerto Rican people. That is their inalienable right of the people of Puerto Rico to their self-determination.

That is precisely why I oppose this bill so strongly. H.R. 856 is exactly the opposite. It is a bill, read it, it is a bill that is cleverly designed to obtain an artificial majority for statehood for Puerto Rico and to lead Congress down an irreversible path, first through the incorporation of Puerto Rico, and then to the admission of Puerto Rico as the 51st State of this great union. In fact, some opponents of H.R. 856 call this a trap.

Now, Congress makes an offer of statehood to the people of Puerto Rico. The only requirement, the only requirement, is that a simple majority vote in favor of statehood. But the ballot is so stacked in favor of statehood that I am going to read a quote, and, please, listen to this quote:

The Resident Commissioner, CARLOS ROMERO-BARCELÓ, said, ''Victory for statehood is guaranteed because the definition of ''commonwealth'' does not include fiscal autonomy and does not include U.S. citizenship, a guarantee. The definition of Commonwealth in this bill is that of a territory. We just left the word ''territory'' out.'' Quote-end quote of the Resident Commissioner of Puerto Rico here.

So I am not saying this bill is stacked in favor of statehood; the very proponent, the Resident Commissioner of Puerto Rico, has stated this publicly, and that is wrong, to play politics, partisan politics.

Mr. Chairman, I want to thank the gentleman from Alaska (Mr. YOUNG), and I want to thank the gentleman from California (Mr. MILLER), because both gentlemen have been decent with me. When I asked to participate in their hearings, they both know that they had to override objections of certain Members to allow me to participate in their committee, but they did. The gentleman from California (Mr. MILLER) and the gentleman from Alaska (Mr. YOUNG) have always listened to me, have always come and said, ''Luis, what do you think? Let us talk about this.''

I know that the gentleman from California (Mr. MILLER) tried to fix this. I know he did. He did make every attempt to fix this, and I know that he went to everybody and tried to bring people together. He testified so yesterday, and I know it to be a fact. Unfortunately, it was not able to be done. It was not able to be done. This has to be a process of consensus, of building people together.

Mr. Chairman, do you know something? That is why I did not yield, because when I asked for the opportunity to speak about this issue, I was objected to time and time again. I will respect the wishes of those who wish to speak to this issue that have respected the wishes of the people of Puerto Rico and all Members of this House, but do not expect treatment from me which others have disregarded for others.

Once the people of Puerto Rico vote for statehood under this rather unfair game plan, the Commonwealth Party has said it cannot participate in the plebiscite. That is going to be a problem. You have got about 48 percent of the people who say if you do it this way, we are not going to participate in this thing.

Now, I am going to make one last statement and then reserve the balance of my time. Look, this is serious. This is serious. If you approve this Young bill, do you know what you have said? You have said that 3.8 million Puerto Ricans do not have the protection of the 14th Amendment of the Constitution of the United States. You have said that their American citizenship is not guaranteed.

I will tell you what people will say. They will never take it away. This Congress would never take an action.

Do you know something? My dad did not get to see me until I was a year old, I would say to the gentleman from New York (Mr. SOLOMON), because when he was called to duty, he served. He served, Mr. Chairman.

How can we say that my dad and tens of thousands of other Puerto Ricans who have served this Nation, right, that their citizenship is statutory, can be taken away from them at a whim of Congress? I do not believe that.

As a matter of fact, in the 1950 Nationality Act, this Congress approved something that says the 50 states and Puerto Rico, anyone born there, is protected by the 14th Amendment and are citizens of this country. That is what the 1950 Nationality Act says.

So do not come back here and say that commonwealth is statutory citizenship, because, you know something? I want Puerto Rico to be a free and independent nation, and in that I disagree with my colleague, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ). The gentleman wants it to be assimilated and a state, but I think it is important, it is important, that the people of Puerto Rico have the definitions that they can have.

Lastly, in 1993, when the Resident Commissioner's party was in power in Puerto Rico, the Statehood Party, they controlled the two houses, the House and the Senate, and they controlled the governorship. They had a plebiscite in Puerto Rico.

Why, when they controlled all the rules in Puerto Rico, was the Commonwealth status not not a territory? Why was not the citizenship not statutory when that came up?

Why is it? As a matter of fact, in 1990 we unanimously accepted some definitions here, 1990, and none of these considerations. Do you want to know why? Because they want to stack the cards.

If the people of Puerto Rico want statehood, I will be the first one to come here and support statehood for Puerto Rico, but it has got to be a fair process. People can laugh and people can chide, because they do not understand the seriousness of this matter. This is about the 14th Amendment. This is about my dad, this is about my wife, Soraida, born in Moca, Puerto Rico; and I do not intend to go back to her tomorrow and say her citizenship is any less than mine. She was born a citizen of this country, and I am going to protect her right. It is not statutory, it is protected.

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

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. GEPHARDT), the minority leader.

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

Mr. GEPHARDT. Mr. Chairman, there is no right more fundamental to our democracy than the right of people to decide their political future. American democracy was conceived in the great struggle of the Revolutionary War, and it originated out of a fight for self-determination by the American colonists to be able to control their own affairs.

We have long asserted this right, not only for Americans, but for people all over the world. We have insisted that this is a universal human right that every human being should enjoy. So certainly it should and must be a fundamental right for people living under the American flag as American citizens. Yet almost 4 million American citizens, the people of Puerto Rico, have not enjoyed this right.

We have the opportunity to ensure today that American citizens who have sacrificed their loved ones in our wars, who serve our country in and out of uniform, and who obey our laws, should have a say in their political future. The people of Puerto Rico deserve an opportunity to vote on their future political status, and this bill simply gives them that opportunity. The choice should be theirs, and this Congress should respect that outcome.

This is a simple issue of basic human rights. The bill should easily become law. But today there are many in this Congress who want to hold this legislation hostage to an extreme agenda.

The Solomon English-only legislation, which House Republicans pushed through 2 years ago, but which died in the Senate and which has laid dormant ever since, would impose English-only restrictions that are unnecessary and divisive. While immigrants from all ethnic groups understand the importance and the necessity of learning English, the Solomon amendment does nothing to make this happen any quicker or easier.

The fact that some have raised this issue today is a slap in the face to the people of Puerto Rico, who love America and love their heritage. Instead of enforcing political rights, this amendment would undermine them by weakening the Voting Rights Act and ending bilingual access. Instead of expanding access to government, the Solomon amendment chills communications between Members of Congress and constituents. It imposes unique requirements on the people of Puerto Rico that Congress has not imposed on citizens of any other State of the United States.

Mr. Chairman, I urge the Members to support the bipartisan substitute that is being put forward by the leadership of this committee. It recognizes that it is in the best interests of our Nation and our citizens to promote the teaching of English, and it sets the goal of enabling students to achieve English language proficiency by the age of 10. It does not threaten free and open speech and communication of public safety, and it does not single out the people of Puerto Rico for unique, extraordinary requirements that we ask of no other State in the United States of America.

Finally, it is time to get on with the business at hand. It is time to extend the same rights to the people of Puerto Rico that billions of other people around the world take for granted. Puerto Rico has been a member of our American family for over 100 years. The people of Puerto Rico have waited long enough to finally decide their own destiny. More than a half decade ago Franklin Roosevelt said this to Congress. He said, ''Freedom means the supremacy of human rights everywhere.'' Our support, he said, goes to those who struggle to gain those rights or keep them.

Mr. Chairman, we have a magnificent opportunity today, a bipartisan opportunity, an opportunity to extend the magic and the blessing of freedom and human rights and self-determination to the almost 4 million citizens of the United States, the people of Puerto Rico. Vote against the Solomon amendment, vote for the bipartisan substitute, and vote for this legislation for the meaning of America to be brought to the people of Puerto Rico.

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

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1 minute to the gentleman from Guam.

The CHAIRMAN. The gentleman from Guam (Mr. UNDERWOOD) is recognized for 2½ minutes.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I would like to apologize to the gentleman. In my passionate plea for Puerto Rico, I forgot the great Territory of Guam. We are working very close together. It slipped my mind. So I do apologize to the gentleman.

Mr. UNDERWOOD. Mr. Chairman, reclaiming my time, I thank the gentleman for entering that into the RECORD.

Mr. Chairman, I stand in strong support of H.R. 856 and urge my colleagues to vote for this very important legislation. I applaud the work of the gentleman from Alaska (Chairman YOUNG), the gentleman from California (Mr. MILLER), and my fellow statutory citizen, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ).

H.R. 856 is significant because it establishes Federal responsibility in a process of self-determination for the people of Puerto Rico that would lead to decolonization. The Treaty of Paris, which ceded Puerto Rico and Guam to the U.S. in 1898, clearly gave the responsibility to this body for determining the political status of the inhabitants of these territories. Until this body does this, these areas will continue to remain colonies, 100 years since the end of the Spanish-American War. Until we do this, there will not be clarity in the ultimate political status of these unincorporated territories.

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The bill before us clearly states that the Federal Government has the responsibility to act within a specific time frame and in unequivocal terms so that the process itself does not lead to more frustration and uncertainty. The Federal responsibility must be consistent with a modern 21st century understanding of decolonization, and it must lead to a process which forces expeditious action.

Today, 100 years after the Spanish-American War, the U.S. Congress has the unique opportunity and the moral obligation to resolve Puerto Rico's quest for a clear political status for its citizens. It is the right thing to do.

Mr. Chairman, if Members support democracy and the principle of fairness, I urge Members to vote for 856. It is the right thing to do for the citizens of the Caribbean island, to demonstrate that this country is second to none in the exercise of self-determination, that we are second to none in honoring our treaty obligations, and that we are second to none in the full implementation of democracy.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank the gentleman from Puerto Rico for yielding time to me.

I rise in strong support of this legislation. I rise in strong support for the substitute that will be put forth to the Solomon amendment, and in opposition to the Solomon amendment.

Since 1985 I have served on the Helsinki Commission, which was charged since 1976 to oversee the implementation of the Helsinki Final Act. Within that act it said that the international community ought to respect the self-determination of peoples.

It is one of the most troubling issues that confronts the international community and the emerging democracies

around the world. It is difficult because we need to determine what group, what size, how many do you need for self-determination. Does it need to be an identifiable, geographic area? If so, how large? It is an issue that we deal with in Yugoslavia.

Always, always, always the United States is on the side of those who aspire to make their own decisions. On this floor we have heard some very articulate expressions on both sides of this issue, from people who know the politics of Puerto Rico far more than I. But I know that those articulate people will debate this issue vigorously, and it will be the people of Puerto Rico who make this decision, as it should be. But it is important that this Congress express at home, within our own Nation, that same conviction on behalf of self-determination that we express around the world.

I would hope that we would overwhelmingly, in a bipartisan way, pass this legislation. I want to commend the gentleman from Alaska (Mr. YOUNG) for his leadership on this issue, and the gentleman from California (Mr. MILLER), and indeed, the delegate from Puerto Rico, and all of those who participate in this debate.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I thank the gentleman from Puerto Rico for yielding me this time.

Mr. Chairman, I rise in support of the bill before us today. I rise in opposition to the Solomon amendment. I rise in support of the bipartisan substitute.

Mr. Chairman, the essence of the bill before us today is to allow the people of Puerto Rico to make the decisions about their own destiny, what we like to refer to as self-determination.

For the last few decades we have talked long and often hard about the importance of self-determination in all parts of the world: in Russia, in Cuba, around the globe. It is now time to talk about self-determination for one of our nearest neighbors.

This is not that complicated. That is the beauty of democratic elections. Members have heard here today that there are lots of points of view about this issue within Puerto Rico. Those differences can be resolved by democratic elections. That is what we are here today to do, not to impose any particular form of government, be it statehood, independence, or Commonwealth status, but rather, to let the people, the people themselves decide what form of government they believe is most desirable.

The point is that today Puerto Ricans can fight in our wars but cannot elect the Commander in Chief. They can contribute to Social Security, and they do, but they cannot receive Social Security benefits. We need to change this, and we need to use our time-honored democratic processes to do that.

Mr. Chairman, let me talk for a moment about this notion embodied in the Solomon amendment of English only. We all recognize that English is the common language of our country. It is the dominant language of our country. But who was it that decided that to be an American you had to speak the language of the British Isles? I am not sure that makes sense.

We were a country founded on tolerance, multiculturalism. It seems to me we can make room for those people who speak other languages. We left the Old World to create the New World for precisely this reason, to leave the conformities and traditions of the Old World behind. I think it is time we move forward to true multiculturalism and accept the fact that we do not have to have an ordered language in our society. I urge the adoption of the bill before us.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BONILLA).

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

Mr. BONILLA. Mr. Chairman, the debate we are hearing today reminds me of the demagoguing we heard back when the new majority took over in January of 1995. We tried to do some things that were right for the country, and we were demagogued as those who were trying to end the school lunch program, as those who were trying to eliminate Medicare, and as those who were trying to hurt the environment. We all knew that was not true, but yet the demagoguing continued.

The demagoguing continues today by those who are opposed to this bill, who say that it is going to somehow create a State, a new State, instantly. That is false. That is demagoguing.

There is also demagoguing about how this bill might be promoting bilingualism. That is not true at all, but nonetheless the arguments continue. They say this is anti-Commonwealth. That is also not true. The demagogues know it but they continue to make these arguments, in spite of the truth and substance of what we are trying to accomplish here today.

For those who think somehow that this is going to end the official language of the world, it is also a case of demagoguing. English is the official language of the world. One hundred fifty seven of 168 airlines have English as their official language. There are 3,000 newspapers printed in English in the country of India. Six members of the European Free Trade Association all conduct their business in English, despite the fact that none of the six members are from English-speaking nations. Three hundred thousand Chinese speak English in their own country. Forty-four countries have English as their official language.

The size of the English language, the number of words in the English language, is about 1 million. If we count the insects, and entomologists say there are a million known insects that could also become words, if we added them to our language, you could make 2 million words that would be part of the English language, compared to other languages, like German, that has about 184,000, and French, that has about 100,000 words.

For those fear-mongers who think we need some kind of amendment on this bill to help us promote English, English is already the official language of the world. We do not need an amendment to tell us that. It is going to continue to be the official language of the world. We should support H.R. 856, and all proudly, because of what it stands for, and not be fear-mongering about what it might do to the great language of English that is used worldwide.

I say to my friends, let us stop the demagoguing, let us stop the fear-mongering that we have injected into this debate. Lighten up and support H.R. 856.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida (Mr. DEUTSCH).

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

Mr. Chairman, this is truly a historic debate in this Congress. This is my sixth year as a Member of this Congress. It is the first time we are really talking about an issue about the fundamental union of our States. That is really what we are talking about.

In this Chamber over the last 100 years, and before that in the other Chamber just down the hall for 100 years before that, or just about, this is the kind of debates that went on. Unless it was one of the first original 13 colonies, each State went through a process. There were different debates and different things that went through that process. But that is where we are now.

I think part of the acknowledgment of this bill is something that obviously is controversial, but I think the fact, and people can debate it, is that the status of Commonwealth is an unstable equilibrium. In a sense, the bill acknowledges that. It can continue, but it cannot continue indefinitely. The process of the legislation specifically puts that into statute, and that is why it is critical that this legislation pass.

I would mention that the amendment by the gentleman from New York (Mr. SOLOMON), I think we should acknowledge what the amendment offered by the gentleman from New York (Mr. SOLOMON) attempts to do. We need to be direct about this.

This amendment is really not germane to this bill. It is an issue that in and of itself can be discussed and debated, but to turn English into the official language of the United States is not about this bill. It does not deserve to be on this bill, and it is inappropriately on this bill. I think we have to understand the reason it is on this bill is to kill the bill.

However anyone in this Chamber feels about that particular issue, and I know it is a passionate issue, I urge the

defeat of the Solomon amendment and the support of the substitute offered by the gentleman from Alaska (Mr. YOUNG) and the gentleman from California (Mr. MILLER) and others to assure that this historic opportunity is taken advantage of.

Mr. Chairman, H.R. 856 will enable Congress to administer and determine the status of Puerto Rico in the same manner this institution has been administering and decolonizing territories since the Northwest Ordinance of 1789. The historical constitutional practice of the United States has been to decolonize non-state territories which come under U.S. sovereignty by either full incorporation leading to statehood (as in the case of Alaska and Hawaii) or separate nationhood (Philippines).

For too long Puerto Rico has been diverted from the historical process of decolonization. Because local self-government was established under P.L. 81–600 in 1952, Congress has pretended that Puerto Rico could be administered permanently as a territory with internal constitutional self-government. However, the local constitution did not create a separate nation as the pro-commonwealth party in Puerto Rico argues. Puerto Rican born Americans are still disenfranchised in the federal political system which is supreme in the territory as long as the U.S. flag flies over the island.

Puerto Rico is not a ''free associated state'' in the U.S. constitutional sense or under international law as recognized by the United States. Puerto Rico remains a colony. That is not my choice of words, that is the term used by the McKinley Administration to describe Puerto Rico. It is also the term used by the former chief justice of the Puerto Rico Supreme Court who was one of the architects of the commonwealth constitution.

Because H.R. 856 will define the real and true options that the Congress and the people in Puerto Rico have to resolve the status question, I strongly support this bill. Informing the voters in the territory of the real definition of commonwealth, statehood and separate sovereignty including free association is necessary because of the misleading adoption in 1952 of the Spanish words for ''free association'' by the pro-commonwealth party to describe the current commonwealth status. No wonder people are confused!

Only when people understand the real options can there be informed self-determination, and only when there has been informed self-determination can Congress then decide what status is in the national interest. Then the status of Puerto Rico can be resolved if there is agreement on the terms for status change. If not the status quo continues, but the process to decolonize Puerto Rico will exist. Then Puerto Rico's colonial status will continue only as long as the people of Puerto Rico are unable to choose between statehood and independence on terms acceptable to Congress.

To promote a better understanding of the nature of free association, I would like to share the following background paper on free association written by the U.S. Ambassador who negotiated free association treaties for President Reagan. The U.S. has a free association relationship with three Pacific island nations, and this status is very different from the free association espoused by the so-called ''autonomists in Puerto Rico''—who want to be a separate sovereign nation but also keep U.S. nationally and citizenship.

That ''have it both ways'' approach to free association was attempted in the case of the Micronesian Compact of Free Association, but the State Department, Justice Department and Congress rejected that model as unconstitutional and unwise. It was an attempt to ''perfect'' the legal theory of the Puerto Rican commonwealth as a form of permanent self-government, a nation-within-a-nation concept that has always failed and always will because the U.S. constitution does not allow a Quebec-like problem in our Federal system.

Ambassador Zeder's explanation of free association as an option for Puerto Rico makes the ground rules for this form of separate sovereignty very clear and easy to understand. I include his statement for the RECORD.

The statement referred to is as follows:

UNDERSTANDING FREE ASSOCIATION AS A FORM OF SEPARATE SOVEREIGNTY AND POLITICAL INDEPENDENCE IN THE CASE OF DECOLONIZATION OF PUERTO RICO

(By Ambassador Fred M. Zeder, II)

Consistent with relevant resolutions of the U.N. General Assembly, Puerto Rico's options for full self-government are: Independence (Example: Philippines); Free Association (Example: Republic of the Marshall Islands); Integration (Example: Hawaii). See, G.A. Resolution 1514 (1960); G.A. Resolution 1541 (1960); G.A. Resolution 2625 (1970).

For purposes of international law including the relevant U.N. resolutions international conventions to which the U.S. is a party, the current status of Puerto Rico is best described as substantial but incomplete integration. This means that the decolonization process that commenced in 1952 has not been fulfilled.

As a matter of U.S. domestic constitutional law, a territory within U.S. sovereignty which has internal constitutional self-government but is not fully integrated into the national system of political union on the basis of equality remains an unincorporated territory, and can be referred to as a ''commonwealth.'' (Example: Puerto Rico and the Northern Mariana Islands).

For purposes of U.S. constitutional law, independence and free association are status options which are created and exist on the international plane. Thus, instead of the sovereign primacy of Congress under the territorial clause, the sources of constitutional authority with respect to nations with separate sovereignty include the article II, section 2 treaty-making power and the applicable article I, section 8 powers of Congress such as that relating to nationality and immigration law.

Relations between the U.S. and a nation which is independent or in free association are conducted on the basis of international law. Thus, independence and free association are status options which would remove Puerto Rico from its present existence within the sphere of sovereignty of the United States and establish a separate Puerto Rican sovereignty outside the political union and federal constitutional system of the United States.

Instead of completing the integration process through full incorporation and statehood, either independence or free association would ''dis-integrate'' Puerto Rico from the United States. This would terminate U.S. sovereignty, nationality and citizenship and end application of the U.S. Constitution in Puerto Rico. In other words, the process of gradual integration which began in 1898, and which was advanced by statutory U.S. citizenship in 1917 and establishment of constitutional arrangements approved by the people in 1952, would be terminated in favor of either independence or free association.

Under either independence or free association, the U.S. and Puerto Rico could enter into treaties to define relations on a sovereign-to-sovereign basis. Free association as practiced by the U.S. is simply a form of independence in which two sovereign nations agree to a special close relationship that involves delegations of the sovereign powers of the associated to the United States in such areas as defense and other governmental functions to the extent both parties to the treaty-based relationship agree to continue such arrangements.

The specific features of free association and balance between autonomy and interdependence can vary within well-defined limits based on negotiated terms to which both parties to the arrangement have agreed, but all such features must be consistent with the structure of the agreement as a treaty-based sovereign-to-sovereign relationship. In U.S. experience and practice, even where free association has many features of a dependent territorial status the sources and allocation of constitutional authority triggered by the underlying separation of sovereignty, nationality and citizenship causes the relationship to evolve in the direction of full independence rather than functional re-integration.

Free association is essentially a transitional status for peoples who do not seek full integration, but rather seek to maintain close political, economic and security relations with another nation during the period after separate sovereignty is achieved. Again, this could be accomplished by treaty between independent nations as well. Thus, free association is a form of separate sovereignty that usually arises from the relationship between a colonial power and a people formerly in a colonial status who at least temporarily want close ties with the former colonial power for so long as both parties agree to the arrangements.

Free association is recognized as a distinct form of separate sovereignty, even though legally it also is consistent with independence. Specifically, free association is consistent with independence because, as explained below, the special and close bilateral relationship created by a free association treaty or pact can be terminated in favor of conventional independence at any time by either party.

In addition, the U.S. and the international community have recognized that a separate nation can be a party to a bilateral pact of free association and be an independent nation in the conventional sense at the same time. For example, the Republic of the Marshall Islands is party to the Compact of Free Association with the United States, but has been admitted to the United Nations as an independent nation.

Thus, the international practice regarding free association actually is best understood as a method of facilitating the decolonization process leading to simple and absolute independence. Essentially, it allows new nations not prepared economically, socially or strategically for emergence into conventional independence to achieve separate nationhood in cooperation with a former colonial power or another existing nation.

Under international law and practice including the relevant U.N. resolutions and existing free association precedents, free association must be terminable at will by either party in order to establish that the relationship is consistent with separate sovereignty and the right of self-determination is preserved. This international standard, also recognized by the U.S., is based on the requirement that free association not be allowed to become merely a new form of internationally accepted colonialism.

Specifically, free association is not intended to create a new form of territorial status or quasi-sovereignty. It is not a ''nation-within-a-nation'' relationship or a form of irrevocable permanent union, but is, again, a sovereign-to-sovereign treaty-based relationship which is either of limited duration or terminable at will by either party acting unilaterally.

In other words, both parties have a sovereign right to terminate the relationship at any time. The free association treaty may provide for the terms and measures which will apply in the event of unilateral termination, but the ability of either party to do so can not be conditioned or encumbered in such a manner that the exercise of the right to terminate the relationship effectively is impaired or precluded.

For that reason, the territory and population of each nation involved must be within the sovereignty, nationality and citizenship of that nation, and the elements and mechanisms of the free association relationship must be defined consistent with that requirement. Separate and distinct sovereignty and nationality must be established at the time of decolonization and preserved under the relationship or the ability of either party to terminate will be impaired.

Thus, the major power may grant to people of the free associated nation special rights normally associated with the major power's own citizenship classifications, such as open immigration and residence rights.

However, these arrangements are subject to the same terminability as the overall relationship, and thus may be either for a limited duration or subject to unilateral termination by either party at any time.

Consequently, there can be no permanent mass dual nationality because this would be inconsistent with the preservation of the underlying separate sovereignty. Any special rights or classifications of the major power extended to the people of a free associated nation are more in the nature of residency rights and do not prevent either nation from exercising separate sovereignty with respect to the nationality its own population.

Upon termination of the free association relationship by either party, any such classifications or special residency rights will be subject to unilateral termination as well. Both during and after any period of free association, the people of each of the two nations will owe their allegiance to and have the separate nationality of their own country. Any attempt to deviate from these norms of international law and practice would undermine the sovereignty of both nations, and would impair the right of self-determination which must be preserved to ensure the relationship is based on consent rather than coercion.

In summary, the United States recognizes each of the three U.N. accepted status options for Puerto Rico to achieve full self-government. One of those options, integration, is within U.S. sovereignty and the federal political union, the other two, independence and free association, exist without U.S. sovereignty, nationality and citizenship.

Obviously, Puerto Rico can not act unilaterally to establish a new status. This is so not only because of U.S. sovereignty and the authority of Congress under the territorial clause, but also because Puerto Rico seeks the agreement of the U.S. to the terms under which any of these options would be implemented. This means Congress must agree to the terms under which a new status is defined and implemented.

There is no right on the part of Puerto Rico unilaterally to define its relationship with the United States. Nor would it be consistent with U.S. commitments to respect the right of self-determination for non-self-governing people under U.S. administration to dispose of the territory of Puerto Rico in a manner which does not take into account the freely expressed wishes of the residents.

Thus, as the two parties which must define and carry out a future relationship based on consent and the right of self-determination which each must exercise, Congress, on behalf of the United States, and the people of Puerto Rico, acting through their constitutional process, must decide whether decolonization will be completed through completion of the process for integration into union or separation and nationhood apart from the U.S. for Puerto Rico.

Mr. GUTIERREZ. Mr. Chairman, I yield 2½ minutes to the gentleman from Massachusetts (Mr. KENNEDY).

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

Mr. Chairman, I have been impressed in this debate thus far about the determination of us as Members of Congress to provide for real self-determination for the great people of Puerto Rico. I think it is fundamentally important to the Puerto Rican people themselves and to all of us as Americans, when we talk about the most important issue, perhaps, that we can determine in this Chamber, as to whether or not and who we define as American citizens, that we are clearly saying to the Puerto Rican people that they are welcome as not only citizens of this country, but they are in fact welcome as a 51st State.

But, and I mean a serious but, for anyone who has taken the time to visit Puerto Rico, to not just visit there in the sense of getting a nice suntan, but going there and talking with the Puerto Rican people and gaining a better understanding of their own identification, the truth of the matter is there are millions of Puerto Ricans that consider themselves to be Puerto Ricans, Puerto Ricans first.

American citizens, yes. They are willing to fight and die for this country. But I do not consider myself a Massachusettan first and then an American, I consider myself to be an American.

I think that we as American citizens ought to fundamentally be wide enough in the breadth of our knowledge and our sense of other human beings to allow them their own self-identification. That means that we ought to respect those that believe in the Commonwealth party.

I have a great many friends that are commonwealthers and statehooders. But I have great respect for the Commonwealth party, and I believe that this bill unfairly slants the way we define Commonwealth by bringing up issues as to whether or not this means that Puerto Rican people are going to be forever faced with determinations by this body as to whether or not we are going to consider them to be citizens, whether or not we are going to tax them, a whole series of questions that effectively undermines one group of Puerto Ricans that over and over again has stood up for equality status versus statehood.

If the people of Puerto Rico claim and vote for statehood, I would be the first in this Chamber to vote with them and to give them their vote and voice here in the Congress of the United States. But if in fact they choose Commonwealth status, then let us respect that as well, and let us make this an evenhanded debate that does not slight one side or the other, but gives this important issue the respect it is due.

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Mr. SOLOMON. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. GILMAN), the honorable chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Chairman, I thank the gentleman from New York (Mr. SOLOMON) for yielding me this time. Mr. Chairman, I rise today in support of H.R. 856, the United States-Puerto Rico Political Status Act, allowing Puerto Ricans to determine their future political status.

Mr. Chairman, I rise today in support of H.R. 856, the United States-Puerto Rico Political Status Act, which will allow Puerto Ricans to determine their future political status.

This bill would give the U.S. citizens of Puerto Rico the right to self-determination. I believe every U.S. citizen should be afforded that opportunity.

The right to self-determination is a foundation or our freedoms. By voting against this bill, we would be sending a message that we don't believe other citizens should be given the opportunity and privilege of voting that we enjoy.

Puerto Ricans have served and died in wars defending democracy for years, yet they cannot elect a President or participate in the legislative process. This is unjust and un-American. Voting for H.R. 856 will entrust 3.8 million Hispanic Americans who reside in Puerto Rico with the power of an educated vote on self-determination.

Furthermore, voting for H.R. 856 does not confer statehood to Puerto Rico, but merely establishes a referendum that sets the terms and clarifies the choices to allow Puerto Ricans to determine their future political status. With regard to the language of the island, Puerto Rico recognized English as an official language of the local government in 1902—longer than any other American domain. English is the language of the local and federal governments, courts, and businesses, and is also in the curriculum of all the schools on the island of Puerto Rico.

As chairman of the International Relations Committee, I recognize the importance of supporting democratic principles abroad. Supporting H.R. 856 were enormously help to strengthen U.S. relations with Latin American nations. It is equally important to support these democratic standards here in America, by voting for a non-binding referendum.

For these reasons, I urge my colleagues to join in voting for H.R. 856, and grant Puerto Ricans the right to self-determination.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) for yielding me this time.

Mr. Chairman, a matter of self-determination should be a matter that brings unanimous consent in this body, and it pains to me to see divisions and splits. If the bill is imperfect, there are many hurdles yet to go: additional island votes, additional congressional votes provided by the bill. Also, the vote to be taken in Puerto Rico is nonbinding.

Above all, we cannot get ahead of the Puerto Rican people. In 1993, we in the District of Columbia had a historic vote on statehood. That is not what this vote is about. It is about allowing the Puerto Rican people to decide what affiliation they themselves desire. This is what we say we want people around the world to decide.

I represent half a million people in the District of Columbia who identify with Puerto Ricans because we too are treated as less than full Americans, living here right under the noses of the Congress of the United States. We know what it is like to fight and die in wars while suffering denials of concomitant rights.

The District has even fewer rights than Puerto Ricans because we do not have the right to self-government. We in the District feel a deep kinship which demands for self-determination around the world, and especially self-determination among our own in Puerto Rico.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Chairman, as we debate this, there are 20,000 Puerto Ricans serving in the Armed Forces of the United States. In this century, 200,000 have taken the pledge to defend our country. As recently as the Vietnam war, almost as many Puerto Ricans as Mississippians gave their lives for our country. And as recently as the Gulf War, when American casualties were miraculously low, four Puerto Ricans died for the United States of America.

Mr. Chairman, if that is not the price to pay for the privilege of deciding whether or not they want to be a State, then what is? They have paid the price. They deserve the right to make that decision.

Mr. Chairman, I urge my colleagues to please vote in favor of this bill.

Mr. SOLOMON. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. HORN), one of the Members that would probably be considered the least partisan of all on both sides of the aisle.

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

Mr. HORN. Mr. Chairman, I thank the gentleman from New York (Mr. SOLOMON), chairman of the Committee on Rules, for yielding me this time.

Mr. Chairman, I feel very strongly in support of the amendment offered by the gentleman from New York. I will support it. But I will also vote against this bill.

We have a wonderful Resident Commissioner here from Puerto Rico. There is excellent representation from Guam, the District of Columbia, Virgin Islands, American Samoa. But I think this is just wrong public policy. We should not be raising false expectations of any group. I think the one way to do it is to say right now, let us not kid ourselves, this is not a good idea.

Puerto Rico is the result of the Spanish-American War. It has a wonderful people. What the gentleman from Mississippi said is absolutely correct. Many of them have given their lives for our country. There are also wonderful people in Guam, Saipan, the Virgin Islands, American Samoa, and the District of Columbia.

Mr. Chairman, I would say to the gentlewoman from the District of Columbia (Ms. NORTON) that we can solve the District's problem very easily and do what Congress did in the Nineteenth Century when it ceded back to Virginia that part of the District of Columbia which had been carved out of Virginia. Give it back to Maryland, and the District would have full representation.

But Puerto Rico should never have been a territory. Cuba was never a territory. Cuba has been independent. Granted, the Marines occupied them and a number of other countries from time to time. But we should have left Cuba independent. We did. We should have left Puerto Rico independent. We did not. And we need not continue that error forever.

We kept our promise to the Philippines that they would be independent in 1946. There is many a Filipino life of the Philippine Scouts, Philippine Army, that helped the United States in the sad, sad days of 1941 when the Japanese Empire extended its military and Naval forces southward in Asia.

Many of the 50,000 Cambodians in my City of Long Beach have talked to me and asked if Cambodia could become a State. Now, that would be a wonderful idea. They are wonderful people. No people except the Jews, the Kurds, the Armenians, and a few others have had to go through the hell that the people of Cambodia have gone through. One million were killed by Pol Pot. But as I have told them, it does not make sense for them to be a State of the United States. We have to draw the line.

And for those who have small States and want the second representative, just forget about it if six representatives come in from anywhere, Puerto Rico or any other territory that seeks statehood.

The niceness of the people and their heroism, we should honor. But we should not be getting ourselves entangled in situations that will be another Quebec, no matter how much we teach the English language. And, frankly, we have to say ''no'' from the beginning. Let us not make a major mistake. Vote ''yes'' for the Solomon amendment and ''no'' on the passage of the bill.

The CHAIRMAN. The gentleman from Illinois (Mr. GUTIERREZ) has 1 minute remaining; the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) has 3½ minutes remaining; the gentleman from Alaska (Mr. YOUNG) has one-half minute remaining; and the gentleman from New York (Mr. SOLOMON) has one-half minute remaining.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. SOLOMON. Mr. Chairman, I believe under the procedures of the House that it would be appropriate at this time for the gentleman from Illinois (Mr. GUTIERREZ) to use up his time, then the gentleman from Puerto Rico, then myself, and then reserving the close for the chairman of the committee. Would that not be in order? I would suggest it, at any rate.

The CHAIRMAN. The Chair will recognize Members to close general debate in reverse of the order in which the Members opened. Therefore, the Chair will recognize Members to close debate as follows: The gentleman from Illinois (Mr. GUTIERREZ), the gentleman from New York (Mr. SOLOMON), the gentleman from California (Mr. MILLER), and the gentleman from Alaska (Mr. YOUNG).

Mr. GUTIERREZ. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I think the gentleman from Mississippi (Mr. TAYLOR) was very eloquent when he spoke about the thousands of Puerto Ricans that have given their lives in the armed forces. And the gentleman ended his statement by saying they should be able to vote for statehood. Indeed, they should.

That is not the question here. The question is should not they be able to vote for other statuses also, and should we stack the deck against them and in favor of statehood? Listen. I want everybody to understand this. We cannot have self-determination if the people who are going to have the plebiscite do not agree with the definitions, if we say to those people when they walk into the ballot box, and this is what we are asking them to do: statehood, citizenship guaranteed; commonwealth, maybe, including those thousands and thousands that have served in the Armed Forces that are citizens today. That is weighting it against, and it is unfair.

So if we are going to bring up the courage, if we are going to bring up the commitment and the service, let them decide in a fair manner what their future is. And I remind my colleagues, this is not a group of people. It is not a territory. It is a nation. They feel that they are a nation. Puerto Rico is a separate and distinct country.

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

Mr. Chairman, briefly, the reason I have opposed this bill in its present

form is because it sets in motion a procedure that would possibly bring Puerto Rico into the Union with a simple vote of 50 percent plus 1. When Alaska came in, 83 percent of the people wanted statehood. When Hawaii came in, 94 percent of the people wanted statehood. We cannot have another Quebec on our hands like Canada. If the overwhelming majority of the people of Puerto Rico want statehood, I will be the first to stand up here to fight for their admittance. Until that time, I think we should oppose this bill.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 1 minute to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Chairman, I thank the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) for yielding me this time.

Mr. Chairman, I rise in strong support of H.R. 856, and oppose the Solomon amendment and support the Miller substitute.

Mr. Chairman, I commend the gentleman from Alaska (Mr. YOUNG) for his leadership in this matter. His State and my State went through years and years of agony, of pleading with this Congress to be admitted as a complete partner, as a State. We went through much this same type of argument on many side issues. And I regret that my dear friends are in opposition to this proposal on the grounds that they do not feel that the ballot is fairly stated.

The central issue here is that the people of Puerto Rico are being given the decision-making opportunity. They have to cast their ballots one way or another. The issue of statehood versus commonwealth will be clearly debated by the people.

Mr. Chairman, I feel that this is an issue which goes to the very heart of this democracy and the people of Puerto Rico ought to be given the right to vote.

Mr. Chairman, H.R. 856 is the first congressionally recognized framework that establishes a referendum for the people of Puerto Rico to determine whether they choose to be a commonwealth, state, or independent nation.

H.R. 856 is not a bill granting statehood, it is a bill to allow American citizens to determine their political future. Some argue against H.R. 856 because they do not like the definition of commonwealth or simply do not support statehood and do not want to see the same rights and benefits accorded all states given to Puerto Rico. We do not know how the people of Puerto Rico will vote. However, we owe our fellow Americans the chance to decide for themselves what relationship they wish to have with the United States.

For example, some say the bill's definition of Puerto Rico's current territorial or ''commonwealth'' status is not attractive as statehood. Each status has its advantages and disadvantages. If a majority of the residents of Puerto Rico were to choose to remain a commonwealth under H.R. 856, their relationship with the United States would not change.

There are some who oppose the possibility of Puerto Rico becoming a state because both Spanish and English are the official languages of Puerto Rico. These opponents wish to ''assimilate'' Puerto Rico into the United States and believe the only way to ''assimilate'' these residents is to declare English as the official language. This is not true. At least four territories: Louisiana, New Mexico, Oklahoma, and Hawaii were admitted as states with constitutional provisions protecting the rights of French, Spanish, Native American, and Native Hawaiian speaking residents. How can we impose different standards of Puerto Rico.

Many would have us believe that Puerto Rico residents have no interest in speaking or teaching or conducting business in English. This is simply not true. For example:

85 percent of Post-Secondary school students speak English and Spanish.

English is used in all official communications by federal agencies on the island. All documents presented before the United States District Court for the District of Puerto Rico are in English. Court proceedings in the Federal Court are conducted in English.

Since 1900 the public school system has offered bilingual education. English is taught from Kindergarten through 12 grade.

The Puerto Rico Department of Education is implementing a program to strengthen the bilingual skills of public school students. This program consists of a strong emphasis on reading English and Spanish starting in Kindergarten; English textbooks in math and science; English immersion programs; as well as teacher exchange programs between the continental United States and Puerto Rico to improve English teaching skills.

32 professions in Puerto Rico require their members to take licensing examinations in English. They include Accounting, Architecture, Engineering, Medicine, and Optometry. Puerto Rico's largest weekly newspaper, The Caribbean Business, and the Pulitzer Prize-winning The San Juan Star, the third largest daily newspaper, are both completely in English.

Even with this English foundation already existing in Puerto Rico, H.R. 856 stresses the need for a continued English presence by stating that ''English shall be the common language of mutual understanding in the United States.''

Proposing an ''English-only'' amendment to H.R. 856 opens up an issue larger than Puerto Rico. An amendment declaring English as the official language of the United States affects every state. This is an unnecessary amendment that is larger than the bill at hand and should be debated standing alone and not attached to H.R. 856.

English is by far our Nation's common language. According to the U.S. Census Bureau, 95 percent of Americans currently speak English ''well'' or ''very well.'' It is because English is already the language of the U.S. and its people, and because there is no threat that English will be subsumed by other languages, that I do not think English-Only amendments affecting all Americans should be enacted.

For the past 100 years, the people of Puerto Rico have served America with loyalty, pride and commitment. They have a right to decide what form of relationship Puerto Rico should have with the United States. I support a plebiscite. Hawaii as a Territory also was accorded U.S. citizens status and later voted to become a state. The people of Puerto Rico should also decide this for themselves. H.R. 856 allows them to do so.

I urge the passage of H.R. 856.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Chairman, I rise in strong support of H.R. 856. To me this is a question of equity and fairness. There are nearly 4 million Puerto Ricans who are American citizens who are denied the right to self-determination. This bill simply starts a process. It is nothing more, nothing less.

We will be able to find out from this process what Puerto Ricans want. We can then respond to that process. This is only fair. The people of Puerto Rico did not ask to be a part of this country 100 years ago, remember. They became a part by the Spanish-American War, and as was pointed out, they have been loyal citizens. They have the same right to self-determination as all Americans do.

Mr. Chairman, I represent a district in the Bronx, in Westchester County in New York. We have many, many Puerto Ricans living there and the people are positively excited about the fact that their brethren on Puerto Rico will have the opportunity to have this dialogue. As my colleague from Hawaii said, the people of Alaska and Hawaii went through much the same thing. Much of the arguments that were raised against them coming into the Union are being raised now.

We do not favor any one thing. We want the process to start. The people of Puerto Rico deserve nothing less.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I guess we should be discussing here an amendment as to whether this Nation should be allowed to invade any country that does not speak English. That is the problem.

Mr. Chairman, there has been so much demagoguery here. When they discuss it they say that we are not allowing the people that support commonwealth to vote because we say that citizenship is statutory. What else is it? There is a Constitution of the United States that says that those born in a State are citizens and also those that are naturalized are citizens. The Constitution does not say anything else.

So it is by law in 1917 that established that those born in Puerto Rico shall be citizens of the United States, so we are citizens by a statute. And that statute cannot be repealed to deny those that are citizens the right of citizenship. But that statute can be repealed to say and amended to say that those that are born from the year 2,000 on will no longer be citizens by reason of birth, and the people of Puerto Rico should know that under commonwealth that could happen. We say it will probably not happen because it is the policy of the Nation to maintain those that are born in Puerto Rico from now on also as citizens, but they must know the truth.

The people of the commonwealth have been voting for lies for many,

many years and they have been misled. The United Nations was misled when this country went to the United Nations and said Puerto Rico has achieved a full measure of self-government. All of my colleagues know that I am here and I cannot vote. I cannot even vote for this bill that is so important for the people of Puerto Rico.

Mr. Chairman, all we are asking is give us an opportunity for self-determination. Give us an opportunity to vote whether we want to stay as we are or we want to be a State or we want to be independent. This is self-determination, what we have fought for on foreign soils all over the world.

□ 1400

Mr. YOUNG of Alaska. Mr. Chairman, I yield myself the balance of my time.

Again, this is our opportunity, as we close this debate to thank everybody participating in the debate for their decorum and their honesty and their strong beliefs. I believe that this is the correct way to go. I believe it is the right thing to do. This is justice.

I will strongly oppose the Solomon amendment. I will support the bipartisan amendment of BURTON-YOUNG-MILLER, and I suggest respectfully that this is the right thing for Congress today. And as we stop this great century and begin a new century, the right thing to do for the Americans of Puerto Rico and the great United States of America.

Mr. LAZIO of New York. Mr. Chairman, I rise in support of the Puerto Rico Political Status Act. The bill would grant the four million U.S. citizens living in Puerto Rico the right to determine their own future.

This year marks the one hundredth anniversary of Puerto Rico's accession into the United States at the end of the Spanish-American War. Over that time, Puerto Rico has made major contributions to this nation, including the service of more than 200,000 of its young men and women in the armed forces of the United States. More than 8,000 have given their lives in defense of our nation's freedom. Given the many contributions residents of Puerto Rico have made to the United States, I support this initiative for Puerto Rico's self-determination.

The self-determination process of H.R. 856 ensures that the people of Puerto Rico and the people of the United States, through their representatives in Congress, will each have a voice in the three stages of resolving Puerto Rico's political status. As you know, the bill allows residents of Puerto Rico to determine the political status of their island by a democratic referendum process. Under the bill, voters choose either to retain the current commonwealth structure for local self government as a territory, separate sovereignty, or statehood.

This bill does not mandate that Puerto Rico become a state. The bill would leave the decision to the local residents to exercise their collective voice and determine the future of Puerto Rico. However, should residents favor statehood, the bill outlines a transition plan that includes incentives and opportunities for residents to learn English.

Mr. Chairman, the United States is known the world over as the promoter and keeper of political freedom. We must allow the United States citizens living in Puerto Rico to determine their political future as well.

Mr. BUNNING. Mr. Chairman, I rise in opposition to H.R. 856, the United States-Puerto Rico Political Status Act.

Back during my baseball days, I actually lived in Puerto Rico for two years. And I think I have some idea about life on the island. It has a long, rich history, and a vibrant culture. Living there was a wonderful experience.

But, I think that it's this history and culture that dictate that Puerto Rico should be independent from the United States. No matter how hard the proponents of statehood, or those who support continuing commonwealth status, argue their case, I don't think they can reconcile the fact that Puerto Rico has strong traditions that profoundly separates it from America.

It is a separation that cannot be bridged.

I recognize that on the surface there are similarities between America and Puerto Rico. Politically and economically some links have been forged during Puerto Rico's years as an American Commonwealth.

But these connections are only skin deep. Beyond that the customs and culture of Puerto Rico are predominantly their own, or much more closely identified with other Latin or Hispanic cultures.

The vast majority of its residents speak Spanish, not English. And in the most recent referenda, held just five years ago, the residents were profoundly divided over their island's future. None of the options—independence, statehood, or commonwealth status—received even a majority vote, much less a ringing endorsement.

If an overwhelming majority of residents wanted to join the United States that would be one thing. But the indecision among Puerto Ricans simply reflects the fact that the distance between the U.S. and Puerto Rico is much greater than the 950 miles of ocean that separate San Juan from Miami.

Mr. Chairman, I think Puerto Rico should be independent. I don't think it should be a state, and I don't think it should be a commonwealth. And I think that no matter what we do here today, there is no way we can overcome the fact that America and Puerto Rico are separated by profound differences.

The bill before us today claims to present us with a choice for helping Puerto Ricans determine their future. But, it is a false choice because no matter how long we debate this matter in Congress, and no matter how many referenda are held in Puerto Rico, their is only one inevitable outcome—independence.

Mr. FALEOMAVAEGA. Mr. Chairman, I rise today in support of the Young-Miller substitute for H.R. 856, the United States-Puerto Rico Political Status Act.

The political status of Puerto Rico has been a topic of discussion of the Committee on Resources, and its predecessor Committees, for decades. My interest in Puerto Rico began in the 1970's when I was a member of the staff of Congressman Phil Burton of California. I learned then of the political divisions within Puerto Rico, and those political divisions are still in existence.

From my perspective, all three political parties in Puerto Rico make persuasive arguments in support of their respective positions, and I believe all three are viable political options. Additionally, I believe a political status of free association is a possibility for Puerto Rico to consider at some point in the future, but given the present political makeup of the commonwealth, I do not believe it should be included on the ballot at this time.

Before I make my specific comments on H.R. 856, I want to note for the record that I think it is critically important that throughout this process, as an institution, Congress must present itself as fair and as evenhanded as possible. When I speak of self-determination for Puerto Rico, in my mind, that means the people of Puerto Rico choose their own course, and in making that choice all options should be available for the people of Puerto Rico to consider.

Even though Congress has plenary authority over Puerto Rico, I believe it would be a serious mistake for the Congress to impose its will upon the people of Puerto Rico without fair and equitable consultation with the Puerto Rican leaders and the people. I place such high concern on this issue because it is my sense that if Congress is not scrupulously evenhanded in this regard, three things can happen. First, the U.S. citizens in Puerto Rico lose their trust in the process and in Congress as an institution. Second, if events do not go as smoothly as Congress might hope, it will be the Congress that will be blamed for the problems, and rightfully so. Third, we all know political status is an emotional issue in Puerto Rico. The Commonwealth has a long history of fair and impartial elections with voting percentages which are the envy of every state of the United States. If the political status selection process were perceived as unfair, I fear the consequences of even the perception of partiality, and again, I believe Congress would have to take its share of the blame and responsibility.

Mr. Chairman, as I see it, the underlying problem, if it is a problem at all, is that over 90% of the people of Puerto Rico are almost evenly split on which political course they should follow. As a result of this, no one group can obtain a majority of votes. Until that changes, any affirmative action Congress takes will not be in accordance with the wishes of the majority in Puerto Rico. Given those facts, I believe it is neither wise, nor good policy, to tilt the scales, just to acquire a majority.

I do have a few concerns with this legislation I want to note. I have said repeatedly that I do not like the idea of one political group defining another political group's definition of itself. To a certain extent, we have that problem in this bill—the bill contains a definition of Commonwealth status, but it was not drafted and is not supported by the political party which supports that status. It is difficult to ask a political organization to vote for or support a status its members do not support, and that is a serious concern I have with this bill. The situation is complicated by the apparent reluctance of the Popular Democratic Party to provide a definition of ''Commonwealth'' which could be included in the bill.

Because of the opposition of the one of the major political parties to a key definition in the bill, it was not an easy decision for me to support this bill. I support the definitions contained in the Young-Miller substitute, but want to note that I do not consider the definition of Commonwealth as describing a static relationship

as some have stated. Rather, I believe it describes the current dynamic relationship between the people of Puerto Rico and the people of the United States, which can and should be changed over time.

Secondly, while some may not consider Puerto Rico's current relationship with the United States to be a permanent one, it does not make sense to force a change on the people of Puerto Rico which they do not want. It would be a serious mistake to encourage the people into a ''permanent'' political status that will not best serve their long-term interests.

Third, Mr. Speaker, is the issue of the use of the English and Spanish languages in Puerto Rico. Coming from an insular area in which Samoan and English are spoken I see nothing to gain and much to lose by forcing the citizens of Puerto Rico to give up part of their Spanish heritage by prohibiting them from speaking to each other in Spanish.

On the other hand, we will not be well served as a nation if the vast majority of the citizens of one of our states do not speak English, and speak it well. The example of Quebec, Canada has been often discussed these last few weeks, but that is not the only example. I would also point to the problems in the Balkans and in many countries in sub-Saharan Africa. This is a very difficult issue which I believe is appropriately addressed in the Burton-Miller-Young amendment, and I support that amendment.

Mr. RAHALL. Mr. Chairman, I rise in support of H.R. 856, legislation which would provide a framework by which the people of Puerto Rico may determine their political status.

Various speakers during today's debate will discuss a number of aspects of this legislation and the sensitive issues it raises.

However, as the ranking Democratic Member on the Subcommittee on Surface Transportation, I will limit my remarks to how Puerto Rico is currently being treated under the federal highway and transit programs, and what the process of self-determination could mean to the island.

Today, the people of Puerto Rico are the beneficiaries of federal highway dollars even though they do not pay any federal motor fuel taxes into the Highway Trust Fund.

On the surface, that may appear to be a good deal of Puerto Rico and a bad deal for the rest of the country.

Yet, our contribution to the highway infrastructure of the island is relatively small. Indeed, over the six-year life of ISTEA, starting with 1992 and ending with 1997, Puerto Rico received $492 million in federal highway dollars.

It is interesting to note that with a population of about 3.8 million people, Puerto Rico received considerably less than Hawaii, a State with similar characteristics in terms of the factors used to apportion federal highway dollars to the States.

With a much smaller population of 1.2 million, Hawaii received a little more than $1.2 billion in federal highway dollars during ISTEA compared to the $492 million sent to Puerto Rico.

On the other hand, if we simply look to population, Connecticut with about 3.3 million people received $2.2 billion over ISTEA compared to Puerto Rico's $492 million.

As such, while Puerto Rico, which pays no federal motor fuel taxes, receives federal highway dollars, the amount is nowhere near it would receive if it was a State and its residents contributed into the Highway Trust Fund.

In fact, under existing formulas, if Puerto Rico was a State it would receive back in federal highway dollars far more than what it contributes in motor fuel taxes as is the case with Hawaii, Connecticut and many other States.

Is there a pressing need to make transportation improvements in Puerto Rico, yes, certainly.

Anyone who has driven the streets of Santruce, of Rios Piedras, of Bayamon or anywhere else in San Juan knows of the massive congestion which plagues that city.

This is not to say that the government is not making efforts to make improvements.

For example, Tren Urbano is one of if not the best new transit start anywhere in the United States. Yet, the federal share currently is only 30% of that project while other, less deserving transit projects, have federal share of at least 50% with some up to 80%.

Why is this? I think in part it is due to the resourcefulness of the governor and his administration. But I also think it is in part because they feel there may be limits to the extent of federal transit dollars they can seek under Commonwealth status.

In conclusion, I would observe that the people of Puerto Rico have shed their blood in defense of the United States. For over 100 years they have been a junior partner in the development of the greatest Democracy in the world that is this country. The relationship has been mutually beneficial.

However, I believe it is time, once again, for the people of Puerto Rico to make a determination as to their political status.

Do they want a full seat at the table that is these United States, to be a full and equal partner, or do they want to continue to sit at that table on a small stool as a commonwealth, or do they want to go their own way as a separate nation.

That is what this legislation is about.

I urge a yes vote on H.R. 856.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD and numbered 1 is considered as an original bill for the purpose of amendment and is considered as having been read.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''United States-Puerto Rico Political Status Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title, table of contents.
Sec. 2. Findings.
Sec. 3. Policy.
Sec. 4. Process for Puerto Rican full self-government, including the initial decision stage, transition stage, and implementation stage.
Sec. 5. Requirements relating to referenda, including inconclusive referendum and applicable laws.
Sec. 6. Congressional procedures for consideration of legislation.
Sec. 7. Availability of funds for the referenda.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Puerto Rico was ceded to the United States and came under this Nation's sovereignty pursuant to the Treaty of Paris ending the Spanish-American War in 1898. Article IX of the Treaty of Paris recognized the authority of Congress to provide for the political status of the inhabitants of the territory.

(2) Consistent with establishment of United States nationality for inhabitants of Puerto Rico under the Treaty of Paris, Congress has exercised its powers under the Territorial Clause of the Constitution (article IV, section 3, clause 2) to provide by several statutes beginning in 1917, for the United States citizenship status of persons born in Puerto Rico.

(3) Consistent with the Territorial Clause and rulings of the United States Supreme Court, partial application of the United States Constitution has been established in the unincorporated territories of the United States including Puerto Rico.

(4) In 1950, Congress prescribed a procedure for instituting internal self-government for Puerto Rico pursuant to statutory authorization for a local constitution. A local constitution was approved by the people of Puerto Rico, approved by Congress, subject to conforming amendment by Puerto Rico, and thereupon given effect in 1952 after acceptance of congressional conditions by the Puerto Rico Constitutional Convention and an appropriate proclamation by the Governor. The approved constitution established the structure for constitutional government in respect of internal affairs without altering Puerto Rico's fundamental political, social, and economic relationship with the United States and without restricting the authority of Congress under the Territorial Clause to determine the application of Federal law to Puerto Rico, resulting in the present ''Commonwealth'' structure for local self-government. The Commonwealth remains an unincorporated territory and does not have the status of ''free association'' with the United States as that status is defined under United States law or international practice.

(5) In 1953, the United States transmitted to the Secretary-General of the United Nations for circulation to its Members a formal notification that the United States no longer would transmit information regarding Puerto Rico to the United Nations pursuant to Article 73(e) of its Charter. The formal United States notification document informed the United Nations that the cessation of information on Puerto Rico was based on the ''new constitutional arrangements'' in the territory, and the United States expressly defined the scope of the ''full measure'' of local self-government in Puerto Rico as extending to matters of ''internal government and administration, subject only to compliance with applicable provisions of the Federal Constitution, the Puerto Rico Federal Relations Act and the acts of Congress authorizing and approving the Constitution, as may be interpreted by judicial decision.''. Thereafter, the General Assembly of the United Nations, based upon consent of the inhabitants of the territory and the United States explanation of the new status as approved by Congress, adopted Resolution 748 (VIII) by a vote of 22 to 18 with 19 abstentions, thereby accepting the United States determination to cease reporting to the United Nations on the status of Puerto Rico.

(6) In 1960, the United Nations General Assembly approved Resolution 1541 (XV), clarifying that under United Nations standards

regarding the political status options available to the people of territories yet to complete the process for achieving full self-government, the three established forms of full self-government are national independence, free association based on separate sovereignty, or full integration with another nation on the basis of equality.

(7) The ruling of the United States Supreme Court in the 1980 case Harris v. Rosario (446 U.S. 651) confirmed that Congress continues to exercise authority over Puerto Rico pursuant to the Territorial Clause found at Article IV, section 3, clause 2 of the United States Constitution; and in the 1982 case of Rodriguez v. Popular Democratic Party (457 U.S. 1), the Court confirmed that the Congress delegated powers of administration to the Commonwealth of Puerto Rico sufficient for it to function ''like a State'' and as ''an autonomous political entity'' in respect of internal affairs and administration, ''sovereign over matters not ruled by the Constitution'' of the United States. These rulings constitute judicial interpretation of Puerto Rico's status which is in accordance with the clear intent of Congress that establishment of local constitutional government in 1952 did not alter Puerto Rico's fundamental status.

(8) In a joint letter dated January 17, 1989, cosigned by the Governor of Puerto Rico in his capacity as president of one of Puerto Rico's principal political parties and the presidents of the two other principal political parties of Puerto Rico, the United States was formally advised that ''. . . the People of Puerto Rico wish to be consulted as to their preference with regards to their ultimate political status'', and the joint letter stated ''. . . that since Puerto Rico came under the sovereignty of the United States of America through the Treaty of Paris in 1898, the People of Puerto Rico have not been formally consulted by the United States of America as to their choice of their ultimate political status''.

(9) In the 1989 State of the Union Message, President George Bush urged the Congress to take the necessary steps to authorize a federally recognized process allowing the people of Puerto Rico, for the first time since the Treaty of Paris entered into force, to freely express their wishes regarding their future political status in a congressionally recognized referendum, a step in the process of self-determination which the Congress has yet to authorize.

(10) On November 14, 1993, the Government of Puerto Rico conducted a plebiscite initiated under local law on Puerto Rico's political status. In that vote none of the three status propositions received a majority of the votes cast. The results of that vote were: 48.6 percent for a commonwealth option, 46.3 percent statehood, and 4.4 percent independence.

(11) In a letter dated December 2, 1994, President William Jefferson Clinton informed leaders in Congress that an Executive Branch Interagency Working Group on Puerto Rico had been organized to coordinate the review, development, and implementation of executive branch policy concerning issues affecting Puerto Rico, including the November 1993 plebiscite.

(12) Under the Territorial Clause of the Constitution, Congress has the authority and responsibility to determine Federal policy and clarify status issues in order to resolve the issue of Puerto Rico's final status.

(13) On January 23, 1997, the Puerto Rico Legislature enacted Concurrent Resolution 2, which requested the 105th Congress ''. . . to respond to the democratic aspirations of the American citizens of Puerto Rico'' by approving legislation authorizing ''. . . a plebiscite sponsored by the Federal Government, to be held no later than 1998''.

(14) Nearly 4,000,000 United States citizens live in the islands of Puerto Rico, which have been under United States sovereignty and within the United States customs territory for almost 100 years, making Puerto Rico the oldest, largest, and most populous United States island territory at the southeastern-most boundary of our Nation, located astride the strategic shipping lanes of the Atlantic Ocean and Caribbean Sea.

(15) Full self-government is attainable only through establishment of a political status which is based on either separate sovereignty and nationality or full and equal United States nationality and citizenship through membership in the Union.

SEC. 3. POLICY.

(a) CONGRESSIONAL COMMITMENT.—In recognition of the significant level of local self-government which has been attained by Puerto Rico, and the responsibility of the Federal Government to enable the people of the territory to freely express their wishes regarding political status and achieve full self-government, this Act is adopted with a commitment to encourage the development and implementation of procedures through which the permanent political status of the people of Puerto Rico can be determined.

(b) LANGUAGE.—English is the common language of mutual understanding in the United States, and in all of the States duly and freely admitted to the Union. The Congress recognizes that at the present time, Spanish and English are the joint official languages of Puerto Rico, and have been for nearly 100 years; that English is the official language of Federal courts in Puerto Rico; that the ability to speak English is a requirement for Federal jury services; yet Spanish rather than English is currently the predominant language used by the majority of the people of Puerto Rico; and that Congress has the authority to expand existing English language requirements in the Commonwealth of Puerto Rico. In the event that the referenda held under this Act result in approval of sovereignty leading to Statehood, it is anticipated that upon accession to Statehood, English language requirements of the Federal Government shall apply in Puerto Rico to the same extent as Federal law requires throughout the United States. Congress also recognizes the significant advantage that proficiency in Spanish as well as English has bestowed on the people of Puerto Rico, and further that this will serve the best interests of both Puerto Rico and the rest of the United States in our mutual dealings in the Caribbean, Latin America, and throughout the Spanish-speaking world.

SEC. 4. PROCESS FOR PUERTO RICAN FULL SELF-GOVERNMENT, INCLUDING THE INITIAL DECISION STAGE, TRANSITION STAGE, AND IMPLEMENTATION STAGE.

(a) INITIAL DECISION STAGE.—A referendum on Puerto Rico's political status is authorized to be held not later than December 31, 1998. The referendum shall be held pursuant to this Act and in accordance with the applicable provisions of Puerto Rico's electoral law and other relevant statutes consistent with this Act. Approval of a status option must be by a majority of the valid votes cast. The referendum shall be on the approval of 1 of the 3 options presented on the ballot as follows:

''Instructions: Mark the status option you choose as each is defined below. Ballot with more than 1 option marked will not be counted.

''A. COMMONWEALTH.—If you agree, mark here _____

''Puerto Rico should retain Commonwealth, in which—

''(1) Puerto Rico is joined in a relationship with and under the national sovereignty of the United States. It is the policy of the Congress that this relationship should only be dissolved by mutual consent.

''(2) Under this political relationship, Puerto Rico like a State is an autonomous political entity, sovereign over matters not ruled by the Constitution of the United States. In the exercise of this sovereignty, the laws of the Commonwealth shall govern in Puerto Rico to the extent that they are consistent with the Constitution, treaties, and laws of the United States. Congress retains its constitutional authority to enact laws it deems necessary relating to Puerto Rico.

''(3) Persons born in Puerto Rico have United States citizenship by statute as secured by the Constitution. It is the policy of the United States that citizenship will continue to be granted to persons born in Puerto Rico. The rights, privileges, and immunities provided for by the United States Constitution apply in Puerto Rico, except where limited by the Constitution to citizens residing in a State.

''(4) Puerto Rico will continue to participate in Federal programs and may be enabled to participate equally with the States in the programs where it is not now participating equally contingent on the payment of contributions, which may include payment of taxes, as provided by Federal law.

''B. SEPARATE SOVEREIGNTY.—If you agree, mark here _____

''The people of Puerto Rico should become fully self-governing through separate sovereignty in the form of independence or free association, in which—

''(1) Puerto Rico is a sovereign Republic which has full authority and responsibility over its territory and population under a constitution which is the supreme law, providing for a republican form of government and the protection of human rights;

''(2) the Republic of Puerto Rico is a member of the community of nations vested with full powers and responsibilities for its own fiscal and monetary policy, immigration, trade, and the conduct in its own name and right of relations with other nations and international organizations, including the rights and responsibilities that devolve upon a sovereign nation under the general principles of international law;

''(3) the residents of Puerto Rico owe allegiance to and have the nationality and citizenship of the Republic of Puerto Rico;

''(4) The Constitution and laws of the United States no longer apply in Puerto Rico, and United States sovereignty in Puerto Rico is ended; thereupon birth in Puerto Rico or relationship to persons with statutory United States citizenship by birth in the former territory shall cease to be a basis for United States nationality or citizenship, except that persons who had such United States citizenship have a statutory right to retain United States nationality and citizenship for life, by entitlement or election as provided by the United States Congress, based on continued allegiance to the United States: *Provided,* That such persons will not have this statutory United States nationality and citizenship status upon having or maintaining allegiance, nationality, and citizenship rights in any sovereign nation, including the Republic of Puerto Rico, other than the United States;

''(5) The previously vested rights of individuals in Puerto Rico to benefits based upon past services rendered or contributions made to the United States shall be honored by the United States as provided by Federal law;

''(6) Puerto Rico and the United States seek to develop friendly and cooperative relations in matters of mutual interest as agreed in treaties approved pursuant to their

respective constitutional processes, and laws including economic and programmatic assistance at levels and for a reasonable period as provided on a government-to-government basis, trade between customs territories, transit of citizens in accordance with immigration laws, and status of United States military forces; and

''(7) a free association relationship may be established based on separate sovereign republic status as defined above, but with such delegations of government functions and other cooperative arrangements as may be agreed to by both parties under a bilateral pact terminable at will by either the United States or Puerto Rico.

''C. STATEHOOD.—If you agree, mark here

''Puerto Rico should become fully self governing through Statehood, in which—

''(1) the people of Puerto Rico are fully self-governing with their rights secured under the United States Constitution, which shall be fully applicable in Puerto Rico and which, with the laws and treaties of the United States, is the supreme law and has the same force and effect as in the other States of the Union;

''(2) the State of Puerto Rico becomes a part of the permanent union of the United States of America, subject to the United States Constitution, with powers not prohibited by the Constitution to the States, reserved to the State of Puerto Rico in its sovereignty or to the people;

''(3) United States citizenship of those born in Puerto Rico is recognized, protected and secured in the same way it is for all United States citizens born in the other States;

''(4) rights, freedoms, and benefits as well as duties and responsibilities of citizenship, including payment of Federal taxes, apply in the same manner as in the several States;

''(5) Puerto Rico is represented by two members in the United States Senate and is represented in the House of Representatives proportionate to the population;

''(6) United States citizens in Puerto Rico are enfranchised to vote in elections for the President and Vice President of the United States; and

''(7) English is the official language of business and communication in Federal courts and Federal agencies as made applicable by Federal law to every other State, and Puerto Rico is enabled to expand and build upon existing law establishing English as an official language of the State government, courts, and agencies.''.

(b) TRANSITION STAGE.—

(1) PLAN.—(A) Within 180 days of the receipt of the results of the referendum from the Government of Puerto Rico certifying approval of a ballot choice of full self-government in a referendum held pursuant to subsection (a), the President shall develop and submit to Congress legislation for a transition plan of not more than 10 years which leads to full self-government for Puerto Rico consistent with the terms of this Act and the results of the referendum and in consultation with officials of the three branches of the Government of Puerto Rico, the principal political parties of Puerto Rico, and other interested persons as may be appropriate.

(B) Additionally, in the event of a vote in favor of separate sovereignty, the Legislature of Puerto Rico, if deemed appropriate, may provide by law for the calling of a constituent convention to formulate, in accordance with procedures prescribed by law, Puerto Rico's proposals and recommendations to implement the referendum results. If a convention is called for this purpose, any proposals and recommendations formally adopted by such convention within time limits of this Act shall be transmitted to Congress by the President with the transition plan required by this section, along with the views of the President regarding the compatibility of such proposals and recommendations with the United States Constitution and this Act, and identifying which, if any, of such proposals and recommendations have been addressed in the President's proposed transition plan.

(C) Additionally, in the event of a vote in favor of United States sovereignty leading to Statehood, the President shall include in the transition plan provided for in this Act—

(i) proposals and incentives to increase the opportunities of the people of Puerto Rico to learn to speak, read, write, and understand English fully, including but not limited to, the teaching of English in public schools, fellowships, and scholarships. The transition plan should promote the usage of English by the United States citizens of Puerto Rico, in order to best allow for—

(I) the enhancement of the century old practice of English as an official language of Puerto Rico, consistent with the preservation of our Nation's unity in diversity and the prevention of divisions along linguistic lines;

(II) the use of language skills necessary to contribute most effectively to the Nation in all aspects, including but not limited to Hemispheric trade;

(III) the promotion of efficiency to all people in the conduct of the Federal and State government's official business; and

(IV) the ability of all citizens to take full advantage of the economical, educational, and occupational opportunities through full integration with the United States; and

(ii) the effective date of incorporation, thereby permitting the greatest degree of flexibility for the phase-in of Federal programs and the development of the economy through fiscal incentives, alternative tax arrangements, and other measures.

(D) In the event of a vote in favor of Commonwealth, the Government of Puerto Rico may call a Special Convention to develop proposals for submission to the President and the Congress for changes in Federal policy on matters of economic and social concern to the people of Puerto Rico. The President and the Congress, as appropriate, shall expeditiously consider any such proposals. The Commonwealth would assume any expenses related to increased responsibilities resulting from such proposals.

(2) CONGRESSIONAL CONSIDERATION.—The plan shall be considered by the Congress in accordance with section 6.

(3) PUERTO RICAN APPROVAL.—

(A) Not later than 180 days after enactment of an Act pursuant to paragraph (1) providing for the transition to full self-government for Puerto Rico as approved in the initial decision referendum held under subsection (a), a referendum shall be held under the applicable provisions of Puerto Rico's electoral law on the question of approval of the transition plan.

(B) Approval must be by a majority of the valid votes cast. The results of the referendum shall be certified to the President of the United States.

(c) IMPLEMENTATION STAGE.—

(1) PRESIDENTIAL RECOMMENDATION.—Not less than two years prior to the end of the period of the transition provided for in the transition plan approved under subsection (b), the President shall submit to Congress a joint resolution with a recommendation for the date of termination of the transition and the date of implementation of full self-government for Puerto Rico within the transition period consistent with the ballot choice approved under subsection (a).

(2) CONGRESSIONAL CONSIDERATION.—The joint resolution shall be considered by the Congress in accordance with section 6.

(3) PUERTO RICAN APPROVAL.—

(A) Within 180 days after enactment of the terms of implementation for full self-government for Puerto Rico, a referendum shall be held under the applicable provisions of Puerto Rico's electoral laws on the question of the approval of the terms of implementation for full self-government for Puerto Rico.

(B) Approval must be by a majority of the valid votes cast. The results of the referendum shall be certified to the President of the United States.

SEC. 5. REQUIREMENTS RELATING TO REFERENDA, INCLUDING INCONCLUSIVE REFERENDUM AND APPLICABLE LAWS.

(a) APPLICABLE LAWS.—

(1) REFERENDA UNDER PUERTO RICAN LAWS.—The referenda held under this Act shall be conducted in accordance with the applicable laws of Puerto Rico, including laws of Puerto Rico under which voter eligibility is determined and which require United States citizenship and establish other statutory requirements for voter eligibility of residents and nonresidents.

(2) FEDERAL LAWS.—The Federal laws applicable to the election of the Resident Commissioner of Puerto Rico shall, as appropriate and consistent with this Act, also apply to the referenda. Any reference in such Federal laws to elections shall be considered, as appropriate, to be a reference to the referenda, unless it would frustrate the purposes of this Act.

(b) CERTIFICATION OF REFERENDA RESULTS.—The results of each referendum held under this Act shall be certified to the President of the United States and the Senate and House of Representatives of the United States by the Government of Puerto Rico.

(c) CONSULTATION AND RECOMMENDATIONS FOR INCONCLUSIVE REFERENDUM.—

(1) IN GENERAL.—If a referendum provided in section 4(b) or (c) of this Act does not result in approval of a fully self-governing status, the President, in consultation with officials of the three branches of the Government of Puerto Rico, the principal political parties of Puerto Rico, and other interested persons as may be appropriate, shall make recommendations to the Congress within 180 days of receipt of the results of the referendum regarding completion of the self-determination process for Puerto Rico under the authority of Congress.

(2) ADDITIONAL REFERENDA.—To ensure that the Congress is able on a continuing basis to exercise its Territorial Clause powers with due regard for the wishes of the people of Puerto Rico respecting resolution of Puerto Rico's permanent future political status, in the event that a referendum conducted under section 4(a) does not result in a majority vote for separate sovereignty or statehood, there is authorized to be further referenda in accordance with this Act, but not less than once every 10 years.

SEC. 6. CONGRESSIONAL PROCEDURES FOR CONSIDERATION OF LEGISLATION.

(a) IN GENERAL.—The majority leader of the House of Representatives (or his designee) and the majority leader of the Senate (or his designee) shall each introduce legislation (by request) providing for the transition plan under section 4(b) and the implementation recommendation under section 4(c) not later than 5 legislative days after the date of receipt by Congress of the submission by the President under that section, as the case may be.

(b) REFERRAL.—The legislation shall be referred on the date of introduction to the appropriate committee or committees in accordance with rules of the respective Houses.

The legislation shall be reported not later than the 120th calendar day after the date of its introduction. If any such committee fails to report the bill within that period, that committee shall be automatically discharged from consideration of the legislation, and the legislation shall be placed on the appropriate calendar.

(c) CONSIDERATION.—

(1) After the 14th legislative day after the date on which the last committee of the House of Representatives or the Senate, as the case may be, has reported or been discharged from further consideration of such legislation, it is in order after the legislation has been on the calendar for 14 legislative days for any Member of that House in favor of the legislation to move to proceed to the consideration of the legislation (after consultation with the presiding officer of that House as to scheduling) to move to proceed to its consideration at any time after the third legislative day on which the Member announces to the respective House concerned the Member's intention to do so. All points of order against the motion to proceed and against consideration of that motion are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the legislation is agreed to, the respective House shall immediately proceed to consideration of the legislation without intervening motion (exception one motion to adjourn), order, or other business.

(2)(A) In the House of Representatives, during consideration of the legislation in the Committee of the Whole, the first reading of the legislation shall be dispensed with. General debate shall be confined to the legislation, and shall not exceed 4 hours equally divided and controlled by a proponent and an opponent of the legislation. After general debate, the legislation shall be considered as read for amendment under the five-minute rule. Consideration of the legislation for amendment shall not exceed 4 hours excluding time for recorded votes and quorum calls. At the conclusion of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the legislation and amendments thereto to final passage without intervening motion, except one motion to recommit with or without instructions. A motion to reconsider the vote on passage of the legislation shall not be in order.

(B) In the Senate, debate on the legislation, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 25 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees. No amendment that is not germane to the provisions of such legislation shall be received. A motion to further limit debate is not debatable.

(3) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to the legislation described in subsection (a) shall be decided without debate.

(d) CONSIDERATION BY OTHER HOUSE.—(1) If, before the passage by one House of the legislation described in subsection (a) that was introduced in that House, that House receives from the other House the legislation described in subsection (a)—

(A) the legislation of the other House shall not be referred to a committee and may not be considered in the House that receives it otherwise than on final passage under subparagraph (B)(ii) or (iii); and

(B)(i) the procedure in the House that receives such legislation with respect to such legislation that was introduced in that House shall be the same as if no legislation had been received from the other House; but

(ii) in the case of legislation received from the other House that is identical to the legislation as engrossed by the receiving House, the vote on final passage shall be on the legislation of the other House; or

(iii) after passage of the legislation, the legislation of the other House shall be considered as amended with the text of the legislation just passed and shall be considered as passed, and that House shall be considered to have insisted on its amendment and requested a conference with the other House.

(2) Upon disposition of the legislation described in subsection (a) that is received by one House from the other House, it shall no longer be in order to consider such legislation that was introduced in the receiving House.

(e) Upon receiving from the other House a message in which that House insists upon its amendment to the legislation and requests a conference with the House of Representatives or the Senate, as the case may be, on the disagreeing votes thereon, the House receiving the request shall be considered to have disagreed to the amendment of the other House and agreed to the conference requested by that House.

(f) DEFINITION.—For the purposes of this section, the term ''legislative day'' means a day on which the House of Representatives or the Senate, as appropriate, is in session.

(g) EXERCISE OF RULEMAKING POWER.—The provisions of this section are enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives and, as such, shall be considered as part of the rules of each House and shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedures of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 7. AVAILABILITY OF FUNDS FOR THE REFERENDA.

(a) IN GENERAL.—

(1) AVAILABILITY OF AMOUNTS DERIVED FROM TAX ON FOREIGN RUM.—During the period beginning October 1, 1997, and ending on the date the President determines that all referenda required by this Act have been held, from the amounts covered into the treasury of Puerto Rico under section 7652(e)(1) of the Internal Revenue Code of 1986, the Secretary of the Treasury—

(A) upon request and in the amounts identified from time to time by the President, shall make the amounts so identified available to the treasury of Puerto Rico for the purposes specified in subsection (b); and

(B) shall transfer all remaining amounts to the treasury of Puerto Rico, as under current law.

(2) REPORT OF REFERENDA EXPENDITURES.—Within 180 days after each referendum required by this Act, and after the end of the period specified in paragraph (1), the President, in consultation with the Government of Puerto Rico, shall submit a report to the United States Senate and United States House of Representatives on the amounts made available under paragraph (1)(A) and all other amounts expended by the State Elections Commission of Puerto Rico for referenda pursuant to this Act.

(b) GRANTS FOR CONDUCTING REFERENDA AND VOTER EDUCATION.—From amounts made available under subsection (a)(1), the Government of Puerto Rico shall make grants to the State Elections Commission of Puerto Rico for referenda held pursuant to the terms of this Act, as follows:

(1) 50 percent shall be available only for costs of conducting the referenda.

(2) 50 percent shall be available only for voter education funds for the central ruling body of the political party, parties, or other qualifying entities advocating a particular ballot choice. The amount allocated for advocating a ballot choice under this paragraph shall be apportioned equally among the parties advocating that choice.

(c) ADDITIONAL RESOURCES.—In addition to amounts made available by this Act, the Puerto Rico Legislature may allocate additional resources for administrative and voter education costs to each party so long as the distribution of funds is consistent with the apportionment requirements of subsection (b).

The CHAIRMAN. Before consideration of any other amendment, it shall be in order to consider Amendment number 3 printed in the RECORD, which shall be preceded by an additional period of general debate confined to the subject of that amendment. That debate shall not exceed 1 hour, equally divided and controlled by the gentleman from New York (Mr. SOLOMON) and a Member opposed.

Consideration of Amendment number 2 printed in the RECORD shall be preceded by an additional period of general debate confined to the subject of that amendment. That debate shall not exceed 30 minutes, equally divided and controlled by the gentleman from New York (Mr. SERRANO) and a Member opposed. Amendments specified in section 2(a) and 2(b) of House Resolution 376 shall be considered read and shall not be subject to a demand for division of the question. Consideration of each of those amendments and any amendments thereto shall not exceed 1 hour.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for any recorded voted on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

It is now in order to debate the subject matter of the amendment offered by the gentleman from New York (Mr. SOLOMON).

The gentleman from New York (Mr. SOLOMON) and a Member opposed, each will control 30 minutes.

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

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

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

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

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

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

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

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

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

PARLIAMENTARY INQUIRIES

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

The CHAIRMAN. The gentleman will state it.

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

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

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

The CHAIRMAN. The gentleman will state it.

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

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

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

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

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

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

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

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

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

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

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

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

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

PARLIAMENTARY INQUIRIES

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

The CHAIRMAN. The gentleman will state it.

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

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

Mr. BURTON of Indiana. I thank the Chair.

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

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

The CHAIRMAN. As of now, that is correct.

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

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

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

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

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

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

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

Mr. SOLOMON. That is correct.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

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

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

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

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

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

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

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

That is the history of our country.

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

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

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

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

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

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

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

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

□ 1415

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

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

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

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

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

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

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

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

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

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

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

Vote ''no'' on the Solomon amendment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

There was no objection.

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

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

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

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

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

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

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

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

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

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

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

□ 1430

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1445

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

do it, we need to recognize certain things.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1500

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you, all of you.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1515

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

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

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

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

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

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

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

Mr. Chairman, I support the substitute.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The CHAIRMAN. One-quarter of one minute.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

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

The CHAIRMAN. The gentleman may close debate.

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

The CHAIRMAN. The gentleman is correct.

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

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

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

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

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

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

There was no objection.

AMENDMENT NO. 3 OFFERED BY MR. SOLOMON

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. SOLOMON:

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

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

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

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

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

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

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

(C) Additionally, in the event of a vote in favor of United States sovereignty leading to statehood, the President shall include in the transition plan provided for in this Act that the Federal and State governments implement programs and incentives to promote the acquisition and usage of English by the citizens of Puerto Rico, including but not limited to, teaching in English in public schools, the availability of fellowships and scholarships to increase the opportunities of the people of Puerto Rico to learn to speak, read, write, and understand English, and the provision of educational instruction in English to persons not in schools.

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

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

The Clerk read as follows:

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

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

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

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

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

□ 1530

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

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

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

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

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

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

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

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

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

Mr. GUTIERREZ. I object, Mr. Chairman.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

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

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

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

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

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

Mr. GUTIERREZ. I thank the Chair.

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

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

The Clerk read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(iii) include the effective date

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

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

There was no objection.

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

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

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

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

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

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

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

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

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

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

□ 1545

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

□ 1600

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I thank the gentleman from New York for yielding.

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

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

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

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

□ 1615

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ), to the amendment offered by the gentleman from New York (Mr. SOLOMON).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. GUTIERREZ. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. SOLOMON. Mr. Chairman, I understood that we were going to try to reduce the second vote down to 5 minutes. How do we do that? How do we propound a recorded vote at this time?

The CHAIRMAN. The Chair has the authority to do it. Pursuant to the rules, the Chair will announce the subsequent two votes (if ordered) will be 5 minute votes.

Mr. GUTIERREZ. Mr. Chairman, before we vote, there have been some pretty scandalous things occurring.

The CHAIRMAN. A recorded vote is ordered. The gentleman from Illinois is out of order.

Mr. GUTIERREZ. If the Chairman will, please, I do have a very good point. This is very serious. We are violating the rules of the House, Mr. Chairman. This is being handed out against our rules.

The CHAIRMAN. Does the gentleman have a parliamentary inquiry?

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. GUTIERREZ. Mr. Chairman, can this be handed out to Members of the House of Representatives as they are walking in here, to ask people to vote yes or no on different amendments as they walk in here, without having the letterhead of the U.S. Congress and without it being signed by some Member of Congress?

The CHAIRMAN. Handouts handed out to the membership must indicate who authorized them.

Mr. GUTIERREZ. Mr. Chairman, then I bring to the attention of the Chair that this is being handed out amongst us without signature, without the letterhead, not in accordance with our rules, and I would ask that the Chair protect in any way possible the integrity of the rules of the House.

The CHAIRMAN. The Chair will do everything possible so that the rules of the House are adhered to and complied with.

Pursuant to clause 2(c) of rule XXIII, the Chair may reduce to not less than 5 minutes the time for any recorded vote, if ordered, on the Burton substitute amendment to the Solomon amendment or on the Solomon amendment without intervening business or debate.

The vote was taken by electronic device, and there were—ayes 13, noes 406, answered ''present'' 1, not voting 10, as follows:

[Roll No. 28]

AYES—13

Conyers	Meeks (NY)	Serrano
Davis (IL)	Owens	Towns
Gutierrez	Pastor	Velazquez
Kennedy (MA)	Payne	
McKinney	Rush	

NOES—406

Abercrombie	Baker	Bass
Ackerman	Baldacci	Bateman
Aderholt	Ballenger	Becerra
Allen	Barcia	Bentsen
Andrews	Barr	Bereuter
Archer	Barrett (NE)	Berman
Armey	Barrett (WI)	Berry
Bachus	Bartlett	Bilbray
Baesler	Barton	Bilirakis

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

ANSWERED ''PRESENT''—1

Waters

NOT VOTING—10

Doolittle
Gonzalez
Harman
Kilpatrick
Luther
Poshard
Schiff
Schumer
Shimkus
Torres

□ 1651

Messrs. JACKSON of Illinois, BECERRA, SMITH of Texas, SMITH of Michigan, MALONEY of Connecticut, BATEMAN, and RANGEL changed their vote from ''aye'' to ''no.''

Ms. MCKINNEY and Messrs. OWENS, KENNEDY of Massachusetts, and CONYERS changed their vote from ''no'' to ''aye.''

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. BURTON) as a substitute for the amendment offered by the gentleman from New York (Mr. SOLOMON).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SOLOMON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to the Chair's prior announcement, this will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 182, not voting 10, as follows:

[Roll No. 29]

AYES—238

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

NOES—182

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Brady
Bryant
Bunning
Burr
Callahan
Calvert
Canady
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Conyers
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Dickey
Dreier
Duncan
Dunn
Emerson
Everett
Ewing
Fawell
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Ganske
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Gutierrez
Gutknecht
Hall (TX)
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
King (NY)
Kingston
Knollenberg
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski

Livingston
LoBiondo
Lucas
Manzullo
McCrery
McDade
McHugh
McIntosh
Menendez
Metcalf
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Porter
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryun
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shays
Shuster
Sisisky
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Taylor (NC)
Thomas
Thune
Tiahrt
Towns
Traficant
Upton
Velazquez
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NOT VOTING—10

Doolittle
Gonzalez
Harman
Kilpatrick
Luther
Poshard
Schiff
Schumer
Shimkus
Torres

□ 1701

Messrs. BOB SCHAFFER of Colorado, HASTERT, BAESLER, ROGAN, and HALL of Texas changed their vote from ''aye'' to ''no.''

Mrs. KELLY and Mr. SMITH of New Jersey changed their vote from ''no'' to ''aye.''

So the amendment offered as a substitute for the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. SOLOMON), as amended.

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SOLOMON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to the Chair's prior announcement, this will be a 5-minute vote.

PARLIAMENTARY INQUIRY

Mr. ROMERO-BARCELÓ (during the vote). Mr. Chairman, I have a parliamentary inquiry. I was standing here, and the Chairman did not see me.

The CHAIRMAN. The gentleman will state it.

Mr. ROMERO-BARCELÓ. Mr. Chairman, I have to explain to everyone what this second vote is. There is confusion in the hall as to what this second vote is.

The CHAIRMAN. The Chair has explained to the Members what this vote is.

The vote was taken by electronic device, and there were—ayes 265, noes 153, not voting 12, as follows:

[Roll No. 30]

AYES—265

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

NOES—153

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Barr
Bartlett
Bass
Bateman
Bilbray
Bilirakis
Bliley
Blumenauer
Blunt
Boehner
Brady
Bryant
Bunning
Burr
Callahan
Calvert
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Conyers
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Dickey
Dreier
Dunn
Emerson
Everett
Fawell
Fowler
Franks (NJ)
Frelinghuysen
Ganske
Goode
Goodlatte
Goodling
Goss
Graham
Gutierrez
Gutknecht
Hall (TX)
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hutchinson
Hyde
Inglis
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kingston
Knollenberg
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Manzullo
McIntosh
Menendez
Metcalf
Miller (FL)
Myrick
Nethercutt
Neumann
Ney
Norwood
Packard
Pappas
Parker
Paul
Paxon
Petri
Pickett
Pitts
Porter
Pryce (OH)
Radanovich
Regula
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Salmon
Sanford
Scarborough
Schaefer, Dan
Scott
Sensenbrenner
Sessions
Shadegg
Shays
Shuster
Sisisky
Smith (MI)
Smith (OR)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Taylor (NC)
Thune
Tiahrt
Towns
Traficant
Upton
Velazquez
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf

NOT VOTING—12

Berman
Doolittle
Furse
Gonzalez
Harman
Kilpatrick
Luther
Poshard
Schiff
Schumer
Shimkus
Torres

□ 1711

Mr. SALMON, Mr. COOKSEY, and Ms. DUNN changed their vote from ''aye'' to ''no.''

Mr. PASCRELL and Mr. BERRY changed their vote from ''no'' to ''aye.''

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

The SPEAKER pro tempore (Mr. HASTERT), assumed the Chair.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

UNITED STATES-PUERTO RICO POLITICAL STATUS ACT

The Committee resumed its sitting.

□ 1715

Mr. SERRANO. Mr. Chairman, it is my intention to offer amendment number 2 that was printed in the RECORD at this time.