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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore [Mr. KOLBE].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 12, 1996.

I hereby designate the Honorable JIM KOLBE to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of May 12, 1995, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leader limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Guam [Mr. UNDERWOOD] for 5 minutes.

ADVANCING THE CAUSE OF POLITICAL STATUS RESOLUTION IN THE TERRITORIES

Mr. UNDERWOOD. Mr. Speaker, in the course of dealing with territorial issues and the resolution of political status for this country's colonial areas, the use of terms has been instructive. At times, the island I represent, Guam, has been referred to by Members of this body as a ''territory,'' ''colony,'' ''possession,'' or ''protectorate.'' In point of fact, Guam is an unincorporated territory of the United States.

The legal implications of this status are important because it helps us understand the reasons behind an effort to change the status. An unincorporated territory is little more than a colony with a legal title which disguises it. An unincorporated territory means that the territory is owned by the United States and that the Congress has plenary power over it. But it is not incorporated meaning that it is not truly an integral part of the United States.

Unincorporated means that the Constitution is not fully applicable to Guam. Unincorporated means that the territory is not on a path to statehood in the same way that incorporated territories have historically been. Unincorporated means that the Congress can make the most basic decisions about your political existence. And because we have no voting representation in the House or the Senate and because we cannot vote for President, the people of Guam have not truly given their consent to the Government which controls their lives. The most basic tenet of American democracy is that government comes from the consent of the governed. In the case of Guam and other territories, this is not the case. Consequently, the term ''colony'' is clearly applicable.

It is much to the credit of Congress that this plenary power, which so clearly offends the people of Guam and which should offend any principled American, has generally been used in positive ways; ways which promote the progressive development of the territories. However, there have been occasions when this authority has been used in ways which have been damaging to the territories and countless times when Congress has failed to consider the unique circumstances of the area.

In this context, the terms are important. Guam is not a protectorate which implies total internal sovereignty with some tradeoff agreement for protection. Guam is not a possession which seems a step below territory. Wake Island is a possession and has no government functioning there. It is managed by a Federal agency.

Guam is an unincorporated territory that is working to establish a new Commonwealth. The Guam Commonwealth Act, H.R. 1056, which I introduced early in the 104th, provides the framework for this new Commonwealth. Governor Gutierrez and the Guam Commission on Self-Determination have been negotiating with the Clinton administration to resolve areas of disagreement. I am encouraged by the commitment shown by the administration's special representative, Mr. John Garamendi, to complete these discussions, but I am mindful of the difficult issues that remain.

Territories as Commonwealths have existed in American history and today we have two—the Commonwealth of the Northern Mariana Islands and the Commonwealth of Puerto Rico. The term implies that there is an agreement to be a Commonwealth on both sides and that this is a step up from unincorporated territory. The legal foundations of this assumption are questionable and are highly dependent upon the specific nature of the agreement which created the Commonwealth.

I will spare no effort to work toward a Commonwealth agreement for Guam because it is a progressive step. But I recognize that it does not answer a fundamental decision about what Guam may be in the future. The Commonwealth is an intelligent response to what we can be in the present. Guam may be a State, may be an independent country, may be a nation in free association with the United States. That is a story waiting to be written and we must be mindful of our responsibility to reserve these possibilities for the people of Guam to decide.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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What happens to other territories is important to Guam because it may affect us in ways that are not readily apparent. I want Guam to be a Commonwealth. I want to help advance political status discourse on Guam and on other areas. I have consponsored H.R. 3024 for the resolution of the Puerto Rico political status issue.

I appreciate the problems of the approach outlined in this bill, but I hope to advance the discussion for Puerto Rico in a way that I wish others would also help to advance the discussion for Guam. And there is in this legislation a fundamental admission about the territorial policy of this country. That admission is that the political status issue is never fully resolved until a territory becomes a State or its sovereignty is recognized.

This legislation admits that the United States has colonies which are awaiting the final resolution of their status. The final resolution may be closer for some than for others, but we will all need to cross that bridge in the future. In the meantime, we can make the path to that bridge more beneficial for all concerned, whether we call that path unincorporated territory or Commonwealth.

REVERSE THE PROCESS OF SPENDING MORE AND GETTING LESS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Florida [Mr. MICA] is recognized during morning business for 5 minutes.

Mr. MICA. Mr. Speaker, I want to refer to articles in today's newspapers, not only here in Washington, but also across the country, in which the President recently traveled to New Jersey. He has continued his campaign, both to scare the American people and seniors, and also those concerned about the environment.

I think it is important that we set the record straight. In fact, the President said, and let me quote, ''The GOP-controlled Congress is cutting Federal safeguards to cater to corporate interests. A small army of very powerful lobbyists literally have descended on Capitol Hill, as if they own the place.'' It makes good campaign rhetoric, but it just ''ain't'' the truth, Mr. Speaker.

The fact is that the people who represent cities and towns and States have descended on this new Congress. Let me quote the New York Times again, the New York Times of March 24, 1994: ''In January, 1994, mayors from 114 cities and 49 States urged the White House to focus on how environmental policy-making had gone awry.'' That is the true story. ''Mississippi and Vermont were among the first to appoint panels of citizens and scientists to examine our environmental policy. In published reports both State panels concluded that the largest sums of monies were being spent on the least threatening environmental problems.''

Mr. Speaker, let me tell the Members, the story goes on and on. Let me tell you what the mayor of Columbus said. This is his quote: ''What bothers me is that new rules coming out of Washington are taking money from decent programs and making me waste them on less important problems. It kills you as a city official to see this kind of money being spent for nothing.''

Let me tell the Members, Mr. Speaker, what this debate is all about. This debate is about command and control in Washington, DC. We would think there are a lot of Federal EPA officials working in the States and trying to improve the environment. Wrong. Let me show the figures of what we have done. First of all, there are nearly 7,850 Federal EPA employees. Of that, there are 5,924 in Washington, DC, within 50 miles of where I am speaking right now. There are almost 6,000, just under 6,000. In fact, a dozen years ago there were not that many in the entire EPA program. In Atlanta, in a regional office, one of 10 regional offices, there are 1,287 bureaucrats.

This whole debate is about this bureaucracy that we have built up. EPA was a Republican idea. The department creating an agency of environmental protection was a Republican idea in 1972, to set some national standards. We should do that. We can do that without this huge bureaucracy. These folks are not in our States. For example, there are only 67 EPA Federal employees in the State of Florida, out of this mass of Federal bureaucrats.

Then the President talked about Superfund. Let me tell you, there is no greater example of a failure of a government program than Superfund. It does not clean up the sites. There are thousands of sites. They have only cleaned up a handful. Over 80 percent of the money goes for attorney's fees and studies. Then what do they do? Does the polluter pay? Here is a headline: ''EPA lets polluters off the hook.''

Right now they let people off the hook. They do not pay under current law. That is what we think needs to be changed here. So Republicans have a better idea. We think that we are spending more and getting less, and we should reverse that process.

Then, are we cleaning up the riskiest sites to human health, safety, and our children? The fact is, no. I have here a GAO study of 1994. It is absolutely appalling that we are not cleaning up the sites that pose the most risk to human health, safety, and welfare. This report says, in fact, and let me quote: ''Although one of EPA's key policy objectives is to address the worst sites first, relative risk plays little role in the agency's determination of priorities.''

Do Members know what does determine their priorities? Political pressure. That is what this report says. So a program that was originally, according to this report, going to cost $1.6 billion has grown to $75 billion. It is not cleaning up the sites and it is letting polluters off the hook. We think that is wrong.

SUPPORT HIGHER EDUCATION

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ] is recognized during morning business for 5 minutes.

Mr. ROMERO-BARCELÓ. Mr. Speaker, the proposed 1996 spending package for education is unacceptable. Once again, the country's children and youth will be made to pay.

Under the current budget, education programs have been forced to operate at greatly reduced funding levels, to the detriment of students in school districts all across the country.

The appropriation bill provides for additional funds for certain programs but does so only on a contingency basis. And what is the contingency? Agreement to cut vital entitlement programs. In the name of balancing the budget, children are being pitted against each other. Now, we have seen everything.

Once again, college and college-bound students may lose an opportunity to pursue higher education.

How many talented, intelligent, young men and women will be deprived of the opportunity of a higher education?

Many students who are qualified and prepared to enter college, will simply not be able to go. Low- and middle-income families who have worked hard, saved their earnings for many years, will find it more difficult—if not impossible—to pursue higher education.

It is an uncontroverted fact that American voters strongly support Federal aid to college students. Americans believe that by providing financial aid for people who want to go to college, the Federal Government is investing in America's future.

Despite, this fact, the latest House version of the bill would cut $756 million for Pell Grants, eliminate funding for capital contributions for Perkins Loans, and eliminate funding for the Student Incentive Grant Program, which provides invaluable support to low-income college students.

Thousands of students in Puerto Rico and all over the country will be affected.

While Congress is slashing the education budget here in Washington, elsewhere legislators are recognizing the importance of supporting higher education, and regretting that they ever tried to balance their budgets at the expense of higher education. In Virginia, legislators reached an agreement on the Virginia budget this weekend in which higher education will get $400 million more over the next 2 years. The numbers in that budget tell that the No. 1 priority is education.

In Puerto Rico, as well, the State government is honoring its commitment to education. But Puerto Rico's