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Congress of the United States
House of Representatives
Washington, DC 20515

January 24, 1996

Mr. John Randall
3808 Rosecrans Street
Apartment #233
San Diego, California 92110

Dear Mr. Randall:

Thank you for writing with your question about Section 3(a) of H.R. 97, legislation I introduced this Congress. Please excuse the delay in my response.

In your letter you asked if Section 3(a) of H.R. 97 defining the word state, and 26 U.S. Code 3121 (e) are the same. I have checked with Legislative Counsel and the Congressional Research Service about the definition. According to these legal experts the definitions are not the same. The term state in 26 U.S. Code 3121 (e) specifically includes only the named U.S. territories and possessions of the District of Columbia, Puerto Rico, the Virgin Islands, Guam and American Samoa. In addition, this section of the U.S. Code unlike H.R. 97 also states,

"An individual who is a citizen of the Commonwealth of Puerto Rico (but not otherwise a citizen of the United States) shall be considered, for the purposes of this section, as a citizen of the United States."

H.R. 97, section 3(a) does not specifically define the U.S. territories and possessions that would be eligible under this legislation, and therefore is somewhat more expansive. Again, thank you for writing on this issue.

Sincerely,

A handwritten signature in cursive script that reads "Barbara B. Kennelly".

BARBARA B. KENNELLY
Member of Congress

BBK:ajr