

89th CONGRESS  
2nd Session

S. BILL \_\_\_\_\_

IN THE SENATE OF THE UNITED STATES

March 9, 1966

Mr. \_\_\_\_\_ introduced (by request)  
the following Bill; which was referred to the Committee on  
Foreign Relations

A B I L L

To provide for the recognition of the sovereignty of the Commonwealth of Puerto Rico, as requested by the Joint Resolution No. 1 of the Legislative Assembly of Puerto Rico, approved December 3, 1962; to provide for the fulfillment of certain obligations of the United States under the Treaty of Paris of December 10, 1898 and under the Charter of the United Nations; to establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico; to define trade, political and military obligations mutually agreed to between the Commonwealth of Puerto Rico and the Government of the United States; to authorize certain executive agreements; to continue in force certain statutes; and for other purposes.

WHEREAS: the people of Puerto Rico have a very long and fruitful tradition of constitutional government and civil accomplishments, notable from the very beginning of the 19th Century when its prominent citizens exercised functions of leadership in the Spanish Parliament of 1812;

WHEREAS: Puerto Rico is a Spanish-speaking nation with her own historical culture, language, traditions and legal and social institutions<sup>1/</sup> and was a country already organized into a self-governing community, under an Autonomous Charter

granted by the Spanish Crown in 1897 and as such had a Parliamentary Government of its own election which was duly authorized to enact its own tariffs, to intervene in commercial treaties with other nations, to organize its banking, credit and monetary systems and to pass upon all matters not expressly reserved to the Crown; and such autonomous status, which included direct representation in the Spanish Parliament "shall not be amended except by virtue of a law and upon petition from the insular parliament";<sup>2/</sup>

WHEREAS: as a consequence of the Spanish-American War of 1898, Puerto Rico was militarily invaded and occupied the 25th of July of that year; her autonomous government abolished by the military occupation; and the island was ceded to the United States by Spain under the Treaty of Paris of December 10, 1898;<sup>3/</sup>

WHEREAS: in a public message to the people of Puerto Rico, the Commander-in-Chief of the American invasion force, General Nelson Miles, proclaimed and assured the Puerto Rican people that his troops were landing in Puerto Rico "bearing the banner of freedom" to bring protection to life and property and "the immunities and blessings of the liberal institutions of our government" and in such a terms<sup>4/</sup> they were warmly received by the Puerto Rican people.

WHEREAS: in the above mentioned Treaty of Paris, the United States assumed the international obligation as to that the "civil rights and political status of the native inhabitants of the territories hereby ceded to the United States, shall be determined by the Congress."<sup>5/</sup>

WHEREAS, after two years of American military government, the Congress of the United States, by the Foraker Act of May 1, 1900, provided for a limited form of civil government,

recognizes the Puerto Rican Citizenship of the natural inhabitants of Puerto Rico, and that they "constitute a body politic under the name of The People of Puerto Rico," with an elected House of Delegates, but with all officials of the high judicial and executive branches appointed or directly responsible to the President of the United States; <sup>6/</sup>

WHEREAS: certain modifications to that political structure were introduced in the eve of the entrance of the United States into the First World War, by the Act of Congress of March 2, 1917, known as the "Jones Act", in which Congress declared Puerto Rico's citizens to be also collectively considered citizens of the United States, recognizing by such Act Puerto Ricans' dual citizenship and enabling them to assume military duties as both citizens of Puerto Rico and of the United States; and such functional citizenship was declared by both Congress <sup>7/</sup> and the Supreme Court of the United States not to be construed as to be a political incorporation of Puerto Rico into the United States, not to modified the fundamental "treaty status of Puerto Rico", neither to presuppose Puerto Rico's ultimate political status; <sup>8/</sup>

WHEREAS: "fully recognizing the principle of government by consent", the Congress of the United States on July 3, 1950, approved Public Law 600-81 st. Congress-, "adopted in the nature of a compact so that the people of Puerto Rico may organize a government pursuant to a constitution of their own adoption" <sup>9/</sup> and such constitution was duly drafted and approved by the people of Puerto Rico, by the President and Congress (Public Law 447, 82nd Congress) <sup>10/</sup> and under the terms of such constitution, Puerto Rico became a commonwealth, a free state, associated by compact to the

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United States with a local state government wholly responsible to the will of their people and elected according to the laws and regulations adopted by the Legislative Assembly of Puerto Rico, the remaining provisions of the Organic Act of 1917 not derogated by said Public Law 600 and continuing in operation under the name of the "Puerto Rican Federal Relations Act"; <sup>11/</sup>

WHEREAS: the Constitution of the Commonwealth of Puerto Rico, Article I, Sections 1 and 2, proclaimed and reaffirmed that, "The Commonwealth of Puerto Rico is hereby constituted. Its political power emanates from the people and shall be exercised in accordance with their will, within the terms of the compact agreed upon between the people of Puerto Rico and the United States of America."; and also that: "The Government of the Commonwealth of Puerto Rico shall be republican in form and its legislative, judicial and executive branches as established by this Constitution, shall be equally subordinate to the sovereignty of the people of Puerto Rico." And as such was approved by the President and Congress. <sup>12/</sup>

WHEREAS: when the Constitutional Convention of Puerto Rico approved the Puerto Rican Constitution, it also approved and sent to the President and Congress, Resolution No. 23 stating the following, "final declarations":

"(a) This Convention deems that the Constitution as approved, fulfills the mission assigned to it by the people of Puerto Rico.

(b) When this Constitution takes effect, the people of Puerto Rico shall, thereupon, be organized in a commonwealth established within the terms of the compact entered into by mutual consent, which is the basis for our union with the United States of America.

(c) The political authority of the Commonwealth of

Puerto Rico shall be exercised in accordance with its constitution and within the terms of said compact.

(d) Thus, we attain the goal of complete self-government, the last vestiges of the colonialism having disappeared in the principle of compact, and we enter into an era of new developments in democratic civilization. Nothing can surpass in political dignity the principle of mutual consent and of compact freely agreed upon. The spirit of the people of Puerto Rico is free for great undertakings now and in the future. Having full political dignity, the Commonwealth of Puerto Rico may develop in other ways by modifications to the compact through mutual consent.

(e) The people of Puerto Rico reserve for itself the right to propose and to accept modifications in the terms of its relations with the United States of America, in order that these relations may, at all times, be the expression of an agreement freely entered into between the people of Puerto Rico and the United States of America."<sup>13/</sup>

WHEREAS: after the final approval and effectiveness of the Puerto Rican Constitution, the government of the United States notified the United Nations that it had decided to cease to transmit information on Puerto Rico, in view of the "change in the constitutional position and status" of Puerto Rico, as reported in the Bulletin of the Department of State on April 20, 1953; references are made to the fact that "the citizens of Puerto Rico are citizens of the United States as well as of Puerto Rico," and it is stated that Puerto Rico has voluntarily entered into the relationship with the United States which it has chosen to describe as a "commonwealth relationship" (in Spanish,

"Estado Libre Asociado"), and it is finally said that "the United States Government, therefore, has decided that, with the entry into force on July 25, 1952, of the new constitutional arrangement establishing the Commonwealth of Puerto Rico, it is no longer appropriate for the United States to continue to transmit information to the United Nations on Puerto Rico, under Article 73(e) of the Charter." This conclusion constitutes an international recognition by the Executive Department of the United States Government of the autonomous nature of the new self-government of the Commonwealth of Puerto Rico, (United Nations document A/AC 35/L 121, Annex II).

WHEREAS: During the discussion of the above mentioned petition of the United States in the General Assembly of the United Nations in 1953, regarding the status of Puerto Rico, the President of the United States, Honorable Dwight D. Eisenhower, through the head of the United States Delegation, Ambassador Henry Cabot Lodge, solemnly and emphatically pledges that in any moment that the Legislative Assembly of Puerto Rico approves a petition for a larger measure of independence or even for absolute independence, the President will recommend that said petition be granted by Congress; and that in such a case, the Government of the United States will heartily welcome Puerto Rico to the Rio de Janeiro Interamerican Common Defense Pact, and to the Charter of the United Nations; and immediately after such a pledge by the United States Government, the General Assembly of the United Nations proceeded to the approval, in the 459th plenary meeting of the Resolution deciding on the petition of the United States regarding Puerto Rico. Said Resolution

declared "that the agreement reached by the United States of America and the Commonwealth of Puerto Rico, in forming a political association which respects the individuality and the cultural characteristics of Puerto Rico, maintains the spiritual bonds between Puerto Rico and Latin American and constitutes a link in continental solidarity"; recognizes "that, in the framework of their Constitution and of the compact agreed upon with the United States of America, the people of the Commonwealth of Puerto Rico have been invested with attributes of political sovereignty which clearly identify the status of self-government attained by the Puerto Rican people as that of an autonomous political entity": considers that, "due to these circumstances, the Declaration regarding non-self-governing territories, and the provisions established under it in Chapter XI of the Charter, can no longer be applied to the Commonwealth of Puerto Rico"; consider it appropriate that the transmission of information by the United States on Puerto Rico should cease; and finally, the General Assembly of the United Nations: "Expresses its assurance that, in accordance with the spirit of the present resolution, the ideals embodied in the Charter of the United Nations, the traditions of the people of the United States of America and the political advancement attained by the people of Puerto Rico, due regard will be paid to the will of both the Puerto Rican and American people in the conduct of their relations under their present legal status and also in the eventuality that either of the parties to the mutually agreed association may desire any change in the terms of this association"; <sup>14/</sup>

WHEREAS: on passing over the pledge of more independence or even absolute independence and declining to separate

itself from the association with the United States, the Legislative Assembly of Puerto Rico, on June 18, 1954, approved a Resolution to the effect that: "The Commonwealth of Puerto Rico should consequently participate more intensely in the activities and organizations of international character in order to be more useful to the principles of interamerican solidarity."<sup>15/</sup>

WHEREAS: after more than ten years of experience, difficulties, and accomplishments on the experiment of self-government under the Commonwealth status, the Puerto Rican government has been requesting certain changes and modifications to the present relationship between the two countries, particularly to abolish obsolete and colonialistic provisions of the Puerto Rican Federal Relations Act, and to improve and clarified the terms of said relationship of Commonwealth status, in order to develop a more perfect and legally indisputable association with the United States,<sup>16/</sup> and regarding such proposals the late President John F. Kennedy, in a letter to the then Executive Chief of the Commonwealth, Governor Luis Muñoz Marín, stated that: "I am aware..that the Commonwealth relationship is not perfected and that it has not yet realized its full potential, and I welcome your statement that the people of Puerto Rico are about to begin the consideration of this with the purpose of moving towards its maximum development. I am in full sympathy with this aspiration. I see no reason why the Commonwealth concept, if that is the desire of the people of Puerto Rico, should not be fully developed as a permanent institution in its association with the United States."

WHEREAS: recognizing the unique position of Puerto Rico, both in its international relations and with the United States, the late President Kennedy issued the White House

Executive Memorandum of July 25, 1961, to the Heads of all the Executive Departments and Agencies, to the effect that: "Because of the importance and significance of Puerto Rico in the relations of the United States with Latin America and other nations, it is essential that the executive departments and agencies be completely aware of the unique position of the Commonwealth, and that policies actions, reports on legislation, and other activities affecting the Commonwealth should be consistent with the structure and basic principles of the Commonwealth...If any matters arise involving the fundamentals of this arrangement, they should be referred to the Office of the President..."<sup>17/</sup>

WHEREAS, notwithstanding all the above mentioned reinforcements to the principle and legitimacy of self-government in Puerto Rico, the problem of the political status of Puerto Rico is still been angrily debated, for a different sort of reasons, both by friends and allies, or enemies of the United States in and out of Puerto Rico, in the United States, in the United Nations and in other international quarters, certainly embarrassing the foreign relations of Puerto Rico and of the United States;<sup>18/</sup>

WHEREAS: it is evident that such permanent political controversy is unhealthy, destructive and harmful to the otherwise creative, forceful and remarkable efforts undertaken by the Puerto Ricans and their leaders to develop its economy and raise the standard of living of the country, that almost radically changed their conditions from a starving nation to one of the most prosperous and progressive in the world; and it is universally admitted in Puerto Rico that said controversy on the political status is of tremendous negative influence upon the life and stability of such a vital area of interamerican democracy in the

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Caribbean; <sup>19/</sup>

WHEREAS: it is a remarkable fact of the Puerto Rican problem, as the findings of the United States-Puerto Rico Commission on the Status of Puerto Rico unquestionable demonstrates, that the Puerto Rican people and political parties are unanimously against any form of government of any colonial nature and repeatedly had requested to Congress the prompt settlement, in a democratic manner, of their ultimate political status; <sup>20/</sup>

WHEREAS, all the organized and legal political parties and professional groups of Puerto Rico, and generally all advocates of the alternatives forms of government, namely; Commonwealth, Independence, and Statehood, are also unanimous in the opinion that in order for the Puerto Rican people to make a valid, legal and democratic decision of their own as to the ultimate political status, the first step to such a decision should be by Congress to recognize the inherent right and juridical capacity of the people of Puerto Rico to govern themselves and to establish such relationship with the government of the United States as are freely agreed upon, and such was also the officially expressed opinion of the Legislative Assembly of Puerto Rico in its Resolution Number 1, approved December 3, 1962, with only ~~three~~ dissenting votes, advocating "the recognition and reassertion of the sovereignty of the people of Puerto Rico," in order to be legally able to enter into a national and internationally recognizable pact of political, economic and military association with the United States, if such is the democratic will of the people of Puerto Rico; <sup>21/</sup> therefore,

Be it enacted by the Senate and the House of Representatives  
of the United States of America, in Congress Assembled:

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ARTICLE I

Section 1. The Commonwealth of Puerto Rico is hereby declared and recognized as a full and sovereign country and government comprising the Island of that name and its waters and all the islands and waters of those islands in the West Indies, adjacent to the island of Puerto Rico, lying east of the 74th Meridian of longitude west of Greenwich, which are referred to in Article II of the Treaty of Paris between the United States and the Spanish Government, entered into on the 10th day of December 1898.

Section II. Upon approval of this Act, but not before the referendum to be held in Puerto Rico pursuant to the provisions of Section III, Article I of this Act, the President of the United States of America shall issue a proclamation to the effect of the recognition of Puerto Rican sovereignty as defined in Section I of Article I of this Act, and shall also notify the Government of the Commonwealth of Puerto Rico and other interested parties.

Section III. The Legislature of Puerto Rico shall acknowledge by a Joint Resolution, the approval of this Act by the Congress of the United States of America, and so notify the Government of the United States. And, in so doing, the Legislative Assembly shall also submit this Act for the approval of the qualified voters of Puerto Rico, in a referendum to be held under the laws of Puerto Rico, with any other alternative forms of status that the Legislature may consider convenient to submit by her own will, to the acceptance or rejection by the people of Puerto Rico, as hereinafter provided in Article VI of this Act. Provided that such inclusion by the Legislature will not be construed as a commitment by Congress as to such other alternatives of political status.

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ARTICLE II

Section 1. The United States-Puerto Rico Commission on the Status of Puerto Rico, as created by Public Law 88-271, 88th Congress (78 Stat. 17), and the related laws of the Legislature of Puerto Rico, with such modifications as may be agreed to by the Government of the United States and the Government of the Commonwealth of Puerto Rico, shall be declared acceptable by both governments as their official negotiating commission for the following purposes:

1. To draft and submit to the President and Congress and to the Chief Executive and the Legislative Assembly of the Commonwealth, a proposal for a political, economic, and military Pact of Association between United States and Puerto Rico. Provided that, except as hereinbefore or hereinafter otherwise provided, the provisions of the "Puerto Rican Federal Relations Act" not inconsistent with this Act, will continue in force until said Pact is drafted, approved, and ratified by the governments of the United States and of Puerto Rico; Provided further, that with such modifications as may be agreed to by the High Contracting Parties, Sections 2, 5, 5a, 5b, 5c, last clause of Section 7 and Sections 54 and 58 of the Puerto Rican Federal Relations Act (as referred to in Section 4 of Public Law 600) and also Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of Article IV, and Sections 1, 2 and 3 of Article V, and also Section 5 of Article VI of this Act shall be incorporated in the above mentioned Pact of Political, Economic and Military Association between the Government of the Commonwealth of Puerto Rico and the Government of the United States of America, pursuant to clause one of Section 1 of Article II of this Act.

Section II. To study any other proposal not incompatible with Article I of this Act to provide the

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necessary economic assistance to the Commonwealth of Puerto Rico, under such terms as may be agreed to between both governments. Said study should include a proposal for the establishment of a Development Fund for Puerto Rico in the form of a loan on long terms up to the amount of the estimate apportions of "grant-in-aids," plus the amount of the taxes collected under the Federal Internal Revenue Laws of the United States on articles produced in Puerto Rico and transported to the United States, plus the amount of the customs duties also collected on foreign products imported into Puerto Rico, evaluated altogether and comprising the retroactive period of the last twenty-five years up to the year 1965. Said Fund should be administered under the laws and programs of the Commonwealth of Puerto Rico and the long-term loan to start the same will be on the most reasonable credit rates under the law and international assistance policies of the United States.

Section II. <sup>(a)</sup> As soon as the Development Fund for Puerto Rico is duly established and functioning, as hereinbefore provided, Section 9 of the Puerto Rican Federal Relations Act, as referred to in Section 4 of Public Law 600-81st Congress, shall be declared inoperative and shall be deemed repealed.

Section III. The United States - Puerto Rico Commission will for all purposes be considered a permanent body trusted to study and formulate recommendations on all differences, proposals, amendments, adjustments, arbitrations, adjudications, modifications and improvements that it may consider proper to undertake and to suggest to both governments on matters of mutual interest for Puerto Rico and the United States as associated nations.

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ARTICLE III

Section I. At such time as the sovereignty of the Commonwealth of Puerto Rico becomes effective on proclamation by the President of the United States, the following provisions of the Act of March 2, 1917, known as the "Puerto Rican Federal Relations Act," as amended, shall be deemed repealed:

- 1) The first paragraph of said Act.
- 2) Section 3, except the first clause.
- 3) Section 6
- 4) Section 7, except the last clause.
- 5) Section 8
- 6) Section 10
- 7) Section 36
- 8) Section 37
- 9) Section 38
- 10) Section 41
- 11) Section 42
- 12) Section 44
- 13) Section 45
- 14) Section 48

Section II. Until after the Legislative Assembly of the Commonwealth of Puerto Rico takes the necessary legislative steps to provide for the Commonwealth courts to have jurisdiction on controversies where one or all the parties claims diversity of citizenship, the United States District Court for the District of Puerto Rico shall have jurisdiction for that purpose, and to the purpose to dispose of all matters pending therein; and clause (10) of Section 1 of Article III of this Act shall be deemed temporarily suspended until such matters are legally concluded.

Section III. All statutory laws of the United States not locally inapplicable and those of the Commonwealth of

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Puerto Rico, regarding customs, immigration, tariffs, citizenship, national defense, naval, aerial and military bases and activities, including purchasing, leasing, transferences, selling, controlling or operating lands, buildings, beach waters, and other properties and services now enforced in Puerto Rico, or that may be enacted for said purposes, shall continue to be enforced until after the fulfillment of the provisions of clauses one and two, Section I, Article II of this Act.

#### ARTICLE IV

Section I. Until after the fulfillment of the provisions of clause one and two of Section 1, Article II of this Act, the legislative and political relations between the United States and Puerto Rico, will be conducted under the following provisions:

1. Sections 2, 5, 5a, 5b, 5c, 5d, last clause of Section 7, and Sections 54 and 58 of the Puerto Rican Federal Relations Act (as referred to in Section 4 of Public Law 600).

2. The rights, privileges, and immunities of citizens of the United States shall be respected in Puerto Rico to the same extent as the rights, privileges and immunities of citizens of Puerto Rico in Puerto Rico. The rights, privileges and immunities of citizens of Puerto Rico shall be respected in the United States to the same extent as the rights, privileges and immunities of the citizens of the United States in the United States.

3. The deeds and other public instruments, documents, and judicial procedures in the Commonwealth of Puerto Rico, in the States, territories or possessions of the United States and in the United States, may be acknowledged in Puerto Rico, in the States, territories or possessions of the United States and in the United States.

4. A person on trial in the Court of any State, Territory, or Possession of the United States, or the District of Columbia, who shall flee from justice and be found in Puerto Rico, shall, on request of the President of the United States, or of the executive authority of a State, Territory or Possession, or the District of Columbia, with jurisdiction in the case, and a person on trial in the Courts of the Commonwealth of Puerto Rico, who shall flee from justice and be found in a State, Territory or Possession, or the District of Columbia, on request of the Chief Executive of the Commonwealth of Puerto Rico, shall be delivered up to be removed thereto.

5. All obligations issued by the United States, or by its authority, or by any State, Territory or Possession of the United States, or by any county, municipality or other municipal subdivision of any State, Territory, or Possession of the United States, or by the District of Columbia, or by the authority of any of them shall be exempt from taxation by the Commonwealth of Puerto Rico; and all obligations issued by the Commonwealth of Puerto Rico, its municipalities, public corporations of the Commonwealth, political subdivisions, or by its authority, shall be exempt from taxation by the Government of the United States, or by any political subdivision thereof, or by any State, Territory or Possession, the District of Columbia, county or municipality or other political or municipal subdivision of them or of the United States.

6. All merchandise and articles coming into the United States from Puerto Rico and coming into Puerto Rico from the United States, not of foreign origin or manufacture, shall be entered at the general ports of entry free of duty and free of quantitative restrictions other than those

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heretofore imposed. Provided, that articles of merchandise of Puerto Rican manufacture coming into the United States and withdrawn from consumption or sale shall be subject to taxation in Puerto Rico under the internal revenue laws of the Commonwealth of Puerto Rico at the equal rate on like articles produced for use or consumption in Puerto Rico, and, in addition thereto they shall also be subject to certified payment to the Treasury of the Commonwealth of a compensatory surtax in an amount equal to the difference between the internal revenue tax of the Commonwealth and an amount equal to the internal revenue tax imposed in the United States on like articles of domestic manufacture at the point of manufacture or production.

7. The Government of the Commonwealth of Puerto Rico shall levy and collect its own tariffs, rates, and customs duties. Provided, that until after the enforcement of the provisions of Article II of this Act, such tariffs and customs duties shall be the same as those required by law to be collected upon articles imported into the United States from foreign countries and that all laws of the United States and the Commonwealth, or arrangements based on its provisions regarding these matters and in force at the date of approval of this Act, shall continue in force as hereinbefore or hereinafter provided; and, Provided, further, that all raw material necessary for the industrial development programs in Puerto Rico and articles for the same purposes imported into Puerto Rico from parts other than those of the United States which contains in its manufacture or elaboration no more than fifty percent (50%) of foreign products, when they are not be transported or shipped for sale in the United States as they are, but to be remanufactured, reformed, ensembled, modified, or re-elaborated in Puerto

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Rico, shall be exempted from said tariffs and customs duties; and, Provided, furthermore, that in any case such raw materials and by-products and articles shall pay the tariffs and customs duties that may be levied and collected by the Government of the Commonwealth of Puerto Rico.

8. As soon as the Government of the Commonwealth notifies the government of the United States that it has approved and is ready to enforce the necessary laws to organize its own customs services, the Secretary of the Treasury of the United States shall arrange with the Secretary of Finance of Puerto Rico the date and means of transferring the authority, functions and services of the United States Customs Services in Puerto Rico to the Government of Puerto Rico to be administered under the laws of the Commonwealth. Provided, however, that all employees and officials of the United States Customs Services who are citizens of the United States and of Puerto Rico, and who at the time are in their duly execution of their functions shall continue in such services, if they so desire, with the same remuneration, salaries and positions and that the government of Puerto Rico shall provide for those so employed at the date of the approval of this Act the same salaries, compensations, benefits and pensions and retirement privileges to which they are now entitled under the laws of the United States.

9. All the treaties, agreements or pacts entered into by the United States and other countries and now applicable to Puerto Rico, will continue to be applied to Puerto Rico. Provided, that as far as the Puerto Rican Commonwealth is concerned, the Commonwealth Government shall execute same rights and privileges as those reserved

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by the United States for itself in such treaties, agreements or pacts, except as to their provisions covering military and defense matters of national interest for the United States.

10. The Government of Puerto Rico may enter into and negotiate by itself commercial treaties and other agreements and pacts, which are not of a military nature, with other countries, as long as said treaties, agreements and pacts are not inconsistent with the provisions of this Act.

11. The Government of Puerto Rico can ordain whatever it may be necessary for the construction and operation of merchant ships under the Puerto Rican flag and maritime registry. And until such time as the Legislative Assembly of Puerto Rico does legislate on this matter, the maritime operations in Puerto Rico's jurisdiction shall be ruled under the Admiralty Laws of the United States as they may be applied by the Courts of the Commonwealth.

12. All citizens of Puerto Rico, as defined by Section 7 of the Act of April 12, 1900, known as the "Foraker Act", and all persons born in Puerto Rico who are not citizens of any foreign country are citizens of the Commonwealth of Puerto Rico and also citizens of the United States. All citizens of the United States born in Puerto Rico and all citizens of the United States that are such citizens by virtue of all the provisions of the laws of the United States extended to Puerto-Ricans, and all citizens of the United States residing in Puerto Rico under the laws of Puerto Rico, are hereby declared to be also citizens of the Commonwealth of Puerto Rico. Provided, that any citizen of the United States and of Puerto Rico who ceases to be a citizen of the United States for reasons other than treason, being a fugitive of the United States

or of Puerto Rico, or convicted of a felony crime, or desertion, espionage, sabotage or subversive activities, under the laws of the United States or of Puerto Rico, or for having served to a foreign nation at war against the United States or against Puerto Rico, or for being employed by a known enemy of the United States or of Puerto Rico, shall continue to be a citizen of the Commonwealth of Puerto Rico and subject to its jurisdiction and its laws. The residence and domicile in Puerto Rico shall not be considered as residence and domicile in the United States to the effects of the laws of naturalization and citizenship of the United States and a foreign citizen admitted to Puerto Rico under the laws of Puerto Rico, cannot move his residence or domicile to the United States unless such citizen duly comply with the laws and regulations governing the admission of foreign citizens to the United States.

13. The laws of the United States as to currency, production and marketing quotas, housing assignment funds, education, highways, ports, roads, airports, civil and commercial aviation, agriculture, public welfare services, meteorological services, public health, social security and unemployment, veterans, studies and investigations of a technical, cultural and scientific nature, of salaries, retributions, compensation, emoluments, pension and retirement payments of federal employees, and any other laws of the United States not inconsistent with the laws and the Constitution of Puerto Rico, and not inconsistent with this Act, shall be enforced by their own terms on the Commonwealth of Puerto Rico. Also the laws of the United States concerning military, naval and air force services, civil defense, militar or political federal emergency, internal security, espionage, contraband,

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sabotage, and of subversive activities defined by law, as well as of any other nature essential to the security and defense of the United States, or for the conduction of a war declared by, or against the United States, and the regulations pursuant to them, shall be in force in Puerto Rico immediately after being approved by Congress and signed by the President of the United States, and such laws, shall be officially notified by the President of the United States, to the Chief Executive of Puerto Rico for its immediate transmission to the Puerto Rican Legislative Assembly. If the Legislative Assembly does not object any of such laws, or part of them, within a period of thirty (30) days following the date of its notification by the Chief Executive of Puerto Rico to the Legislative Assembly, these laws shall become in force immediately at the end of said period of time in the jurisdiction of the Commonwealth of Puerto Rico and shall be applied by functionaries of the Puerto Rican Government as if they were Puerto Rican laws, according to the executive agreements entered into between the President of the United States and the Chief Executive of Puerto Rico to this effect. Provided, that if the Legislative Assembly of Puerto Rico object the enforcement to Puerto Rico or to its citizens of anyone of these laws or of part of them, the Legislative Assembly shall state said objections and shall also propose acceptable alternatives within thirty (30) days counting from the date in which the law or part of the objected law was to such effect considered during the proceedings of the Legislative Assembly of Puerto Rico. Provided, furthermore, that if the objections of the Legislative Assembly are only to one or some part of a law, the remaining provisions of said law not objected shall be considered in force in Puerto Rico from the date in which the Legislative Assembly has adopted

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such decision. The President of the United States shall notify the Congress of any objection of Puerto Rico to a law of the Congress and the alternatives proposed by the Government of Puerto Rico for the consideration and/or approval by Congress, and this procedure shall be followed consecutively until an agreement is reached between the two governments and until such agreement is reached the laws or part of the laws thereby objected shall not have any legal effect in Puerto Rico. Provided, however, that that if there would be no legislative agreement reached, the President of the United States and the Chief Executive of Puerto Rico shall make all the necessary executive and administrative agreements, public, or secret, of mutual interest to the security and defense of the United States, and the security and defense of Puerto Rico, with a provisional or permanent nature, as long as those agreements are not contrary to the Constitution of the United States nor to the Constitution of the Commonwealth of Puerto Rico; the Chief Executive of Puerto Rico should be invested with sufficient emergency authority to adopt and apply such agreements when it involves a declaration of war by the United States or against the United States. Said emergency authority should include the express authority to convey to the use and service of the United States all the properties and services of the Commonwealth of Puerto Rico which may be requested for such war affairs, including the transferring and coordination of the military assets and internal security and public order of the Government of Puerto Rico. Provided, that a Puerto Rican citizen residing in Puerto Rico, who belongs to the Army Forces of the United States or of Puerto Rico, and who may incur in violation to the laws and military provisions or to the emergency regulations of war, shall be subject to trial

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under the laws and the Military Code of Puerto Rico; and a citizen of Puerto Rico belonging to the Army Forces of the United States or of Puerto Rico who incur in such violations in any jurisdiction outside the Commonwealth of Puerto Rico shall be subject to trial under the laws and Military Code of the United States.

14. The immigration laws, coastguard ~~and~~ lighthouse services, consular service, Board of Admiralty, Quarantine, commerce and postal services, merchant marine, maritime and arial transportation, radio, radiotelegraphic, cable, telephone, television and space communications, the expedition of franchises on such medias and of communication and of transportation, labor, wages, salaries and labor relations, approved by the Congress of the United States before the date of the enforcement of this Act, and the laws and regulations thus promulgated by virtue of said laws, shall continue in force in Puerto Rico as to the present, in all its parts nor inconsistent with this Act or with the Constitution or the laws of Puerto Rico, and until such time as the authority, services and functions executed in Puerto Rico by the United States in accordance to said laws, are subject of a specific request of transfer from the Government of Puerto Rico, which transfer is hereby authorized to. Said transfer shall be executively ordered by the President of the United States as soon as the President has been notified by the Commonwealth of Puerto Rico that it has legislated for such purposes. The President of the United States and the Chief Executive of Puerto Rico are hereby authorized to agree to those executive pacts which are necessary for the execution of

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this transfer of authority, functions and services, within the same terms of the provisions of Clause 8, Article IV of this Act.

#### ARTICLE VI

Section 1. The Chief Executive of Puerto Rico shall name, in accordance with the Puerto Rican laws, a High Commissioner of the Commonwealth of Puerto Rico to the United States Government, and said official shall have the right to governmental recognition as representative of Puerto Rico from all the Departments of the United States Government and to the accredited foreign mission before the United States, after presentation of his credentials to the State Department of the United States.

Section II. The President of the United States, with the advice and consent of the Senate of the United States, shall name a High Commissioner of the United States to the Commonwealth of Puerto Rico, and said High Commissioner shall be recognized as such after the presentation of his credentials to the State Department of the Puerto Rico Government. The High Commissioner of the United States in Puerto Rico, shall have the rank of Minister and shall enjoy the emoluments, immunities, and privileges inherent to the category of such position.

Section III. All official representatives of the Commonwealth of Puerto Rico to a foreign government, mission, foreign activity, or international organization, should be so duly accredited for his mission by the Department of State of the Commonwealth of Puerto Rico through the Department of State of the United States; and every foreign official representative, or of an

international organization, sent to the Government of Puerto Rico shall be so duly accredited to the State Department of Puerto Rico by the State Department of the United States. As provided in this clause, the Government of the United States acknowledges to the Commonwealth of Puerto Rico the right to send and receive envoys. Notes of authorization shall be interchanged by the two governments for the executive agreements between the respective funcionarios with the authority for the expedition of diplomatic passports and of other nature, to the citizens of Puerto Rico and to the citizens of the United States in Puerto Rico for governmental and private purposes as well.

#### ARTICLE VI

Section 1. After the certification to the President by the Chief Executive of Puerto Rico, as provided in the first clause of Section 4 of Article VI of this Act, the Legislative Assembly of Puerto Rico shall readily approve the adequate measures in order to comply with the provisions of Article II of this Act.

Section II. The Legislative Assembly of Puerto Rico, according to its own laws, shall approve such legislation as may consider necessary to give effectiveness to the other provisions of this Act.

Section III. The provisions of Articles II, III, IV and V of this Act will not be in force until after the qualified voters of Puerto Rico in an island-wide referendum, express their acceptance or rejection of this Act, said referendum to be held pursuant to the laws of the Commonwealth of Puerto Rico and to the provisions of Section 3, Article I of this Act. In the same referendum the qualified voters

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of Puerto Rico may also be asked to vote on the following questions:

1. Do you want that the Law of the Congress of the United States recognizing the full sovereignty of the Commonwealth of Puerto Rico in order to get into a Pact of Political, Economic and Military Association between Puerto Rico and United States should be in force?

2. Do you want Puerto Rico to constitute itself in an Independent and Democratic Republic, in peace and friendship with the United States?

3. Do you want the Legislative Assembly of Puerto to petition the United States Congress to authorize the admission of Puerto Rico into the United States as a Federated State?

Section IV. The results of said referendum shall be duly certified by the Chief Executive of Puerto Rico to the President and the Congress of the United States, and if such results are of the nature of an affirmative and favorable answer to Question Number One, all the provisions of this Act should be considered in force for all purposes and so shall be declared by the President of the United States. If the results are affirmative and favorable to Question Number Two or to Question Number Three, the Legislative Assembly of Puerto Rico may adopt such measures as it seems to be desirable or proper for its own purposes: Provided, however, that nothing contained in this Act shall be construed so as to affect or impair in any manner the absolute rights, authority, privileges, and powers of the Government of the United States of America in Puerto Rico or the functioning of its services and institutions except as hereinbefore provided in Articles I, II, III, IV and V of this Act; and Provided, furthermore,

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that until after the fulfilment of the provisions of clause one, of Section 1 of Article II of this Act, the installations, military, arial and naval bases, services, establishments, properties, concessions, rights and privileges of all dependencies of the United States in Puerto Rico shall continue to operate and function without any restriction whatsoever as up to the date of approval of this Act.

Section VI. All laws or parts of laws inconsistent with this Act are hereby repealed.

B. B. C. & P.

## REFERENCES

1. In one of the early cases, the Supreme Court of the United States held that it would take cognizance of "the history of Puerto Rico and its legal and political institutions. . . ." (Ponce V. Roman Catholic Church, Lawyer's Edition of the U. S. Supreme Court Reports, 52:1068).
2. Spanish Constitution of 1876 and Royal Decree of November 25, 1897, Documents on the Constitutional History of Puerto Rico, Edited by the Office of the Commonwealth of Puerto Rico, Washington, D. C. pps. 9-46.
3. Treaty of Paris, *ibid*, p. 47-53.
4. *Ibid*, p. 55
5. Last clause of Article IX, Treaty of Paris, *Ibid.*, p. 51.
6. Foraker Act, General Provisions, Section 7, and so forth, Docs. pps. 66-67.
7. Hearings of the House Committee on Territories and Insular Possessions, on Jones Bill; Remarks by the Chairman, Congressman Towner, from Iowa. As to how Puerto Rican's dual citizenship was so created by Congress, it is necessary to note that Section 7 of the Foraker Act of May 1, 1900 was not repealed by Congress when the Jones Act 1917, was adopted. This Jones Act is the one that extended also the United States citizenship, collectively, as a functional citizenship, in the eve of First World War, to the Puerto Ricans. Section 5 of such Act of 1917, reads as follows: "That all citizens of Puerto Rico, as defined by section seven of the Act of April twelfth, nineteen hundred. . . . are hereby declared, and shall be deemed and held to be citizens of the United States. . . ." Both citizenship are, therefore, togetherly subsistents. In order to protect its own citizens moving to Puerto Rico, the Congress, 1927, ten years after the approval of the Jones Act, also

References (Cont.)

approved a Law declaring American citizens to be also citizens of Puerto Rico after taking residence in Puerto Rico for one year. The Constitution of the Commonwealth of Puerto Rico, approved by Congress, also requires both citizenship for public officials of the Commonwealth. See Constitution, Article III, Section 5; Article IV, Section 3, Article V, Section 9; Article VI, Section 16, and Article IX, Sections 4 and 5, Doc., pps. 168-192.

8. As to the status of Puerto Rico before the Jones Act: "The island of Puerto Rico is a territory appurtenant and belonging to the United States, but not a part of the United States..." (Downes V. Bidwell - Lawyer's Ed. U.S. Reports, 45:1088). "The result of what has been said is that while in an international sense Puerto Rico was not (legally) a foreign country, since it was subject to the sovereignty of, and was owned by the United States, it was foreign to the United States in a domestic sense, because the island had not been incorporated into the United States, but was merely appurtenant thereto as a possession." Justice White, Ibid.

"It is then, as I think, indubitably settled by the principles of the law of nations, by the nature of the government created under the Constitution, by the express and implied powers conferred upon that government by the Constitution, by the mode in which those powers have been executed from the beginning and by an unbroken line of decisions of this court, first announced by Marshall and followed and lucidly expanded by Taney, that the treaty-making power cannot incorporate territory into the United States without the express or implied assent of Congress....." Justice White, Ibid.

As to the political status of Puerto Rico after the Jones Act of 1917:

The grant of citizenship by collective naturalization shall not be construed as amounting to legal incorporation of Puerto Rico into the body politic of the United States. In the matter of Carlos Tapia,

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References (Cont.)

May 21, 1917. Lawyer's Ed. (62:525)

\* Balzac V. The People of Puerto Rico (258 U. S. 298) 1922.

Balzac's plea insisting on his procedural right to a common law jury trial, as an American citizen under the Jones Act of 1917, is what makes the case an epoch-making one in our constitutional history. Chief Justice Taft delivered the Opinion of the Court: "It is well settled that these provisions for jury trial in criminal and civil cases apply to the territories of the United States. . . . But it is just as clearly settled that they (said provisions) do not apply to a territory belonging to the United States which has not been incorporated into the Union."

The Court, in turning down the allegations on citizenship, held that the citizenship, functional in character, pre-First World War, was by no means inconsistent with nonincorporation; that is, that notwithstanding the new provisions of the Jones Act, Puerto Rico was not to be regarded as a part of the United States.

"But Alaska - said Chief Justice Taft, reviewing the Rasmussen decision - was a very different case from that of Puerto Rico. It was an enormous territory, very sparsely settled, and offering opportunity for immigration and settlement by American citizens. It was on the American continent and within easy reach of the then United States. It involved none of the difficulties which incorporation of the Philippines and Puerto Rico present. . ."

"Had Congress intended to take the important step of changing the treaty status of Puerto Rico by incorporating it into the Union, it is reasonable to suppose that it would not have left it to mere inference. . ."

"..... Congress has thought that a people like the Philippines and the Puerto Ricans trained to a complete judicial system which knows no juries, living in compact and ancient communities with definitely formed customs and political conceptions, should be permitted themselves to determine

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References (Cont.)

how for they wish to adopt this institution (juries) of Anglo-Saxon origin and when...."

"..... Without, in the slightest degree, intimating an opinion as to the wisdom of such a policy, for that is not our province, it is reasonable to assume that when such a step is taken (incorporation) it will be begun and taken by Congress deliberately and with a clear declaration of purpose, and not left a matter of mere inference or construction."

(Attention is called to the fact that this opinion of the Supreme Court of the United States really defined the true actual status of Puerto Rico, "treaty status". Treaty status means international status, it is clearly so, not a matter of mere "domestic law" or an internal affair of the United States, neither of Puerto Rico only. Treaty status, an international status, supposes, of course, at least two parties. One of these, naturally, is the United States, and the other, - Spain having relinquished all her sovereignty rights over the island - , the other necessary international co-party is Puerto Rico properly, the people of Puerto Rico, the Puerto Rican nation and state.

9. Public Law 600 - 81st Congress - Chapter 446, 2nd Session.
10. Public Law 447, 82nd Congress, Chapter 567, 2nd Session, Joint Resolution 430 (All 66 Stat. 327)
11. Puerto Rican Federal Relations Act., Docs. p. 155-163
12. Puerto Rican Constitution, Article I, Sections 1 and 2.
13. Documents, pages 166-167
14. United Nations document A/AC 35/L 121, Annex II.  
Resolution No. 748, November 27, 1953; and Supplement No. 17.  
U. S. State Department Bulletin, Vol. 28, April 20, 1953, p. 584 et seq.

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References (Cont.)

15. Resolution No. 21, Legislative Assembly of Puerto Rico, June 18, 1954.

16. House Resolution 9234., 86th Congress, First Session. Hearings of the Special Subcommittee on Territorial and Insular Affairs, House of Representatives. See also: Hearings before the subcommittee on Territorial and Insular Affairs, House of Representatives, 88th Congress, First Session on H.R. 5945, H.R. 5946, H.R. 5947, H.R. 5948, H.R. 5991, H.R. 6076 and H.R. 6083. May 16 and 17, 1963, Serial No. 3.

17. Documents, p. 206

18. See Note 16.

19. See Note 16.

20. Resolution No. <sup>1</sup>/of December 3, 1962, Legislative Assembly of Puerto Rico. See also Note 16.

21. Ibid. See also statement by Mr. Luis A. Ferré, President Pro-Tempore of the Statehood Republican Party of Puerto Rico and its delegate to the United States-Puerto Rico Commission on the Status of Puerto Rico, as to the effect that his party "will not take part in any status plebiscite unless Congress grants the Commonwealth a "sovereignty" and "dignity" equal to Statehood and Independence."

The San Juan Star, newspaper daily, San Juan, Puerto Rico, Thursday, February 10, 1966, pp. 1-14.

See also Report of the Bar Association of Puerto Rico regarding Puerto Rico's Constitutional Problem, 1964.

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**EXPLANATORY STATEMENT ON THE BILL  
TO RECOGNIZE THE SOVEREIGNTY OF PUERTO RICO**

1. The Legislative Assembly of Puerto Rico approved and sent to the President and the Congress of the United States the Joint Resolution No. 1 of December 3, 1962, requesting Congress to establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico.
2. Legislative proposals in Congress to these effects had not been successful. But not to fail, after the approval of the above mentioned Puerto-Rican Resolution No. 1, the Congress enacted Public Law 88-271, 88th Congress, creating the United States-Puerto Rico Commission on the Status of Puerto Rico. After long public hearings and angry and confused debates, the Commission had discovered what was a very well known fact: that a very deep disagreement prevails about the legality and legitimacy of the so-called "compact" that is the base of the present Commonwealth arrangements in Puerto Rico. Supporters of both Independence and Statehood forms of final status had pointed to its questionableness and had emphatically refused to participate in a plebiscite authorized by the local Legislature unless the Commonwealth is recognized by Congress as a fully sovereign political status.
3. This Bill provide for the recognition of the sovereignty of the Commonwealth in order for the Legislature of Puerto Rico to consult the qualified voters of Puerto Rico in an islandwide referendum on the three alternatives

forms of status, Commonwealth, Independence and Statehood, provided that regarding Independence and Statehood such act of the Puerto-Rican Legislature "will not be construed as a commitment by Congress as to such other alternatives of political status." (Last clause of Section II, Article I of the Bill.)

4. If the people of Puerto Rico votes for Statehood or for Independence, then, that is up to the Puerto-Rican Legislature to proceed according with its own free will, but "...nothing contained in this Act shall be construed so as to affect or impair in any manner the absolute rights, authority, privileges and powers of the Government of the United States of America in Puerto Rico..." (Second clause of Section IV of Article VI, and also the following clause of the same Section).
5. If the people votes in favor of the Commonwealth Status, then a United States-Puerto Rico Commission will draft and submit to the Congress and the Puerto Rican Legislature a proposal for a Pact of Political, Economic and Military Association Between Puerto Rico and the United States. The Puerto Rican-Federal Relations Act (as referred to in Section 4 of Public Law 600) will continue in force until said Pact is duly ratified. Then those provisions of the Puerto-Rican Federal Relations Act which are essential to the association of both countries, namely free commerce, dual citizenship, common defense and so forth, will be incorporated into the Pact of Association between Puerto Rico and United States.

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(Clause 1 Article II of the Bill.)

6. As the Puerto-Ricans are citizens of United States as well as of Puerto Rico, this dual citizenship, common citizenship, is the main link of association between the two peoples and so it is clarified and ratified in this Bill. (Clause 12, Section 1, Article IV). Said dual citizenship as it is now legally recognized by the laws of the United States and by the Constitution of the Commonwealth shall be part of the provisions of the Pact. And it is because of the nature of the Puerto-Rican dual citizenship that certain laws of the United States could be also applied to Puerto Rico after the recognition of Puerto-Rican sovereignty and the ratification of the Pact of Association between the two countries.
7. The internal-revenue laws of the United States are not now applied to Puerto Rico and all the taxes collected under the internal-revenue laws of the United States on articles produced in Puerto Rico and transported to the United States as consumed in the Island, less the cost of collecting the same, and also customs duties collected on foreign products imported into Puerto Rico, are now paid into the Puerto Rican Treasury. These provisions were enacted by Congress in due respect to the principle of no taxation without representation. Puerto Rico is also recipient of "grant-in-aids. All these monies have been helpful to the improvements and the progress of Puerto Rico. It is also an accepted fact that Puerto Rico needs

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these kind of economic assistance in order to continue her development programs that have been so world-wide praised and that are fundamental for the stability and welfare of the Puerto Rican people. After the recognition of the sovereignty of the Commonwealth these provisions will be repealed and, in lieu of, economic assistance shall be provided to Puerto Rico in the form of a loan for a Development Fund to be administered according to the laws of Puerto Rico. Such assistance Fund will be in the nature of all the foreign aid programs of the United States. That is the purpose of Section II, Article II of the Bill.

9. A permanent organ of interrelation and interchange, the United States-Puerto Rico Commission, is created to study such problems, modifications, adjustments and adjudications that may arise and may be convenient to be further considered by the two countries. (Section III, Article II of the Bill).
10. After the effective date of the sovereignty of the Commonwealth, fourteen sections of the Puerto Rican Federal Relations Act are to be repealed or modified to be included in the proposed Pact of Association, as follows:

ITEM:	PROVISION:	PROPOSAL:
1.	First clause, which describes Puerto Rico and adjacent islands as "belonging to the United States".	Repealed.
2.	Section 3, except the First clause.	Amended by Clause 2, Section 1 of Art. IV of the Bill.

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ITEM:	PROVISION:	PROPOSAL:
3.	Section 6, on salaries and expenses of the Puerto-Rican government.	Repealed.
4.	Section 7, on properties of the Crown of Spain.	Repealed, except as to the last clause.
5.	Section 8, on harbors and navigable streams and so forth.	Repealed, except certain provisions as provided in clause 13, Section 1 of Article 4 of the Bill.
6.	Section 9, enforcement of the statutory laws of the United States, except the internal revenue laws, in Puerto Rico.	Repealed by Section II (a) of Article II of the Bill and substituted by Section II of Article II of the Bill, and also by provision of Clauses 13 and 14 of Section 1 of Article IV of the Bill.
7.	Section 10 and 11, judicial process in the name of "United States of America", and so forth.	Repealed. Is matter pertaining to the Commonwealth Constitution...
8.	Section 36; provisions for the election of a Resident Commissioner by Puerto Rico.	Repealed. Local matter. Substituted by Sections 1 and 2 of Article VI of the Bill.

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ITEM:	PROVISION:	PROPOSAL:
9.	Section 37; powers of the local Legislature.	Repealed. Is matter pertaining to the Commonwealth Constitution.
10.	Section 38; Interstate Commerce Act.	Repealed.
11.	Section 41, the United States District Court in Puerto Rico.	Repealed, except as provided in Section II, Article III of the Bill. Diversity of Citizenship Clause to be incorporated under the jurisdiction of the judicial Branch of the Commonwealth.
12.	Section 42, also on the U.S. District Court in Puerto Rico.	Repealed.
13.	Section 44, also on the U.S. District Court in Puerto Rico.	Repealed.
14.	Section 45, also on the U.S. District Court in Puerto Rico.	Repealed.
15.	Section 54, on deeds and other public instrument.	Repealed. Substituted by Clause 3 of Article IV of the Bill.

11. Provisions as to payments to veterans, farmers, federal employees, social security and other matters of that nature shall be included in the Pact of Association. The bill provides for the Commonwealth to assume all obligations as to salaries, pensions, retirement payments and benefits of the federal employees, which shall continue "with the same remuneration, salaries and positions" and received the same "retirement privileges to which they are now entitled under the laws of the United States." (Clause 8, Section 1, Article IV).
12. The Bill also provide for the extradition of fugitives of justice (Clause 4, Article IV); for tax exemption for bonds and other obligations of both countries, (Clause 5); for free commerce, exempt from customs duties, (Clause 6); for the enforcement of treaties; (Clause 9); for Puerto Rico to enter into commercial agreements with other countries and to impose and collect its own tariffs, (Clauses 7 and 10); for Puerto Rico to send and receive envoys, (Section 3 of Article VI); for Puerto Rico to organize its own merchant marine and maritime registry, (Clause 11); and for Puerto Rico to appoint a Resident Commissioner at Washington and the United States Government to appoint a Resident Commissioner with the rank of Minister at San Juan, (Sections 1 and 2 of Article VI of the Bill).
13. All military installations, services, bases and properties of the United States to continue to operate as to now unless otherwise provided in the Pact of Association.
14. A procedure is provided for the Legislative Assembly of



Bill suggests a method to ask the voters of Puerto Rico about their preferences as to a sovereign Commonwealth, an Independent Republic and a petition for Statehood, as the Legislature may be willing to consult them, but not as a commitment by Congress, except as to the proposed Pact of Association Between the Commonwealth and the United States.

18. The result of said referendum shall be certified to the President and Congress and if such results are of the nature of an affirmative and favorable answer for the sovereign Commonwealth a proclamation to that effect shall be issue by the President and all the pertinent provisions of this Act will get into the process of becoming operative. If the results are favorable to Independence or to the Statehood petition the Legislative Assembly may adopt such measures as it seems to be desirable or proper for its own purposes. If such is the case, there is a provision in the same Section as to the effect that "nothing contained in this Act shall be construed so as to affect or impair in any manner the absolute rights, authority, privileges and powers of the government of the United States in Puerto Rico..." (Section IV of Article VI of the Bill.
19. The Bill as drafted, provide for the recognition of the sovereignty of the Commonwealth of Puerto Rico as requested by the almost unanimous approved Resolution No. 1 of December 3, 1962 of the Legislature of Puerto Rico; and also provides for the fulfillment of the obligations of the United States under the Treaty of

Paris of December 10, 1898, and of the obligations of the United States under the Charter of the United Nations.

20. By the enactment of this legislation the United States Congress solemnly reaffirms its faith in democracy and its clear and definite will and decision to support government by consent and the free-determination of all peoples all over the world.