

(1)
C

SUGGESTIONS RELATED TO JANUARY 30 DRAFT OF MEMORANDUM
FROM THE DEPARTMENT OF STATE TO THE UNITED NATIONS

2. With the establishment of the Commonwealth of Puerto Rico, the people of Puerto Rico have attained a full measure of self-government. Accordingly, the Government of the United States has decided that it is no longer appropriate for it to submit information on Puerto Rico pursuant to Article 73 (e) of the Charter.

13. On March 3, 1953, the constitution was submitted for adoption or rejection. Of the 783,610 qualified voters, 456,471 participated in the referendum. Of these, 373,594 or 81.84 per cent of those voting supported adoption of the constitution; only 82,877 or 18.16 per cent of those voting disapproved it. On April 22, 1952, the President transmitted the constitution to the Congress with his recommendation for approval, and by Public Law 447, 82nd Cong. (66 Stat. 327), signed by the President on July 3, 1952, the Congress approved the constitution subject to certain stipulations which were to be submitted for approval to the Puerto Rican Constitutional Convention. The convention considered and approved these stipulations. On July 25, 1952, the Governor of Puerto Rico proclaimed the establishment of the Commonwealth of Puerto Rico under the new constitution.

15. The constitution of the Commonwealth, as it became effective with the approval of the Congress, provides that "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" (Art. I, Section 1). In substance the constitution is similar to that of a State of the Federal Union. It establishes a tri-partite form of government, with a popularly elected governor, a popularly elected bi-cameral legislature and a judicial branch. The heads of all executive departments are appointed by the Governor, with the advice and consent of the Puerto Rican Senate; appointment of the Secretary of State also requires the consent of the House of Representatives. It should be noted that with the establishment of the Commonwealth, neither the President nor the United States Senate participates in any way in the appointment of any official of the government of the Commonwealth.

21. At the request of the people of Puerto Rico and with the approval of the Government of the United States, Puerto Rico has voluntarily entered into the relationship with the United States which it has chosen to describe as a "commonwealth" relationship. The term "commonwealth" was adopted by Puerto Rico as the official English designation of the body politic

created by the constitution (the official Spanish title is "estado libre asociado"), to define the status of that body as "a state which is free of superior authority in the management of its own local affairs but which is linked to the United States of America and hence is a part of its political system in a manner compatible with its Federal structure", and which "does not have an independent and separate existence" (Resolution No. 22 of the Constitutional Convention). By the various actions taken by the Congress and the people of Puerto Rico, Congress has agreed that Puerto Rico shall have, under that constitution, freedom from control or interference by the Congress in respect of internal government and administration, subject only to compliance with applicable provisions of the Federal constitution, the Puerto Rican Federal Relations Act and the acts of Congress authorizing and approving the constitution as may be interpreted by judicial decision. Those laws which directed or authorized interference with matters of local government by the Federal Government have been repealed.
