UNITED STATES-PUERTO RICO POLITICAL STATUS ACT

FIELD HEARING

BEFORE THE

COMMITTEE ON RESOURCES
HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTH CONGRESS

FIRST SESSION

ON

H.R. 856—United States-Puerto Rico's Political Status Act

MAYAGUEZ, PUERTO RICO, APRIL 21, 1997

Serial No. 105–27

Printed for the use of the Committee on Resources

U.S. GOVERNMENT PRINTING OFFICE

43-229 ⇒ WASHINGTON : 1997

Mr. YOUNG. Thank you, Doctor. And for those at the witness table, she was allowed 6 minutes, so I will give you 6 minutes as well.

The Honorable Nestor S. Aponte.

STATEMENT OF THE HONORABLE NESTOR S. APONTE, REPRESENTATIVE, PUERTO RICO HOUSE OF REPRESENTATIVES, SAN JUAN, PUERTO RICO

Mr. APONTE. Mr. Chairman, members of the Committee on Resources, my name is Nestor S. Aponte. I am the Director of the Institute of Political Vocation and Communication of the New Progressive Party and a member of the House of Representatives of Puerto Rico, in my fourth year consecutive term. During the term that ended last December, I occupied the position of House Majority Leader. I am an Army veteran and a lawyer in private practice.

My main concern in attending this hearing is to emphasize the importance of having Congress define clear and precise formulas for any process in which we the people of Puerto Rico have to make our decision on status. It is of utmost importance to have an unmistakable definition for the relationship, political condition or status, presently called commonwealth, or any of the possible variants finally included in the plebiscite H.R. 856 proposes for the solution of our status dilemma.

Since the enactment of the Constitution for the Commonwealth of Puerto Rico in 1952, the advocates of commonwealth have capitalized on the silence of Congress in regard to the term "estado libre asociado" used as a translation for the word commonwealth. They have hidden and forgotten Resolution 22 of the Puerto Rican Constitutional Assembly, approved to determine in Spanish and in English the name of the body politic created by the Constitution, and they have defined the term or phrase "estado libre asociado" in as many ways necessary to fit into the particular circumstance of any time.

They have been able to make our people believe that under a commonwealth we can acquire all the benefits of statehood without the responsibilities and all the possible benefits of independence. They call it "the best of two worlds."

If this elastic type of political status is possible, Congress should state so. But if this elastic type of status is not possible, Congress should also state so. The process you have already begun to solve our status problem must only include viable alternatives if it is intended to be a sincere effort to put an end to our colonial relationship.

Independently of what you may hear from detractors of statehood, in regard to nationality, language differences, Olympic representation and beauty contests, the unquestionable facts are that a very great majority of our people are ready and willing to make the necessary adjustments that will make permanent the points we have developed during our centenarian relationship. We are ready for statehood.

There should be no doubt, with the approval of Public Law 600 in 1950, and the enactment of the Constitution for the Commonwealth in 1952, our political relationship with the United States remained as a territory.

The Congressional Record is clear. It was a break from the practice where Congress exercised local self-government according to organic legislation. The only purpose of that legislation was to authorize the establishment of local self-government, but the fundamental relationship of Puerto Rico to the Federal Government would not be altered.

Section 4 of Public Law 600 reads as follows: "Except as provided in section 5 of this Act, the Act entitled 'An Act to provide a civil government for Puerto Rico, and for other purposes, approved March 2, 1917, as amended, is hereby continued in force and effect and may hereafter be cited as the "Puerto Rican Federal Relations Act".

The sections of said Act, known as the Jones Act, repealed in section 5 of Public Law 600, are the ones that deal with the organization of the local government, because from there on the organization of the local government was to be determined by the articles of the new constitution. All other sections are in force in the same way as when enacted in 1917.

In 1953, at the conclusion of the process to enact our constitution, the U.S. Government sent a memorandum to the United Nations concerning the cessation of transmission of information under article 73(e) of the Charter with regard to the Commonwealth of Puerto Rico.

Even though the arguments used to describe the scope of the local government are similar to the dispositions of Resolution 22 of the Constitutional Assembly, the advocates of Commonwealth have used said memorandum for the purpose of trying to prove that with the approval of the local constitution we engaged in a new relationship with a new political status.

In summary, if the language used to describe the formulas is not precise and clear, this process may turn into a political campaign as confusing as the ones that we have developed in our locally legislated political status plebiscites.

Thank you.

Mr. YOUNG. Thank you, and thank you for staying within the time. Very well done.

[The prepared statement of Mr. Aponte follows:]

TESTIMONY OF THE
HONORABLE NESTOR S. APONTE
STATE REPRESENTATIVE OF PUERTO RICO
AND
DIRECTOR OF THE INSTITUTE OF POLITICAL
EDUCATION AND COMMUNICATION
OF THE NEW PROGRESSIVE PARTY

before the

HOUSE COMMITTEE ON RESOURCES

April 21, 1997

Mr. Chairman and Members of the Committee on Resources:

My name is Nestor S. Aponte. I am the Director of the Institute of Political Education and Communication of the New Progressive Party and a member of the House of Representatives of Puerto Rico, in my fourth four year consecutive term. During the term that ended last December, I occupied the position of House Majority Leader. I am an Army Veteran and a Lawyer in private practice.

My main concern in attending this hearing is to emphasize the importance of having Congress define clear and precise formulas for any process in which we, the people of Puerto Rico, have to make a decision on status. It is of utmost importance to have an unmistakable definition for the relationship, political condition or status presently called Commonwealth or any of the possible variants, finally included in the plebiscite HR 856 proposes, for the solution of our status dilemma.

Since the enactment of the Constitution for the Commonwealth of Puerto Rico in 1952, the advocates of commonwealth have capitalized on the silence of Congress in regard to the term "estado libre asociado" used as a translation for the word commonwealth. They have hidden Resolution 22 of the Puerto Rican Constitutional Assembly (see exhibit 1), approved to determine in Spanish and in English the name of the body politic created by the constitution. And, they have defined the term or phrase "estado libre asociado" in as many ways necessary to fit into the particular circumstances of any time.

They have been able to make our people believe that under Commonwealth we can acquire all the benefits of statehood without all the responsibilities, and all the possible benefits of independence. They call it "the best of two worlds".

If this elastic type of political status is possible, Congress should state so. But if it is not possible, Congress should also state so. The process you have already begun to solve our status problem must only include viable alternatives, if it is intended to be a sincere effort to put an end to our colonial relationship.

Independently of what you may hear from detractors of statehood in regard to nationality, language differences, olympic representation and beauty contests, the unquestionable facts are that a very great majority of our people are ready and willing to make the necessary adjustments to make permanent the bonds we have developed during our centenarian relationship. We are ready for Statehood.

There should be no doubt, that with the approval of Public Law 600 in 1950, and the enactment of the Constitution for the Commonwealth of Puerto Rico in 1952, our political relationship with the United States remained that of a territory.

The congressional record is clear. It was a break from the practice where Congress exersiced local self-government according to organic legislation. The only purpose of the legislation was to authorize the establishment of local self-government, but the fundamental relationship of Puerto Rico to the Federal Government would not be altered.

Section 4 of Public Law 600 reads as follows: "Except as provided in section 5 of this Act, the Act entitled "An Act to provide a civil government for Puerto Rico, and for other purposes," approved March 2, 1917, as amended, is hereby continued in force and effect and may hereafter be cited as the "Puerto Rican Federal Relations Act."

The sections of said Act (Jones Act) repealed in section 5 of Law 600 are the ones that deal with the organization of the local government, because from there on, the organization of the local government was to be determined by the articles of the new Constitution. All other sections are in force in the same way as when enacted in 1917.

In 1953, the United States Government sent a memorandum to the United Nations concerning the cessation of transmission of information under article 73 (e) of the Charter with regard to the Commonwealth of Puerto Rico. Even though the arguments used to described the scope of the local self-government are similar to the dispositions of Resolution 22 of the Constitutional Assembly, the advocates of Commonwealth have used said memorandum for the purpose of trying to prove that with the approval of the local Constitution we engaged in a new relationship with a new political status.

In summary, if the language used to describe the formulas is not precise and clear, this process may turn into a political campaign as confusing as the ones that have developed in our locally legislated political status plebiscites.

Thank you.