

# Committee on Resources

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## Witness Testimony

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Testimony of

**REP. DON YOUNG**

Chairman

Committee on Resources

Before the Subcommittee on Native American and Insular Affairs

Hearing in San Juan, Puerto Rico

23 March 1996

It is an honor to be here today in this internationally renown City of San Juan regarding an issue that has gone unresolved for many centuries: providing a process leading to full self-government for Puerto Rico.

Let me thank our distinguished witnesses for their willingness to appear before the Subcommittee today and share their differing views regarding legislation now pending in the Congress and the subject of this hearing, the United States-Puerto Rico Political Status Act," H.R. 3024.

We received a large number of requests to testify from many sectors of Puerto Rico. Although the amount of time available for today's hearing has limited the number who will present their testimonies orally, all other requesters have been notified by letter that they may submit their written statements for the official hearing file. All of the testimonies submitted will be reviewed and considered as the bill moves through the legislative process. Your input is valued and appreciated.

I also want to thank the Legislature of Puerto Rico, and I am addressing all Members of all parties, for their cooperation with this hearing. I understand that some may not be in favor of the pending legislation, but again I thank you for your cooperation.

It is indeed appropriate for the second hearing of the 104th Congress on the issue of Puerto Rico's status to be held near the Capital. It is the Legislature of Puerto Rico who called upon the 104th Congress to respond to the results of the 1993 status plebiscite and to indicate the next steps in the process to resolve Puerto Rico's status.

We are here today fundamentally because of a very special document--the Constitution of the United States. The United States is a constitutional democracy, which means a government of the people, based on the provisions of the Constitution. The roles of the President, the Courts, and the Congress are defined by the Constitution.

Congress is given the responsibility for territories according to Article IV - "The Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States".

In the Congress, it is the Committee on Resources of the House that has the jurisdiction for territories. In other words, the buck stops here. I know from experience that territorial issues can be difficult to resolve.

When the Legislature of Puerto Rico enacted Concurrent Resolution 62, asking the 104th Congress to respond to the results of the 1993 status plebiscite, and to indicate the next steps necessary for Puerto Rico to resolve the status issue, I realized we should base a legislative proposal on the proven successes of this century.

There have been 10 areas under the sovereignty or control of the United States during the 20th century which have attained permanent self-government. Five of these became separate sovereigns as either independent or freely associated states; the other five territories became States of the Union.

Full self-government has generally been developed in three stages involving an initial decision, a transition period, and

an implementation act.

In the case of the Philippines, which also came under United States sovereignty with Puerto Rico under the Treaty of Paris, there was an initial decision in 1916 by the United States and the Philippines to seek separate sovereignty. In 1934, Congress enacted a 10 year transition plan for the Commonwealth of the Philippines, which culminated with an independence act in 1946.

The latest areas under United States administration to gain full self-government are the free associated states of the Marshall Islands, Palau and the Federated States of Micronesia.

Although Puerto Rico experienced increased local self-government during the first half of the 20th century, these critical stages of development of full self-government have yet to occur. It is clear that in order for Puerto Rico to advance towards full self-government in an orderly manner, legislation must provide for these three stages, beginning with an initial decision of choices defined by Congress and approved by the people of Puerto Rico. The United States-Puerto Rico Political Status Act, H.R. 3024, uses all three historical stages to provide a careful and slow process leading to full self-government.

Let me explain the three stage process of the United States-Puerto Rico Political Status Act. First, it helps to envision the process leading to full self-government as a road map, with Puerto Rico as a car.

Although Puerto Rico made remarkable progress in local self-government by mid-century with the direct election of Governor, and the authorization and conditional approval by Congress of a local constitution, there has been no other significant advances in self-government. Clearly Puerto Rico had eclipsed all other territories in the level of self-government at that time: only Puerto Rico elected their governor and operated under a local constitution. However, since that time, the other territories have either become fully self-governing or have also reached a similar level of self government. For over 40 years Puerto Rico has been poised at a juncture of different paths toward full self-government.

On April 18, 1952, President Harry Truman responded in a letter to Governor Munoz regarding the recent adoption of the Constitution of the Commonwealth of Puerto Rico, by stating "I think we have made great strides- - -the adoption of the constitution which virtually gives Puerto Rico the status of a state in the Union is a wonderful step in the right direction."

The initial decision stage of the legislation permits Puerto Rico to decide which path to follow towards full self-government - either separate sovereignty leading to independence or free association, or United States sovereignty leading to statehood.

The vote would be conducted by Puerto Rico before the end of 1998. The President would then send Congress a Transition Plan for full self-government based on the outcome of the referendum.

After Congress passes the Transition Plan Puerto Rico would have another vote. If the Transition Plan is not approved in the second Transition Stage Referendum, the Commonwealth of Puerto Rico would remain at the fork in the road as an unincorporated territory.

However, if the Transition Plan is approved, Puerto Rico moves forward along the path towards full self-government in a 10 year transition.

The final or Implementation Stage begins at least two years before the end of the transition period with the President sending Congress a proposed Implementation Act. After Congress passes the Implementation Act, the third vote is held in Puerto Rico. If the Implementation Act is not approved, Puerto Rico remains as is under United States sovereignty.

However, if the Implementation Act is approved, Puerto Rico arrives at the end of the path and attains permanent full self-government, either through separate sovereignty of independence or free association, or through United States Sovereignty and Statehood.

During this century, the number of years it has taken for areas under United States control to achieve full self-government has varied greatly. Cuba became independent in three years and Oklahoma became a state after 104 years.

Under the time frames set forth in the legislation for the development of full self-government, including a 10 year transition, Puerto Rico can reach full self-government in the year 2010 after 113 years of United States government control.

The territorial clause will no longer apply when Puerto Rico becomes a separate sovereign or a state.

I believe full self-government will be in the best interest of both the United States and Puerto Rico-whether as a separate sovereign or as a state of the Union. The people of Puerto Rico have a right to be fully enfranchised either on their own as a separate sovereign, or within the United States political system as a state.

I look forward to hearing the testimony to be presented today. I am open to suggestions to improve the bill, as long as it remains consistent with the overall objective to provide a process leading to full self-government for Puerto Rico.

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