

Committee on Resources

Witness Testimony

STATEMENT OF ANGEL J. ORTIZ-GUZMAN, ESQ.
BEFORE THE
U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON RESOURCES,
REGARDING
H.R. 856 THE UNITED STATES-PUERTO RICO STATUS ACT
April 21, 1997
Mayaguez, Puerto Rico

I testify on behalf of a new generation of Puerto Ricans who firmly believe in the sovereignty of Puerto Rico in association with the United States through the status known as free association.

I would like to suggest a definition of free association that will help this Committee to achieve the goal of H.R. 856 of decolonizing and disposing the territory of Puerto Rico.

It is time for Congress to act honestly in this matter. Congress must offer status options valid under International Law. Those options are statehood, independence and free association, which you may call Free Associated State.

It is my judgment that an option of free association, according to International Law, must be included in H.R. 856 if Congress really wants to decolonize Puerto Rico. In that sense, I suggest the following:

- 1. There must be a final disposition of Congressional powers over Puerto Rico. Congress must dispose, in a final and irrevocable manner, of any and all remaining powers or authority over Puerto Rico under the terms of Article IV, section 3 of the United States Constitution.
- 2. It is necessary to clarify the nature of the association between Puerto Rico and the United States. The options of free association and independence should be separated and have their own definition.
- 3. Free Associated State must be defined as a sovereign nation in full free association with the United States, by means of a bilateral compact which can only be amended by mutual agreement.
- 4. The Commonwealth or Free Associated State option must be sovereign, clearly outside the Territorial Clause, with full authority and responsibility for its internal and external affairs. The name of the options is not important, but the substance is.
- 5. It is necessary that Congress recognize the full power of Puerto Rico's government with respect to its territory and population, language and culture, determining its own relations and participation in the community of nations, and exercising all the attributes of sovereign political entity, except those especially delegated to the Government of the United States in the text of the bilateral compact.
- 6. Congress shall recognize Puerto Rico's power to determine and control its own nationality and citizenship.
- 7. Congress shall recognize as it did in the Compacts of Free Association of 1986, that a United States citizen who becomes a citizen of the Free Associated State of Puerto Rico and who does not voluntarily renounce his United States citizenship, would retain his United States citizenship and continue entitled to the same rights and privileges as any other United States citizen.
- 8. Congress must guarantee that the terms of the bilateral compact of the Free Associated State can only be terminated or amended by mutual agreement and that the people of Puerto Rico will give their consent or agreement in accordance with the terms of the compact and the applicable constitutional processes.

- 9. Under the new association Puerto Rico shall continue with a free flow of citizens, articles, services and capital between Puerto Rico and the United States.
- 10. Congress shall recognize Puerto Rico's eligibility for United States assistance to be provided in a block grant government to government basis, including foreign aid or programmatic assistance, at levels similar, but never superior to the present ones.

I also suggest, that in the event none of the three options gets a majority by itself, but the sum of the votes for Puerto Rican sovereignty options (free association and independence) does produce a majority the process to decolonize and to dispose the territory of Puerto Rico may go forward.

No later than one hundred and eightieth calendar days (180) beginning after the day of the official certification of results, Congress shall introduce legislation to resolve the status dilemma of Puerto Rico.

Finally, I urge the Committee to strike out the present Commonwealth's definition included in H.R. 856, and offer a sovereign Free Associate State or Commonwealth in full free association by means of bilateral compact between the United States and Puerto Rico.

In considering our suggestions, we invite to study a series of amendments drafted by PROELA, an organization in which I am vice-president, that would comply with the applicable criteria for Free Association and self-determination.

There are answers to the problems arising from colonialism, The United States and the people of Puerto Rico deserve an opportunity to choose between non colonial and non territorial options in the referendum scheduled for 1998. It only takes the will to do it.

Thanks for your attention.

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