

APPENDIX I

(H. CONC. R. 62)
(Conference)

Approved December 14, 1994
CONCURRENT RESOLUTION 62

To request, on behalf of the People of Puerto Rico, that the One Hundred and Fourth Congress of the United States, promptly express itself on the principles contained in the redefinition of the political formula of the Commonwealth, as submitted to the electors in the Plebiscite on the Political Status held on November 14, 1993, and should the Congress fail to accede to the changes proposed herein, that it states the specific status alternatives it is willing to consider, and the measures it recommends that the People of Puerto Rico should take as part of the process to solve the problem of their political status.

Puerto Rico began its constitutional life upon the ratification of Act 600 of July 3, 1950. The ratification of this Federal statute, which is the foundation of the Commonwealth, was attained through a referendum held on June 4, 1951. Some 506,185 electors participated in said process, that is, 65.08 percent of the total of voters registered in Puerto Rico at that time. Act 600 received 387,016 voters in its favor and 119,169 against, a proportion of 76.5 percent and 23.5 percent, respectively.

On July 23, 1967, sixteen years after the ratification of Act 600. A Plebiscite was held in Puerto Rico so that the People could express their preference as to the three status options: Statehood, Independence and Commonwealth with extended powers, although they were not clearly established. In that Plebiscite 702,601 electors voted, expressing the following preferences: 425,081 or 60.5 percent for the Commonwealth; 273,315 or 38.9 percent for Statehood; and 4,250 or 0.5 percent for Independence. Supported by this majority, the advocates of Commonwealth, unsuccessfully took the pertinent steps to extend the powers of their political formula between the years 1973 and 1976.

On November 14, 1993, twenty-six years after the Plebiscite of 1967, a second plebiscite was held, based on the legitimate aspirations and the inalienable right of the People to choose a status with full political dignity and no colonial or territorial subordination to the plenary powers of the Congress. The Act which authorized this Plebiscite provided that each of the three participating political parties would have full freedom to draft the principles and scope of their respective status formulas. From this flexible and liberal basis, the three definitions were thus submitted to the electors.

The results of the voting were as follows: 825,181 votes of 48.67 percent for the Commonwealth; 787,612 votes or 46.5 percent for Statehood; and 75,512 votes or 4.5 percent for Independence.

In effect, the Plebiscite held on November 14, 1993, for the first time set the preference for Commonwealth below fifty percent of the electorate. Nevertheless, the results of this process revealed a plurality of votes in favor of said political status, as formally defined and submitted by the Popular Democratic Party, principal advocate of said formula.

The official definition of Commonwealth formulated by the Commonwealth leaders for the Plebiscite foresees a relationship between Puerto Rico and the United States based on a bilateral pact of permanent union which recognizes the sovereignty of the Commonwealth. This pact could be altered only if both parties consent to it.

Furthermore, on the basis of the definition of Commonwealth they drafted and submitted to the electors in the Plebiscite last November 14, the promoters of this status also claim for the urgent action of the Congress to develop their formula. They specifically demand: the reformulation of Section 936 of the Federal Internal Revenue Code in order to guarantee federal tax exemption; the extension of the Supplementary Social Security to Puerto Rico; the granting of parity to the Commonwealth of Puerto Rico as a state for the federal appropriations under the Nutritional Assistance Program and that the local Government be granted powers to protect Puerto Rican agricultural

products from competition with imported products. According to this same definition, all these claims would be made to the Congress without prejudice to the fiscal autonomy which has excluded the Commonwealth from the responsibilities imposed by the Federal Tax system upon the fifty (50) states of the Union.

The preference expressed by the People in the Plebiscite of 1993 for this redefinition of the Commonwealth requires, for it to become a reality, substantial amendments to the Puerto Rico Federal Relations Act. Since this Act is a federal statute, and the United States has jurisdiction over any matter which alters or modifies the political status of Puerto Rico, it is pertinent on the One Hundred and Fourth Congress to evaluate the results of the Plebiscite and fix its position promptly and diligently concerning the claims, it corresponds to the One Hundred and Fourth Congress to clearly state which one of the status alternatives it is willing to consider, and which is the next step that the Congress recommends the People of Puerto Rico to take as part of the process to solve the problem of its political status.

Prompt Congressional action to such effect would allow the People of Puerto Rico to clearly define their real and true options for its political, economic and social development. Now it is up to the One Hundred and Fourth Congress of the United States to express itself regarding this petition of the American citizens of Puerto Rico. **BE IT RESOLVED BY THE LEGISLATURE OF PUERTO RICO:**

Section 1 - To request, on behalf and in representation of the People of Puerto Rico, that the One Hundred and Fourth Congress of the United States, promptly express itself on the principles contained in the redefinition of the political formula of the Commonwealth, as submitted to the electors in the Plebiscite on the Political Status held on November 14, 1993, and should the Congress fail to accede to the changes proposed therein, that it states the specific status alternatives that it is willing to consider, and the measures that it recommends the People of Puerto Rico should take as part of the process to solve the problem of their political status.

Section 2 - The principles and elements referred to in the preceding Section are those contained in the official definition of Commonwealth which the electors who voted in the Plebiscite had before them for their consideration. Said definition reads as follows:

"DEFINITION OF COMMONWEALTH"

A vote for the Commonwealth is a mandate in favor of:

Guaranteeing our progress and security and that of our children within a status of full political dignity, based on permanent union between Puerto Rico and the United States, formalized through a bilateral pact which cannot be altered except by mutual consent.

The Commonwealth guarantees:

- Irrevocable American citizenship;
- A common market, common currency and common defense with the United States.
- Fiscal autonomy for Puerto Rico;
- A Puerto Rican Olympic Committee and self representation in international sports.
- Full development of our cultural identity; with the Commonwealth we are Puerto Ricans first.
- **WE WILL DEVELOP THE COMMONWEALTH THROUGH SPECIFIC PROPOSALS TO CONGRESS. WE WILL IMMEDIATELY PROPOSE.**
- Reformulating Section 936, assuring the creation of more and better jobs;
- Extending Complementary Social Security (SSI) to Puerto Rico;
- Obtaining NAP appropriating at a par with the states;
- Protecting our other agricultural products, in addition to coffee.

Any additional change shall be previously submitted for the approval of the People of Puerto Rico."

Section 3. - A copy of this Concurrent Resolution shall be delivered. Duly translated into the English language, to all members of the United States Congress, to the Inter-Agency Committee appointed by the President of the United States of America, the Honorable William J. Clinton, and to the Secretary General of the United Nations Organization.

Section 4. - The Speaker of the House and the President of the Senate are hereby authorized to appoint a special joint committee to be composed of legislators from the Honorable William J. Clinton, and to the Secretary General of the United Nations Organization.

Section 4. - The Speaker of the House and the President of the Senate are hereby authorized to appoint a special joint committee to be composed of legislators from the three political parties for the sole purpose of personally delivering this Concurrent Resolution to the President of the United States and the Speaker of the House of Representatives of the United States and to the leaders of the Congressional minority delegations.

Section 5. - This Concurrent Resolution shall take effect immediately after its approval.