

81ST CONGRESS
1ST SESSION

S. 797

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 1949

Mr. TYDINGS introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To provide for the withdrawal of the sovereignty of the United States over the island of Puerto Rico and for the recognition of its independence; to provide for notification thereof to foreign governments; to provide for the assumption by the Government of Puerto Rico of obligations under the treaty with Spain of December 10, 1898; to define trade and other relations between the United States and Puerto Rico; to provide for the calling of a convention to frame a constitution for the government of the island of Puerto Rico; to provide for certain mandatory provisions of the proposed constitution; to provide for the submission of the constitution to the people of Puerto Rico and its submission to the President of the United States for his approval; to provide for the adjustment of property rights between the United States and Puerto Rico; to provide for the maintenance of military, coaling, and naval stations by the United States on the island of Puerto Rico; to continue in force certain statutes

until independence has been granted; and for other purposes.

Whereas, as a result of the treaty ending the Spanish-American War, the island of Puerto Rico, the island of Cuba, and the Philippine Islands came within the jurisdiction of the United States and under the authority of Congress; and

Whereas, in assuming this responsibility, three duties devolved upon Congress: (1) To establish civil government, (2) to promote the welfare of the inhabitants, and (3) to take final action at the proper time as to the definite and permanent political status of these islands and their peoples; and

Whereas those three duties have been discharged with regard to the island of Cuba and are in process of final fulfillment with respect to the Philippine Islands; and

Whereas, in the discharge of the first of these duties with respect to Puerto Rico, Congress in 1900 and in 1917 established and developed forms of civil government by delegating certain powers to the people of Puerto Rico; and

Whereas, in the discharge of the second of these duties with respect to Puerto Rico, Congress has from time to time passed laws and made substantial appropriations from public funds to promote the general welfare of the people of Puerto Rico; and

Whereas, in spite of this discharge of its first two duties by Congress with respect to Puerto Rico, the people of Puerto Rico still lack the right of complete self-government, as well as the full power to regulate their economic and social life in accordance with their own wishes and on the basis of a republican form of government of their own creation and choosing; and

Whereas the people of Puerto Rico are entitled to full and com-

plete independence both as a matter of principle and broad American policy; and

Whereas the economic conditions in Puerto Rico are such that the people of the United States and the Federal Treasury are increasingly subjected to financial strain to alleviate the economic distress in Puerto Rico, a situation which is unjust to the people of the United States and to the people of Puerto Rico; and

Whereas the time is now proper and opportune for Congress to discharge its third duty with respect to Puerto Rico, as it has already discharged it with respect to other territory that came under the jurisdiction of the United States as a result of the Treaty of Paris; that is to determine the final and permanent political status of the island and its people in a manner that shall be mutually satisfactory and beneficial to the people of Puerto Rico and to the United States; and

Whereas Congress has full authority under the Constitution and the laws to make such determination, with Presidential approval, and without intervention by the people of Puerto Rico; and

Whereas, in honoring the principle of democracy upon which the people of the United States have reared their whole national existence, it is deemed fair that the people of Puerto Rico shall nevertheless have a voice and vote in determining under what conditions their whole future life is to be established: Therefore

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That it is hereby declared to be the policy of Congress to

1 grant independence to the people of Puerto Rico under a
2 constitution meriting their approval, in the framing and
3 approval of which the Government of the United States
4 shall intervene only for the protection of the legitimate
5 rights of the United States in the premises.

6 It is furthermore declared to be the policy of Congress
7 to maintain with the people of Puerto Rico, after independ-
8 ence, a mutually fair and beneficial commercial relationship,
9 evolved through the instrumentalities provided for in this
10 Act.

11 CONVENTION TO FRAME CONSTITUTION FOR PUERTO RICO

12 SEC. 2. The Legislature of Puerto Rico is hereby author-
13 ized to provide for the election of delegates to a constitutional
14 convention, which shall meet in the capital of Puerto Rico
15 at such time as the Legislature of Puerto Rico may fix,
16 within one year after the enactment of this Act, to formu-
17 late and draft a constitution for the government of the
18 Commonwealth of Puerto Rico, subject to the conditions
19 and qualifications in this Act, which shall exercise jurisdic-
20 tion over all the territory in the West Indies ceded to the
21 United States by article II of the Treaty of Peace concluded
22 between the United States and Spain on the 10th day of
23 December 1898. The laws relating to qualifications of
24 voters and the safeguarding of elections which governed the
25 election of November 3, 1936, shall apply to this election.

1 with such modifications and additions as the President of
2 the United States may by order prescribe in order to carry
3 out the purpose of securing a true expression of the choice
4 of the people of Puerto Rico.

5 CHARACTER OF CONSTITUTION—MANDATORY PROVISIONS

6 SEC. 3. The constitution formulated and drafted shall
7 provide for a government republican in form, shall contain
8 a bill of rights, including freedom of religious worship, free-
9 dom of speech, freedom of the press, freedom of assembly,
10 the right to petition, freedom from unreasonable searches and
11 seizures, and shall furthermore continue and guarantee all
12 the rights, privileges, and immunities at present enjoyed
13 by the people of Puerto Rico under the Constitution of the
14 United States, and shall expressly guarantee all persons
15 and corporations against any expropriation of property and
16 provide for reasonably prompt, equitable, and effective com-
17 pensation for any property taken for public use. The consti-
18 tution shall furthermore, either as a part thereof or in an
19 ordinance appended thereto, contain provisions to the effect
20 that, pending the final and complete withdrawal of the sov-
21 ereignty of the United States over the island of Puerto Rico—

22 (a) All citizens of Puerto Rico shall owe allegiance to
23 the United States.

24 (b) Every officer of the government of the Common-
25 wealth of Puerto Rico shall, before entering upon the dis-

1 charge of his duties, take and subscribe an oath of office,
2 declaring, among other things, that he recognizes and accepts
3 the supreme authority of and will maintain true faith and
4 allegiance to the United States.

5 (c) Absolute toleration of religious sentiment and wor-
6 ship shall be secured and no inhabitant or religious organiza-
7 tion shall be molested in person or property on account of
8 religious belief or mode of worship.

9 (d) Property owned by the United States, cemeteries,
10 churches, and parsonages or convents appurtenant thereto,
11 and all lands, buildings, and improvements used exclusively
12 for religious, charitable, or educational purposes shall be
13 exempt from taxation.

14 (e) Trade relations between Puerto Rico and the
15 United States shall be upon the basis prescribed in section 7.

16 (f) The public debt of Puerto Rico and its subordinate
17 branches shall not exceed limits now or hereafter fixed by
18 the Congress of the United States; and no loans shall be con-
19 tracted in foreign countries without the approval of the
20 President of the United States.

21 (g) The debts, liabilities, and obligations of the present
22 government of Puerto Rico, its municipalities, and instru-
23 mentalities, valid and subsisting at the time of the adoption
24 of the constitution, shall be assumed and paid by the new
25 government.

1 (h) Provision shall be made for the establishment and
2 maintenance of an adequate system of public schools.

3 (i) Acts affecting currency, coinage, imports, exports,
4 and immigration shall not become law until approved by
5 the President of the United States.

6 (j) Foreign affairs shall be under the direct supervision
7 and control of the United States.

8 (k) All acts passed by the Legislature of the Common-
9 wealth of Puerto Rico shall be reported to the Congress of
10 the United States.

11 (l) Puerto Rico recognizes the right of the United
12 States to expropriate property for public uses, to maintain
13 military and other reservations and armed forces in Puerto
14 Rico, and, upon order of the President, to call into the service
15 of such armed forces all military forces organized by the
16 government of Puerto Rico.

17 (m) The decisions of the courts of the Commonwealth
18 of Puerto Rico shall be subject to review by the Supreme
19 Court of the United States as provided in section 9, para-
20 graph 6.

21 (n) The United States may by Presidential proclama-
22 tion exercise the right to intervene for the preservation of
23 the government of the Commonwealth of Puerto Rico and
24 for the maintenance of the government as provided in the
25 constitution thereof, for the protection of life, property, and

1 individual liberty, and for the discharge of governmental
2 obligations under and in accordance with the provisions of
3 the constitution.

4 (o) The authority of the United States High Commis-
5 sioner to the government of Puerto Rico, as provided in this
6 Act, shall be recognized.

7 (p) Citizens and corporations of the United States shall
8 enjoy in the Commonwealth of Puerto Rico all the civil
9 rights of the citizens and corporations, respectively, thereof.
10 SUBMISSION OF THE CONSTITUTION TO THE PRESIDENT

11 OF THE UNITED STATES

12 SEC. 4. Upon the drafting and approval of the consti-
13 tution by the constitutional convention in Puerto Rico,
14 the constitution shall be submitted within two years after
15 the enactment of this Act to the President of the United
16 States, who shall determine whether or not it conforms
17 with the provisions of this Act. If the President finds that
18 the proposed constitution conforms substantially with the
19 provisions of this Act, he shall so certify to the Governor
20 of Puerto Rico, who shall so advise the constitutional con-
21 vention. If the President finds that the constitution does
22 not conform with the provisions of this Act, he shall so
23 advise the Governor of Puerto Rico, stating wherein in
24 his judgment the constitution does not so conform and
25 submitting provisions which will in his judgment make the

1 constitution so conform. The Governor shall in turn submit
2 such message to the constitutional convention for further
3 action by them pursuant to the same procedure hereinbefore
4 defined, until the President and the constitutional conven-
5 tion are in agreement.

6 SUBMISSION OF THE CONSTITUTION TO THE PEOPLE OF
7
8 PUERTO RICO

8 SEC. 5. After the President of the United States has
9 certified that the constitution conforms with the provisions
10 of this Act, it shall be submitted to the people of Puerto
11 Rico for their ratification or rejection at an election to be
12 held within four months after the date of such certification,
13 on a date to be fixed by the Legislature of Puerto Rico, at
14 which election the qualified voters of Puerto Rico shall have
15 an opportunity to vote directly for or against the proposed
16 constitution and ordinances appended thereto. Such election
17 shall be held in such manner as may be described by the
18 Legislature of Puerto Rico to which the return of the election
19 shall be made. The laws relating to qualifications of voters
20 and the safeguarding of voters and the safeguarding of elec-
21 tions which governed the election of November 3, 1936,
22 shall apply to this election, with such modifications and
23 additions as the President may by order prescribe in order
24 to carry out the purpose of securing a true expression of the

1 choice of the people of Puerto Rico. The Legislature of
2 Puerto Rico shall by law provide for the canvassing of the
3 returns and shall certify the result to the Governor of Puerto
4 Rico, together with a statement of the votes cast, and a
5 copy of said constitution and ordinances. If a majority of the
6 votes cast shall be for the constitution, such vote shall be
7 deemed an expression of the will of the people of Puerto Rico
8 in favor of Puerto Rico independence, and the Governor
9 shall, within thirty days after receipt of the certification from
10 the Puerto Rico Legislature issue a proclamation for the
11 election of officers of the government of the Commonwealth
12 of Puerto Rico provided for in the constitution. The elec-
13 tion shall take place not earlier than three months nor later
14 than six months after the proclamation by the Governor
15 ordering such election, and the qualifications for voting and
16 the safeguards for such election shall be as provided in such
17 constitution, but no citizen who has filed a declaration of in-
18 tention to retain his American citizenship pursuant to section
19 7, or for whom the period prescribed by such section within
20 which to file his declaration has not expired, shall be entitled
21 to vote in such election. When the election of the officers
22 provided for under the constitution has been held and the
23 results determined, the Governor of Puerto Rico shall certify
24 the results of the election to the President of the United

1 States, who shall thereupon issue a proclamation announcing
2 the results of the election, and upon the issuance of such
3 proclamation by the President the existing government of
4 Puerto Rico shall terminate and the new government shall
5 enter upon its rights, privileges, powers, and duties, as pro-
6 vided under the constitution. The present government of
7 Puerto Rico shall provide for the orderly transfer of the
8 functions of government.

9 If a majority of the votes cast are against the constitu-
10 tion, then the constitutional convention shall frame a new
11 constitution, which shall be transmitted to the President
12 within six months after certification of the result of the
13 election, and the procedure provided in section 4 and in this
14 section shall be followed until a constitution framed in ac-
15 cordance with the provisions of this Act receives the favorable
16 vote of a majority of the votes cast at an election held as
17 herein provided. In the event of the rejection of such a
18 newly framed constitution by the duly qualified voters of
19 Puerto Rico, then the constitutional convention shall be
20 considered permanently dissolved and a new election of dele-
21 gates to a constitutional convention shall be held within one
22 year from the date of such rejection and a new constitution
23 shall be submitted for the approval of the people of Puerto
24 Rico.

1 all articles imported from Puerto Rico into the United States
2 a duty of $2\frac{1}{2}$ per centum of that required by the laws of
3 the United States to be levied, collected, and paid on like
4 articles imported from foreign countries; and such duty
5 shall be increased on each subsequent anniversary by a like
6 $2\frac{1}{2}$ per centum until such duty equals 100 per centum of
7 that levied on like articles imported from other foreign
8 countries: *Provided further*, That the Republic of Puerto
9 Rico shall, during the first year after the date of the pro-
10 clamation of independence admit all goods coming from the
11 United States to Puerto Rico free of all levies on all articles
12 imported from the United States, and beginning on the
13 first anniversary of said proclamation of independence the
14 Republic of Puerto Rico shall levy and collect on all articles
15 imported into Puerto Rico from the United States a duty
16 of $2\frac{1}{2}$ per centum of that required by the laws of the
17 Republic of Puerto Rico to be levied, collected, and paid
18 on like articles imported from foreign countries other than
19 the United States; and such duty shall be increased on each
20 subsequent anniversary by a like $2\frac{1}{2}$ per centum until such
21 duty equals 100 per centum of that required by the laws
22 of the Republic of Puerto Rico to be levied, collected, and
23 paid on like articles imported from foreign countries other
24 than the United States: *And provided further*, That the

1 Republic of Puerto Rico at any time may by law cancel
2 this whole arrangement providing for trade between the
3 United States and the Republic of Puerto Rico and thence-
4 forth the United States shall levy the same tariff, customs,
5 and duties on articles imported from the Republic of Puerto
6 Rico into the United States as would be levied against the
7 articles of any other foreign country, and the Republic of
8 Puerto Rico shall thereafter likewise levy such tariffs against
9 articles imported into Puerto Rico from the United States as
10 is levied against articles imported into the Republic of Puerto
11 Rico from all other foreign countries.

12 RECOGNITION OF INDEPENDENCE OF PUERTO RICO AND
13 WITHDRAWAL OF AMERICAN SOVEREIGNTY

14 SEC. 8. On the 4th day of July, immediately following
15 the proclamation of the President of the United States and
16 immediately following the date of inauguration of the new
17 government under the constitution provided for in this Act,
18 the President of the United States shall by proclamation
19 withdraw and surrender all right of possession, supervision,
20 jurisdiction, control, or sovereignty then existing and exer-
21 cised by the United States in and over the territory and
22 people of Puerto Rico, excepting all military, naval, and
23 other reservations of the Government of the United States
24 in Puerto Rico, and, on behalf of the United States, shall
25 recognize the independence of Puerto Rico as a separate

1 and self-governing nation and acknowledge the authority
2 and control over Puerto Rico of the government instituted
3 by the people of Puerto Rico, under the constitution then
4 in force: *Provided*, That the constitution has been previously
5 amended to include the following provisions:

6 (1) That the property rights of the United States and
7 Puerto Rico shall be promptly adjusted and settled, and
8 that all existing property rights of citizens or corporations
9 of the United States shall be acknowledged, respected, and
10 safeguarded to the same extent as property rights of citizens
11 of Puerto Rico.

12 (2) That the officials elected and serving under the
13 constitution adopted pursuant to the provisions of this Act
14 shall be the constitutional officers of the free and independent
15 government of Puerto Rico and qualified to function in all
16 respects as if elected directly under such government, and
17 shall serve their full terms of office as prescribed in the con-
18 stitution.

19 (3) That the government of Puerto Rico, on becoming
20 independent of the United States, will assume all continuing
21 obligations assumed by the United States under the treaty
22 of peace with Spain ceding said Puerto Rico to the United
23 States.

24 (4) That by way of further assurance the government

1 of Puerto Rico will embody the foregoing provisions (except
2 paragraph (2)) in a treaty with the United States.

3 SEC. 9. Until the final and complete withdrawal of
4 American sovereignty over Puerto Rico—

5 (1) Every duly adopted amendment to the constitution
6 of the government of the Commonwealth of Puerto Rico shall
7 be submitted to the President of the United States for ap-
8 proval. If the President approves the amendment or if the
9 President fails to disapprove such amendment within six
10 months from the time of its submission, the amendment shall
11 take effect as a part of such constitution.

12 (2) The President of the United States shall have au-
13 thority to suspend the taking effect of or the operation
14 of any law, contract, or executive order of the government
15 of the Commonwealth of Puerto Rico, which in his judgment
16 will result in a failure of the government of Puerto Rico to
17 fulfill its contracts, or which in his judgment will violate
18 international obligations of the United States.

19 (3) The Chief Executive of the Commonwealth of
20 Puerto Rico shall make an annual report to the President and
21 Congress of the United States of the proceedings and opera-
22 tions of the government of the Commonwealth of Puerto
23 Rico and shall make such other reports as the President or
24 Congress may request.

25 (4) The President shall appoint, by and with the advice

1 and consent of the Senate, a United States High Commis-
2 sioner to the government of the Commonwealth of Puerto
3 Rico who shall hold office at the pleasure of the President
4 and until his successor is appointed and qualified. He shall
5 be known as the United States High Commissioner to Puerto
6 Rico. He shall be the representative of the President of the
7 United States in Puerto Rico and shall be recognized as such
8 by the government of the Commonwealth of Puerto Rico,
9 by the commanding officers of the military forces of the
10 United States, and by all civil officials of the United States
11 in Puerto Rico. He shall have access to all records of the
12 government or any subdivision thereof, and shall be fur-
13 nished by the Chief Executive of the Commonwealth of
14 Puerto Rico with such information as he shall request. The
15 United States High Commissioner shall annually, and at
16 such other times as the President may require, render an
17 official report to the President and Congress of the United
18 States. He shall perform such additional duties and func-
19 tions as may be delegated to him by the President under the
20 provisions of this Act.

21 The United States High Commissioner shall receive the
22 same compensation as is now received by the Governor
23 of Puerto Rico, and shall have such staff and assistants as
24 the President may deem advisable and as may be appro-
25 priated for by Congress, including a financial expert, who

1 shall receive for submission to the High Commissioner a
2 duplicate copy of the reports of the insular auditor. Appeals
3 from decisions of the insular auditor may be taken to the
4 President of the United States. The salary and expenses
5 of the High Commissioner and his staff and assistants shall
6 be paid by the United States. The first United States High
7 Commissioner appointed under this Act shall take office
8 upon the inauguration of the new government of the Com-
9 monwealth of Puerto Rico.

10 (5) The government of the Commonwealth of Puerto
11 Rico shall provide for the selection of a Resident Commis-
12 sioner to the United States, and shall fix his term of office.
13 He shall be the representative of the government of the
14 Commonwealth of Puerto Rico and shall be entitled to offi-
15 cial recognition as such by all departments upon presentation
16 to the President of the United States of credentials signed
17 by the Chief Executive of said government. He shall have
18 a seat in the House of Representatives of the United States,
19 with the right of debate, but without the right of voting.
20 His salary and expenses shall be fixed and paid by the
21 government of Puerto Rico. Until a Resident Commissioner
22 is selected and qualified under this section, existing law
23 governing the appointment of a Resident Commissioner from
24 Puerto Rico shall continue in effect.

25 (6) Review by the Supreme Court of the United States

1 of cases from Puerto Rico shall be as now provided by law,
2 and such review shall also extend to all cases involving the
3 constitution of the Commonwealth of Puerto Rico.

4 NOTIFICATION TO FOREIGN GOVERNMENTS

5 SEC. 10. Upon the proclamation and recognition of the
6 independence of Puerto Rico, the President shall notify the
7 governments with which the United States is in diplomatic
8 correspondence thereof and invite said governments to
9 recognize the independence of Puerto Rico.

10 RIGHTS TO RETAIN AMERICAN CITIZENSHIP

11 SEC. 11. (a) Every citizen residing in Puerto Rico on
12 the date of the election approving the constitution pursuant
13 to section 5 and every citizen whose citizenship is based upon
14 legislation directed exclusively to Puerto Rico may retain his
15 American citizenship upon compliance with the provisions
16 of this section.

17 (b) Any such citizen residing in Puerto Rico who de-
18 sires to remain an American citizen shall file with the United
19 States District Court for the District of Puerto Rico under
20 rules and regulations to be prescribed by said court, a declara-
21 tion duly acknowledged that he intends to retain his Ameri-
22 can citizenship. Such declaration shall be made in quad-
23 ruplicate, one copy to remain among the records of said
24 court, one copy to be by it forwarded to the Secretary of
25 State of the United States, one copy to be by it transmitted

1 to the Governor of Puerto Rico, and one copy to be retained
2 by the declarant.

3 (c) Any such citizen residing elsewhere in the United
4 States may similarly file such a declaration of intention with
5 any official authorized to administer the oath in naturaliza-
6 tion proceedings, and any such citizen residing outside the
7 United States, with a diplomatic or consular official of the
8 United States. Such official shall thereupon forward such
9 declaration to the United States District Court for the Dis-
10 trict of Puerto Rico, under rules and regulations prescribed
11 by said court.

12 (d) Such declaration must be filed within six months
13 after the date of the election approving the constitution:
14 *Provided, however,* That such declaration need not be filed
15 by a minor child or person under legal disability before six
16 months after attaining majority, or after removal of dis-
17 ability, as the case may be. Appropriate provisions shall
18 be made for the filing of declarations, which, under the provi-
19 sions of this subsection, may not be required until after the
20 date of the proclamation of independence.

21 (e) Any citizen referred to in subsection (a) who fails
22 to file such a declaration of intention within the applicable
23 period specified in this section shall be deemed a citizen of
24 Puerto Rico upon the proclamation of independence of
25 Puerto Rico or upon the expiration of the applicable period,

1 whichever happens later. Until such time, however, all
2 such citizens shall retain their American citizenship. After
3 such time, no such citizen shall regain American citizenship
4 except under the provisions of the naturalization law.

5 (f) As used in this section the term "United States"
6 includes Puerto Rico, all other territories and possessions
7 of the United States, the Commonwealth of the Philippine
8 Islands, and the Canal Zone.

9 FINANCIAL ARRANGEMENTS ON INDEPENDENCE OF
10 PUERTO RICO

11 SEC. 12. Effective upon the proclamation of independ-
12 ence of Puerto Rico, the existing public debt of Puerto Rico,
13 insular and municipal, shall be, and hereby is, assumed by
14 the United States, and all claims of the United States against
15 residents of Puerto Rico then existing shall be, and hereby
16 are, transferred and set over to the Republic of Puerto Rico.
17 The Republic of Puerto Rico shall thereupon become in-
18 debted to the United States for the amount of the debt hereby
19 assumed and the amount of the claims hereby transferred and
20 set over: *Provided, however,* That until the final and com-
21 plete withdrawal of American sovereignty over Puerto Rico,
22 if the government of the Commonwealth of Puerto Rico fails
23 to pay any of its bonded or other indebtedness or the interest
24 thereon when due or to fulfill any of its contracts, the United
25 States High Commissioner shall immediately report the facts

1 to the President, who may thereupon direct the High Com-
2 missioner to take over the customs offices and administration
3 of the same, administer the same, and apply such part of the
4 revenue received therefrom as may be necessary for the pay-
5 ment of such overdue indebtedness or for the fulfillment of
6 such contracts: *And provided further*, That there shall be no
7 obligation on the part of the United States to meet the prin-
8 cipal or interest of bonds and other obligations of the govern-
9 ment of Puerto Rico or of the municipal governments thereof,
10 hereafter issued during the continuance of United States
11 sovereignty in Puerto Rico, and provided also that such bonds
12 and obligations hereafter issued shall not be exempt from
13 taxation in the United States or by authority of the United
14 States.

15 PROCESSING TAXES

16 SEC. 13. The United States will pay to the government
17 of the Republic of Puerto Rico the aggregate sum of all
18 processing taxes collected in Puerto Rico by virtue of
19 the Act of May 9, 1934 (48 Stat. 670), which have not
20 been refunded to processors or expended or obligated for
21 expenditures in Puerto Rico for the benefit of agriculture
22 prior to the proclamation of independence.

23 ECONOMIC ASSISTANCE TO PUERTO RICO

24 SEC. 14. Within sixty days after the passage of this
25 Act the President shall appoint a commission of five experts

1 who shall make a thorough survey of the economic condi-
2 tions on the island of Puerto Rico, and who shall within
3 six months after the date of their appointment render a
4 written report to the President embodying the results of
5 their investigation and study. The report of the commission
6 shall contain recommendations as to the form of assistance
7 which the Government of the United States may render to
8 the people of Puerto Rico to enable them to attain a greater
9 degree of economic and social well-being. Within six months
10 after the rendering of such report the President shall, if he
11 deems it advisable, recommend to the Congress of the
12 United States specific recommendations for assisting the
13 government of Puerto Rico, after its inauguration, in
14 improving the condition of the people of Puerto Rico.

15 IMMIGRATION AFTER INDEPENDENCE

16 SEC. 15. Upon the final and complete withdrawal of
17 American sovereignty over Puerto Rico the immigration
18 laws of the United States (including all the provisions
19 thereof relating to persons ineligible to citizenship) shall
20 apply to persons who were born in Puerto Rico to the same
21 extent as in the case of other foreign countries.

22 CERTAIN STATUTES CONTINUED IN FORCE

23 SEC. 16. Except as in this Act otherwise provided, the
24 laws now or hereafter in force in Puerto Rico shall continue
25 in force in the Commonwealth of Puerto Rico until altered,

1 amended, or repealed by the Legislature of the Common-
2 wealth of Puerto Rico or by the Congress of the United
3 States, and all references in such laws to Puerto Rico
4 shall be construed to mean the government of the Common-
5 wealth of Puerto Rico. The government of the Com-
6 monwealth of Puerto Rico shall be deemed successor to the
7 present government of Puerto Rico and of all the rights and
8 obligations thereof. Except as otherwise provided in this
9 Act, all laws or parts of laws relating to the present govern-
10 ment of Puerto Rico and its administration are hereby re-
11 pealed as of the date of the inauguration of the government
12 of the Commonwealth of Puerto Rico.

13 SEC. 17. If any provision of this Act is declared uncon-
14 stitutional or the applicability thereof to any person or cir-
15 cumstances is held invalid, the validity of the remainder of
16 the Act and the applicability of such provisions to other
17 persons and circumstances shall not be affected thereby.

18 PROVISION OF CERTAIN EXPENSES

19 SEC. 18. All necessary expenses of the elections, the
20 constitutional conventions, and the commissioners designated
21 by the convention in the negotiation of the proposed com-
22 mercial agreement under this Act shall be provided by the
23 Legislature of Puerto Rico. The sum of \$10,000 is hereby
24 appropriated to defray all necessary expenses of the com-
25 missioners designated by the President of the United States

1 in the negotiation of the proposed commercial agreement
2 under this Act.

3 There is hereby appropriated the sum of \$25,000 to
4 defray all necessary expenses of the economic commission
5 of five, none of whom shall, however, receive any salary,
6 but whose expenses in attending to their duties shall be paid
7 out of such sum. The commission may engage the services
8 of experts, research workers, counsel, stenographic, and
9 other help required to carry out its duties.

10

EFFECTIVE DATE

11

12 SEC. 19. The foregoing provisions of this Act shall not
13 take effect until accepted by concurrent resolutions of the
14 Legislature of Puerto Rico or by a convention called for the
15 purpose of passing upon that question as may be provided
by the Legislature of Puerto Rico.

A BILL

To provide for the withdrawal of the sovereignty of the United States over the island of Puerto Rico and for the recognition of its independence; to provide for notification thereof to foreign governments; to provide for the assumption by the Government of Puerto Rico of obligations under the treaty with Spain of December 10, 1898; to define trade and other relations between the United States and Puerto Rico; to provide for the calling of a convention to frame a constitution for the government of the island of Puerto Rico; to provide for certain mandatory provisions of the proposed constitution; to provide for the submission of the constitution to the people of Puerto Rico and its approval; to provide for the adjustment of property rights between the United States and Puerto Rico; to provide for the maintenance of military, coasting, and naval stations by the United States on the island of Puerto Rico; to continue in force certain statutes until independence has been granted; and for other purposes.

By Mr. TYDINGS

February 7, 1949

Read twice and referred to the Committee on Interior
and Insular Affairs