

H. R. 5945

[Report No. 811]

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 1963

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

OCTOBER 7, 1963

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That ~~duly recognizing the inherent right and juridical capac-~~
4 ~~ity of the people of Puerto Rico to govern themselves and~~
5 ~~to establish such relationships with the Government of the~~
6 ~~United States as are freely agreed upon, the Congress takes~~
7 ~~note of joint resolution numbered 1 of the Legislative Assem-~~
8 ~~bly of Puerto Rico, approved December 3, 1962, which~~
9 ~~proposes to the Congress the prompt settlement, in a demo-~~
10 ~~cratic manner, of the political status of Puerto Rico and~~

1 hereby establishes the United States-Puerto Rico Compact
2 Commission:

3 SEC. 2: The Commission shall be composed of twelve
4 members of whom the President of the United States and
5 the Governor of Puerto Rico shall each appoint four and
6 the President of the Senate and the Speaker of the House
7 of Representatives of the Congress shall each appoint two.

8 The Commission shall draft a proposed compact of per-
9 manent union between the Government of the United States
10 and the people of Puerto Rico in the light of the principles
11 expressed by the Legislative Assembly of Puerto Rico in said
12 joint resolution numbered 1, namely: (a) "the recognition
13 and reassertion of the sovereignty of the people of Puerto
14 Rico"; (b) "the permanence and irrevocability of the union
15 between the United States and Puerto Rico on the basis of
16 common citizenship, common defense, common currency, free
17 market, common loyalty to the values of democracy, and of
18 such other conditions as may be considered, in the compact,
19 of mutual benefit to the United States and Puerto Rico";
20 (c) the specific definition of the powers of the United States
21 with respect to Puerto Rico and the reservation of all other
22 powers to the people of Puerto Rico; and (d) participation
23 by the people of Puerto Rico in the powers exercised, under
24 the compact, by the Government of the United States, in
25 matters affecting Puerto Rico, in a measure proportional to

1 the scope of such powers and the adoption of a formula under
2 which the people of Puerto Rico will contribute, in a manner
3 compatible with the stability and economic growth of Puerto
4 Rico, to the general expenses of the United States Govern-
5 ment.

6 The Commission shall render its report to the President
7 and the Congress and to the Governor and the Legislative
8 Assembly of Puerto Rico.

9 ~~SEC. 3.~~ (a) Any member of the Commission who is not
10 an officer or employee of the Government of the United
11 States or the government of Puerto Rico shall be paid \$50
12 per day for his services while actually engaged on Commis-
13 sion business, and all members shall be entitled to reimburse-
14 ment for actual travel and reasonable subsistence expenses
15 incurred in connection with their service on the Commission.

16 (b) The Commission is authorized to appoint and fix
17 the compensation of an Executive Secretary and such ad-
18 ditional personnel as may be necessary to enable it to carry
19 out its functions without regard to the civil service laws and
20 regulations, but any Federal employee subject to those laws
21 who may be detailed to the Commission (which detail is
22 hereby authorized) shall retain his civil service status without
23 interruption or loss of status or privilege.

24 (c) The Commission is authorized to call upon the head
25 of any Federal department or agency to furnish, and the

1 heads of such departments and agencies are authorized to
2 furnish without reimbursement, information and assistance
3 which the Commission finds necessary for the performance of
4 its functions.

5 SEC. 4. Costs incurred by the Commission shall be
6 shared equally by the United States and Puerto Rico. There
7 are hereby authorized to be appropriated such sums, but not
8 more than \$————, as may be necessary to pay the United
9 States share of such costs.

10 SEC. 5. The President is hereby authorized to enter, on
11 behalf of the United States, into a compact with the people
12 of Puerto Rico upon fulfillment of the following conditions:

13 (a) Adoption of legislation by Congress, after the re-
14 ceipt of the report of the Commission, authorizing a new
15 compact.

16 (b) Ratification of such compact by the people of Puerto
17 Rico by a majority of the votes cast in a referendum to be
18 held for such purpose, pursuant to the laws of the Common-
19 wealth of Puerto Rico, which laws shall also have provided
20 for submission to the people, as alternatives to ratification
21 of the compact, of proposals to apply for statehood and for
22 independence: *Provided*, That if a majority of the voters
23 participating in such referendum should favor either of such
24 two alternatives submitted to them instead of the Common-
25 wealth status as proposed to be amended, upon the result of

1 the referendum being certified by the Governor of Puerto
2 Rico to the President, the President shall transmit such cer-
3 tification to the Congress of the United States for such action
4 as it may consider appropriate.

5 *That, with due recognition to the principle of government by*
6 *consent of the governed, the Congress of the United States*
7 *hereby establishes the United States-Puerto Rico Commission*
8 *on the Status of Puerto Rico.*

9 *SEC. 2. (a) The Commission shall, subject to enlarge-*
10 *ment as provided in subsection (c) of this section, be composed*
11 *of seven members.*

12 *(b) The President of the United States shall appoint the*
13 *Chairman of the Commission and two other members, all of*
14 *whom shall be citizens of the United States and none of whom*
15 *shall be residents of Puerto Rico. The President of the*
16 *Senate, with the approval of the majority and minority lead-*
17 *ers of the Senate, shall appoint two members from the mem-*
18 *bership of the Senate. The Speaker of the House of Rep-*
19 *resentatives, with the approval of the majority and minority*
20 *leaders of the House, shall appoint two members from the*
21 *membership of the House.*

22 *(c) The Congress hereby invites the Commonwealth of*
23 *Puerto Rico to provide for participation of the Common-*
24 *wealth and its people in the work of the Commission by*
25 *enactment of a law providing for the appointment of an*

1 *additional six members of the Commission, for the sharing*
2 *of the expenses of the Commission, and for making available,*
3 *without reimbursement, to the Commission the assistance of*
4 *the departments and agencies of Puerto Rico upon request*
5 *of the Commission. If the legislative assembly shall do so and*
6 *if the additional six members are appointed the Commission*
7 *shall consist of thirteen members.*

8 (d) *A majority of the Commission shall constitute a*
9 *quorum for the transaction of its business, but the Commis-*
10 *sion may provide for the taking of testimony and the recep-*
11 *tion of evidence at meetings at which there are present not less*
12 *than three members of the Commission. The Chairman of*
13 *the Commission shall call a meeting for organizing the Com-*
14 *mission as soon as possible after he and a majority of the*
15 *members of the Commission have been appointed.*

16 SEC. 3. (a) *Any member of the Commission who is not*
17 *an officer or employee of the Government of the United States*
18 *or the government of Puerto Rico shall be paid \$50 per diem*
19 *for his services while actually engaged on Commission busi-*
20 *ness, and all members shall be entitled to reimbursement for*
21 *actual travel and reasonable subsistence expenses incurred in*
22 *connection with their service on the Commission.*

23 (b) *The Commission is authorized to appoint and fix the*
24 *compensation of an Executive Secretary and such other*
25 *additional personnel as may be necessary to enable the Com-*

1 mission to carry out its functions without regard to the civil
2 service laws, rules, and regulations, but any Federal employee
3 subject to those laws, rules, and regulations, who may be
4 detailed to the Commission (which detail is hereby author-
5 ized) shall retain his civil service status without interruption
6 or loss of status or privilege.

7 (c) The Commission, acting through the President, is
8 authorized and directed to call upon the head of any Federal
9 department or agency, to furnish information and assistance
10 which the Commission deems necessary for the performance
11 of its functions, and the heads of such departments and agen-
12 cies are authorized and directed to furnish such infor-
13 mation and assistance without reimbursement.

14 SEC. 4. The Commission, taking into account all factors
15 which may have a bearing on the future relationship between
16 the United States and Puerto Rico, shall formulate and draft
17 such legislative recommendations with respect thereto as it may
18 deem advisable in the light of its study. The Commission
19 shall render its report to the President of the United States,
20 the Congress of the United States, the Governor of Puerto
21 Rico, and the Legislative Assembly of Puerto Rico at the
22 opening day of the first session of the Eighty-ninth United
23 States Congress.

24 SEC. 5. There is hereby authorized to be appropriated
25 from the funds of the United States Treasury not heretofore

1 *appropriated such sums (but not more than \$250,000) as*
 2 *may be necessary for the performance of the work of the*
 3 *United States-Puerto Rico Commission on the Status of*
 4 *Puerto Rico.*

Union Calendar No. 333

88TH CONGRESS
 1st Session

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By Mr. ASPINALL,

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