Statement of José L. Dalmau-Santiago
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Senate of the Commonwealth of Puerto Rico

Before

The Committee on Natural Resources
Subcommittee on Insular Affairs
United States House of Representatives

April 25, 2007

on

H.R. 900, "The Puerto Rico Democracy Act of 2007"
H.R.1230, "The Puerto Rico Self-Determination Act of 2007"

Honorable Christensen and Members of the Subcommittee:

As a fervent defender of the Commonwealth status of Puerto Rico, which has greatly served the people of Puerto Rico for over fifty years, I appear before this subcommittee to present my views and recommendations toward H.R. 900 and H.R. 1230, two bills presented before the Congress regarding the status of Puerto Rico.

However, our current relation with the United States requires amendments to allow our country gain the full advantages of a global economy.

Mentioning some of the issues that must be discussed in this current evaluation process, for example; the restrictions established under the Coastwise Laws (Cabotage Laws). Currently, Puerto Rico is restricted to use only United States merchant vessels for its imports and exports, this restriction imposes and additional cost on an island that depends in an almost One Hundred Percent (100%) on merchant vessels for its imports and exports. Obviously, this restriction is a competitive limitation for Puerto Rico. The Commonwealth must posses the right to hire merchant vessels on a competitive and effective level, this would benefit consumers, create new incentives for venture investors and business owners, and it would help stimulate the economy of the island.

Exemption of the Coastwise Laws is nothing new to the Congress since the United States Virgin Islands, Mariana Islands, Guam, American Samoa, Wake, and Midway are exempt from such provision. This exclusion is indispensable for the development of strategic projects in Puerto Rico, for example the Transport Port of the Americas Rafael Cordero Santiago in Ponce, Puerto Rico.

Other important issues are related to fiscal matters, issue that can be expanded in a later written statement to the subcommittee if the members are interested. I have a serious concern that I must share with this subcommittee. Puerto Rico has more than a hundred years of relationship with the United States, the last Fifty Five (55) under the agreement of the Commonwealth status. In the last Fifty years (50) we have celebrated multiple plebiscites for the people of Puerto Rico to choose their preferred status option, in all of those plebiscites both independence and statehood have been rejected by the voters in Puerto Rico. There have also been numerous congressional efforts to promote a process of auto determination of which I can mention the Bennet Johnston Bill, Young Bill, and the initiatives being evaluated today.

The truly central aspect to this process is if the Congress has the will to respect and enforce the will of the Puerto Rican people. I ask you, Members of Congress, are you prepared to concede statehood to Puerto Rico or the modifications under a new Commonwealth compact if that is the will of the Puerto Rican people? This is the must important issue to us as political leader in the island, in Congress willing to obey the majority will in the island. It is your obligation and your duty to answer this question. Are you willing to accept as a State to the Union a nation that local statehood supporters insist will permit state court proceedings in Spanish, international representation outside of the Federal Government, separate Olympic Delegation, and public education in Spanish?

I can recommend a process that permits Puerto Ricans to reach a consensus freely and democratically about the real and viable status options that must be presented before the people. I am talking about the Constitutional Convention. This alternative helps the development of an extensive dialogue, a clear debate, and permits reaching a consensus between the different status factions in the island.

The Constitutional Assembly is not an unknown mechanism for the United States nor Puerto Rico. The Constitution of the United States was adopted in 1787 in a Constitutional Convention celebrated in Philadelphia. The Constitution of the Commonwealth of Puerto Rico was enacted from a consensus in the Assembly celebrated between September of 1951 and July of 1952. Both Manga Cartas' are documents that have created the backbone for democratic societies, as well as for governments that defend civil rights. These documents are the guiding principles of our democracies, respected by the people, of whom we feel proud and that many citizens have paid the ultimate prize defending such values and principles.

The Constitutional Assembly is also the mechanism most used by the different territories of the United States in their process to become a State of the Union. The

Constitutional Assembly must be evaluated by this subcommittee as the real and only viable alternative to solve the status issue in Puerto Rico.

I recommend that any effort to attend the status of Puerto Rico has to recognize that the alternatives must come from Puerto Rico and not the Congress and that the best mechanism to reach the necessary consensus between all different ideologies in the island is the Constitutional Convention.

Therefore I strongly endorse H.R. 1230 for proposing a Constitutional Convention as the mechanism to solve the status issue. I ask this subcommittee and the Congress to approve H.R. 1230 for the wellbeing of the people of Puerto Rico..

Cordially,

José L. Dalmau
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