

DISCUSSION  
GUIDE

THE VIEQUES  
RENAISSANCE

**SUPPLEMENT**

ENGLISH EDITION



Eastern end of Esperanza Bay looking west

This Discussion Guide Supplement is published by Vieques-Libre Corp as a companion  
to  
The Vieques Renaissance Discussion Guide  
&  
GUÍA DE DISCUSIÓN Sobre el Renacimiento de Vieques  
&  
PLAN B: The Economic Development of the Eastern Region of Puerto Rico Through the  
Decolonization of Vieques

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# The Vieques Renaissance Supplemental Discussion Guide

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# APPENDIX A: THE ROAD TO APPROVAL

*"We are now faced with the fact that tomorrow is today. We are confronted with the fierce urgency of now. In this unfolding conundrum of life and history, there "is" such a thing as being too late. This is no time for apathy or complacency. This is a time for vigorous and positive action."*

*Martin Luther King Jr.*

Great opportunities have short shelf lives. Patience (tempered by a sense of urgency) and preparation are always required. Delays are effective substitutes for denials.

Most know the proverb:

*"A journey of a thousand miles begins with a single step."*

## **NOW IS THE TIME TO TAKE ACTION!**

Without the people of Vieques taking action and becoming involved, democracy will remain an elusive fantasy. While our hopes for the futures of our children and grandchildren will be lost without us making a stand, continuing on a risk-adverse path along the eroding status quo is tolerable to many. Unlike dissent under dictatorships around the globe, we need not fear imprisonment, torture, or death. It is likely that many citizens actually **fear our possible success**.

Some feel that we are incapable of self-government. The poor among us have been "trained" over the decades to become dependent upon the US handouts, and they fear the loss of their current entitlements. As bad as the conditions are for social and economic mobility, significant numbers refuse to rock the boat on the belief they could fail and make matters worse.

In order to gain a positive consensus, we must educate the population on the issues and instill confidence. This grassroots activity is a necessary precursor to full mobilization, and it does not happen overnight. We must start NOW!

*"It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat."*

Theodore Roosevelt

## Timing & Sequencing

*“To every thing there is a season, and a time to every purpose....”*  
*The Old Testament, Ecclesiastes 3*

For better or for worse, transformations in the economy, politics, law, weather, state of mind, etc. can be harbingers of potential opportunities for those prepared to capitalize on them. Windows are open for a limited amount of time, and success depends upon quick and appropriate responses to the challenge.

*“A good plan violently executed **now** is better than a perfect plan executed next week.”*  
*George S. Patton*

A missed opportunity may be gone forever. Time is of the essence. Time is irreversible. It's too late to invent the radio, create the iPhone, develop the Windows operating system, or tell your deceased father how much you love him. The things that people in their later years regret the most in their lives are not the mistakes but the omissions – the things they wanted to do but never quite managed to seriously try.

Dreams are important but merely mind games until one acts upon them. No great feat has ever been accomplished without overcoming inertia and assuming risk. But where to start?

Begin the process with what is known. The existing conditions and the “vision” together provide the starting point and the destination to the journey.

Rule 1: The plan is the roadmap for the trip – though the route keeps changing.

Rule 2: **A plan is always a working document and should be constantly updated and modified as the situation evolves, more information is acquired, and better tactics are developed.**

Real life is fluid and often unpredictable. The vision may also suffer compromises as reality strikes.

In some cases, the steps required from start to finish are intuitive and straight forward allowing planners to establish and proceed on the critical path with reasonable ease. More times than not, however, it is difficult to identify every step from first to last. It can be helpful to create the plan by analyzing it from both ends: look also at the end result and work backwards to determine what must be accomplished prior to each milestone.

There are several likely phases that our efforts must traverse. Generally speaking:

1. Prepare. Do the research, educate the community, gain local consensus, create the vision, and develop the initial plan.
2. Test the water. Quietly back channel with the both US and PR government entities to determine their concerns, and with potential allies (UN and others) to determine their support.
3. Update the plan. Modify the marketing plan to reflect the political realities.
4. Obtain contingent agreements. Explore economic and infrastructure improvement relationships with the private sector based upon the condition of ultimate agreement from approving authorities.
5. Negotiate. Gain agreement to a two-step process leading to total independence – transition to begin relatively quickly, and final when the goals of the transition are met.



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6. Transition. Create a territorial protectorate arrangement that suspends most regulatory laws of both the US and PR and allows the territory to create its own government and pursue economic development.
7. Gain sovereignty. Upon developing a stable and sustainable economy, and having a working government, Vieques becomes independent.

## Preparing

### Do the Research

Understanding the true situation, the basic needs of the many diverse individuals, is task #1. In order to know what our new government expenses may be, it is necessary to have reliable current data to plan and fund all programs. The census data are a natural starting point; however, they don't answer every question, nor do they paint a completely accurate picture. The next step is to visit our government offices and collect whatever information the bureaucracy is willing to share. Questions to answer include:

- What are the individual and family compositions of the population?
- What does a typical family spend on food, shelter, healthcare, transportation, etc.?
- What are the housing accommodations figures?
- How, how many, and for how much are residents employed in both the legitimate and underground economies?
- How many and how much are residents receiving pensions from private companies and/or the government?
- What governmental financial support (disability, food stamps, shelter, healthcare, etc.) is being provided to various sectors and numbers of people, and what are the limitations? Some of these data have already been compiled.

*"Before you heal someone, ask him if he's willing to give up the things that make him sick."*  
Hippocrates

### Community Outreach

Task #2 is to determine what the population really wants: goals, aspirations, lifestyle, etc. Although the purpose of our government is not to provide satisfaction for citizen's every desire, it is intended to provide the opportunity for citizens to pursue their dreams, goals, and wants.

To gather additional data and gain better knowledge of the situation, meetings with small groups to explain the proposal, ask and answer questions, and listen to feedback and suggestions. It is nearly impossible to successfully accomplish this in a large group, but rumors about what is happening could make it very difficult to stay in front of the concerns, mistruths, and opposition.

*"Courage is what it takes to stand up and speak; courage is also what it takes to sit down and listen."*  
Winston Churchill

Surmounting the conundrum of convincing a poorly educated population on a difficult and complex action like independence requires a well thought out concerted effort and hard work. "Town" meetings are common methods for community discussion, but they are chaotic and often devolve into harmful discourse. It may be possible to have structured public meetings with different foci such as:

- Knowledge – sharing facts

- Thinking – creating solutions logically
- Opinions – critiques and ideas offered in response to proposals
- Feelings – giving outlet for emotions and beliefs that are distracting and not constructive but required to be voiced

In other words, the knowledge meeting is based on obtaining and distributing facts, and not anything else. While everyone is invited to attend, only factual information will be solicited, presented, and requested. The other meetings are similarly structured to reflect their specific purposes. But how do we organize them? And who is “we”?

### ◆ *Who is “we”?*

Initially, the “we” is the Steering Committee (SC), the originators of the movement. We are setting the agenda, creating the structure, and managing the logistics. This hierarchy is temporary but inconsistent with the long-term concept of community consensus. The makeup of the team guiding the efforts will change as the community’s involvement evolves.

### ◆ *The Format*

1. Presentation. A subject will be presented in the form of a lecture in the context of one of the four tenets. It cites assumptions, documented facts, community understandings, etc. It is presented (one or more times as required) to as much of the community as possible – intending to reach all interested parties. It would be done live in assemblies of people and online. It will also be archived and made available to all.
2. Community Response. Rather than have everyone trying to respond at once with questions, comments, suggestions, corrections, ideas, etc., breakout groups, online forums, and written communication would be used.
3. Groups. Many community participants become bored, frustrated, and/or disinterested in mass discussions that are fragmented, heated, and often hijacked by individuals who are overly loud, self-aggrandizing, or bullying. Therefore, small scale discussion groups are would be created and leveled in a pyramid hierarchy to facilitate a somewhat organized and efficient flow of information.
4. Levels. The base or Level 1 groups would include every participant and be sized at around 8 people each (plus or minus) to best facilitate communications.
  - a. The members of the groups can be friends, neighbors, colleagues, random, or assigned – as preferred. The best groups are the ones that are sustainable: the members bond to some extent and continue to work together.
  - b. The participants would discuss any and every aspect of the subject at hand. The goal would be to ultimately reach a consensus, although in the initial stages, it is unlikely. There will be many points of view, levels of knowledge, biases, and experience.
  - c. The range of thoughts, questions, etc. would be documented in writing to the satisfaction of the participants, and a member of the group designated to present the list in Level 2. A Level 2 group would be created to represent 8 Level 1 groups.
  - d. The designated presenter would then also become a member of a Level 2 group. The purpose of the Level 2 group is to:
    - i. Discuss the views of their Level 1 groups to find points of agreement and disagreement;

- ii. Consolidate the similar views and highlight the various divergent issue raised by the Level 1 groups; and
- iii. Select a member to present to Level 3 (or the Steering Committee if the pyramid is small enough).
- e. The number of levels required may vary over time based upon the number of active participants in the community. As a starting point, between 100 and 500 people would probably be the range. This would a range of 12 to 64 Level 1 groups and result in up to 8 Level 2 groups and 1 Level 3 group. The Level 3 group would present to the Steering Committee.
- 5. Steering Committee Response. The Steering Committee would collect and respond in writing to each item raised and answer questions. Many issues would form the basis of a follow-on focused presentation. Many issues would not necessarily have “answers” but would be open to discussion.
- 6. Online Resources. All presentations and documentation would be archived online and available for review or download.
  - a. Running lists of accumulated points of consensus agreement and disagreement would be maintained.
  - b. A curated online forum would augment the work of the groups.

◆ **The Schedule**

The objective of the schedule is to move the process toward consensus in a timely fashion. There are many subjects to cover and significant interaction and discussion required for each. Any attempt at initial scheduling is going to evolve to meet the community’s needs. A first cut might look like this:

Tuesday	4:00	Presentation of topic 1	Multiuse Center & Online
	4:30	Level 1 Group discussion	Multiuse Center

Tuesday – Thursday Level 1 Group prepares writeup for presentation to Level 2;  
Online participants email input to Level 2 Group.

Thursday	4:00	Level 2 Group Discussion	Multiuse Center
	5:00	Level 2 Group presents to Level 3	Multiuse Center
	7:00	Level 3 Group Discussion	Multiuse Center
	8:00	Level 3 Group presents to SC	Multiuse Center

Thursday -Tuesday SC prepares the presentation for Tuesday.  
The content should include summary of issue, feedback, further explanation, and necessary steps for consensus.  
A determination must be made whether to continue topic toward consensus or move on with next topic [note: options include switching from one tenet to the next: i.e. knowledge presentation can be followed by opinions or feelings to allow the frustrated to vent; and problems can lead to a discussion of ideas or thinking].  
Many options will present themselves.

The cycle repeats

### ◆ Topics

The curriculum would generally follow the Discussion Guide, but the guide is not all inclusive and may not address all concerns. As subjects are discussed at length, other areas may need to be researched and presented to answer questions from the community.

### Formalize the Plan

Task #3, after analyzing the data, requires The Plan to be formalized. Once consensus is established, the plan must be simplified and repackaged as a general proposal outline for back-channel efforts to begin. An executive summary brief is appropriate for initial meetings, but detailed backup documentation for every important element should be immediately accessible for presentation to various staff members if required.

## Testing the Water

There are four steps that work well to introduce and ultimately succeed with the developed plan:

1. Create the initial plan and share it with only really close associates and stakeholders for feedback. Refine the plan until it becomes well supported by these cohorts.
2. Invite probable critics to review and critique the refined plan. Attempt to reconcile those differences that are possible to reconcile and mitigate or defend other areas as needed. Determine areas which will become sticking points. Establish a working relationship with adversaries that fosters trust and respect.
3. Again, refine the plan and expand the presentations to the citizens for additional feedback.
4. Refine the plan again and set it in motion: implement it.

## Salesmanship 101

*“No amount of evidence will ever persuade an idiot.”*

Mark Twain

The initial contact with our central governments is for neither the faint of heart nor the insecure. Authorities will not typically be eager to “give us the time of day” without some petitioner leverage. Lack of experience and naiveté on the part of any grass-roots leadership will cause many officials to confer little seriousness upon the entourage. It will allow others to bully, laugh at, ignore, or misdirect our emissaries. The actual responses could run from “Hell no!” to “Someone will get back to you.”

The US Constitution and other laws define what bodies are responsible for granting decolonization. Appearing before these bodies requires their permission; it is not merely requesting an appointment. As in any sales situation, one needs to know who the decision makers are and who influences them. Those trusted recommenders are generally more accessible than the decision makers. Professional help can make a difference, but we must vet the lobbyists well.

Each presentation should have a specific objective. For instance, the goal of a meeting with a “recommender” may be to gain an appointment with a decision maker. In order to be successful, it is important to know the audience: what do they care about, what are their “hot buttons”, what should be avoided, etc. Gaining a meeting is difficult, and the time allotted by busy officials will be minimal, so it is critical that the presentation be concise and “hook” the intended individual or group quickly. Long or complicated presentations will not work – especially in early meetings.

Discussions with potential allies and international bodies beyond the US and PR should be included in the initial probing for feedback. Aggressive listening is key. Members of the decolonization delegation should all be prepared for spontaneous discussions at any time. Many important understandings are consummated in chance encounters. Each emissary should have a repertoire of presentations on different aspects and of various lengths to fill the allotted time made available. Constant practice through presentations to small groups within the community helps refine the marketing, inform the citizens, and provide feedback. Serendipity favors those who are prepared for it. Drafting one and two-page summaries of each topic can provide the backbone to the array of topics to be presented.

Several iterations of the efforts at gaining useful government feedback will likely be required, and months of repeating the cycle may become frustrating. But this is to be expected. It is part of the process. Many of the initial opinions, promises, etc. coming from politicians and bureaucrats could well be baloney. One of the important tasks at this point is separate the probable truth from the fiction.

If any government office becomes aware of the decolonization movement prior to the back-channel efforts, a concerned government office may circulate internal memos to relevant seek contact with the movement to quell the initiative. While such an event could develop points of contact that could possibly be useful to open the doors and inroads to other government entities, it might also place the movement on the defensive or throw the process off track. It would be better to discover other avenues prior to this in order to have the proper contacts and answers when needed.

## Updating the Plan

*“No plan ever survives its first encounter with the enemy.”*

Douglas MacArthur

*“Everybody has a plan until they’ve been punched in the mouth.”*

Mike Tyson

There are multiple “plans” referred to throughout this discussion including:

- Real estate master plan
- Economic development plan
- Energy plan
- Education plan
- Healthcare plan
- Social services plan
- Tax plan
- Government plan
- Criminal justice plan
- Decolonization approval plan
- Transition plan

With the full integration of each of these plans comes “The Plan”. Each one is a roadmap, and each must include the tactics and an operational guide for getting that plan approved. The initial meetings with the requisite authorities should provide sufficient color to enable the modifications required to The Plan and applicable subordinate plans. It should encompass the solidification of the necessary **tactics required for approvals**.

Media management is an integral part of any public campaign, and it is extremely important to our decolonization movement. Public support is critical. It will often be difficult, at best, to convince decision makers to become serious about the cause without the solid backing of their constituents. Social media entities are impossible to fully control but can be extremely powerful when used properly. The responses can be all over the map, but there is a silver lining to any of the clouds thrown up by *shouters and naysayers* (regional, national, and international) due to the attention that could be drawn to the cause. This must be expected, and preparation must be made for performance under the world spotlight.

The window of opportunity to get a clear rendition of the Vieques story presented could be quite small, and if not effectively delivered from the start, it may be difficult to recover the momentum. Like any public relations or political campaign, this must be well planned.

Celebrities (the glamorous, the powerful, and the infamous) can represent a mixed blessing. Jennifer Lopez might have a large supportive following, but so do Raul Castro and Vladimir Putin. We can use all of the help available, but the mere presence of certain individuals can send the wrong message. In general, many would clearly want to be seen as sympathetic to and advocating on our behalf, but the possibility of celebrity spokesperson disintegration is real and should be very carefully considered. Likewise, the growth of reality TV could provide a tempting method to present the effort. We must be cautious, these productions live and die by ratings, not their dedication to a cause. While potentially useful, they could result in loss of control of both the presentation and the focus.



## Obtaining Contingent Agreements

Securing commitments from approving authorities, lenders, developers, and citizens in an environment of unknowns is extremely difficult. It's the chicken and the egg dilemma squared. If one or two commit unconditionally, the others may fall into place, and progress continues. In the more likely case where no required agreements are forthcoming, the use of conditional commitments can be productive.

Contingent agreements are common everywhere. They are the means by which the seemingly impossible becomes possible. Nobody wants to be the first to commit and risk going it alone. There is safety in numbers. Confidence builds as others climb on board. The chances of success increase as the resources accumulate. Credibility grows as experts join the project. (Notice how many movie production companies are listed in the opening credits of every movie these days.)

Contingent agreements surmount the **if** question: "If A commits to do something, will B commit to act as well?" As the number of key players increase, the performance requirements can become complicated.

Looking at decolonization, notwithstanding a multitude of issues, the US Government is not likely to give permission to any variation from the status quo until it is certain that means exist for the effort to succeed. Authorities will want to see a feasible plan, committed participants, and a favorable outcome. The very simplified necessary contingent interactive agreements could look something like this:

**The citizens** agree to proceed through a transitional phase to independence and will vote to end the transition and proceed to final independence when the new nation is politically stable and financially sustainable. Or, they can agree to become independent when specific metrics are met.

**Business entities** agree to establish their enterprises in Vieques during the transitional phase when:

1. The US & PR approve the transition;
2. The Vieques provisional government enacts the new rules, regulations, and taxation plans; and
3. The US and/or financial institutions release the development funds previously committed contingently.

**Financial institutions** agree to lend to or invest in the new businesses when:

1. The US & PR approve the transition;
2. The Vieques provisional government enacts the new rules, regulations, and taxation plans; and
3. The developers have satisfied whatever other elements of the agreement might be.

**Grantors and other philanthropic organizations** agree to fund infrastructure, systems, and/or programs when:

1. The US & PR approve the transition;
2. The Vieques provisional government enacts the new rules, regulations, and taxation plans;
3. The economic development is proceeding; and
4. The team is on board to manage the funded program(s).

This is a very important time because the movement becomes real, and solicitations to the world for economic development gain credibility. During this period, frank discussions with potential developers and

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business executives give important feedback while establishing potential long-term relationships. The situation may change as the approval process progresses, but flexible partnerships can persevere.

## Negotiating Sovereignty

*Let sovereignty be granted us over a portion of the earth's surface large enough to satisfy our rightful requirements as a nation. The rest we shall manage for ourselves.*

Theodor Herzl – [www.brainyquote.com](http://www.brainyquote.com)

Having collected feedback at earlier meetings, the serious presentations to negotiate the terms and conditions for decolonization will begin in earnest. The approach to these discussions will be dependent upon a wide variety of elements:

- Does the current proposal reflect the feedback from previous meetings?
- Are the current government participants the same individuals who were engaged before?
- Have either the US or PR positions changed?
- Are the goals of the US or PR government and the new nation compatible?
- Are the US and PR really trying to reach an agreement?
- Are the contingent agreements secured from businesses, grantors, and financial institutions considered adequate and acceptable by the US and PR governments?

Assuming good faith negotiations by all parties, the objective of the negotiations is to gain approval, or at least conditional approval, for moving forward into a transitional phase. The terms of this phase are critical to the efforts for economic and infrastructure development.

The heart of transition includes the alterations to the rules, the systems of government, and government services. Some must change immediately to permit: new businesses to form under new rules, control to be transferred to local entities, US and PR regulatory agencies to be deactivated locally, new governing structures to be created, and revenue/tax agreements to be implemented.

During the transition interactions with the US, it is useful and important to develop strong positive relationships with the career bureaucrats as well as with the elected officials. While politicians may be the powerbrokers who decide when and if independence becomes a reality, in the long run, it may be the permanent staff that plays the more consistent and meaningful role in the detailed negotiations. Respect, integrity, and cooperation should be the hallmarks of every delegation to counterbalance the firmness required. Institutional memory can have a long half-life, and transgressions of consistency, follow-through, and honesty will haunt future dealings.

The world of international diplomacy is filled with mystery, deceit, intrigue, hegemony, arrogance, self-interests, confusion, and extravagances. Relationships can be multileveled and complex. Lack of agreement within the US government can foster internecine fighting behind the scenes resulting in mixed signals, dropped communications, and intolerable delays. Things are seldom what they seem. Words may have new meanings. The rules are not intuitive, and mistakes can be costly. It is a sea that we must learn to navigate.

Efforts should be made to court favor with other nations during the transition period. Beyond trade opportunities, there is the need to secure official recognition to gain membership in the UN and guaranty standing in the world court. Liaison with neighboring countries, potential trading partners, and nations with common interests will be beneficial in both the short and long terms.

## Special Notes

**The governmental entities with which we must interact are many:**

- Because the impact of annexing Roosevelt Roads directly affects the neighboring municipalities of Ceiba, Naguabo, Fajardo, and Culebra, it is our intent to discuss their needs and solicit their feedback so as to build into our plans the important elements that will aid the growth and development of these municipalities as well. A plan that addresses the needs of the whole region will spread prosperity and present a united front to all agencies up the hierarchy of government.
- The Authority for the Redevelopment of Land and Facilities at Naval Station Roosevelt Roads is tasked with development of Roosevelt Roads and has found significant progress totally elusive. While their approval is not a requirement for decolonization, it is reasonable to engage this organization. Keeping others in the loop avoids embarrassing PR officials and making enemies. More importantly, discussions lead to feedback, potentially useful information, contacts, and possible recruits or consultants.
- The PR government endorsement of our concept is extremely important and getting both political parties to agree will be difficult, at best. Hopefully, with regional support, we will have adequate leverage.
- PROMESA has brought the Fiscal Control Board to oversee all financial aspects of the PR government. Their functions include “assisting” in the reduction of expenses and increasing of revenue to enable debt payments to creditors. Board input to Congress would be useful to confirm that our independence and annexation together will increase PR income and decrease PR expenses. In other words, our actions will help solve the bigger problem.
- The Congressional Task Force on Puerto Rico has no real independent power, but with their approval, they could be instrumental in shepherding us through the Halls of Congress.
- Many government agencies may wish to “have a bite at the apple”, but it would be better in most cases to turn them into consultants of sorts to actually help us. For the most part, they would have no approval role in the process since it is technically 100% a Congressional function, but they will have issues that need to be addressed nonetheless. Failure to engage such groups could lead to surprises, delays, or denials.

Gaining consensus, obtaining approvals from PR and the US, securing required program partners, and obtaining contingent commitments - normally a chicken and egg conundrum - dissolves in the stream of 350 million redirected cleanup dollars when applied to economic development. A fountain of credibility forms a foundation for more commitments from varied sources.

Many will initially consider the thought of Vieques going independent too radical (or ridiculous) to take seriously, so they will ignore it, laugh at it, or come up with many reasons why it would be impossible without even taking the time to review the available information. The storm can be weathered, however, if we are united as an island community and are strongly behind this future for ourselves and our families. Therefore, we need to have our citizens on board as the first step. There is no substitute for passion.

A grass-roots effort is required. We need to enlist and invigorate our young people because it's their futures for which we are fighting, and they need to have seats at the table.

*To questions from the audience about what the recipe would be to boost Puerto Rico's economic development, [Voula](https://newsismybusiness.com/experts-new-education-) (<https://newsismybusiness.com/experts-new-education->*

[models-green-economy-key-to-economic-development/](#) said, ***“Let the young people take the lead.”***

We need to encourage women’s groups to join and lead the efforts to ensure the empowerment of women in our island’s future. Church groups may find significant benefits to their ministries in helping to develop a new society.

*“When you ain’t got nothin’, you got nothin’ to lose.”*  
Bob Dylan, Like A Rolling Stone



# APPENDIX B: PARCEL & SHIPPING SYSTEM

## COMMERCE ACROSS BORDERS

We who live in Vieques are accustomed to **supplier abuse**. In general, it is caused by several factors:

1. Our PR consumer protection agency is totally incompetent and utterly ineffective.
2. We do not have any organization inspecting, testing, or verifying that products meet quality standards of any sort.
3. Suppliers in the States are aware of the lack of scrutiny their goods receive here and send their rejected products to the Caribbean.
4. Suppliers from other countries that produce substandard junk in general know they can sell it here.
5. Distributors in PR are essentially monopolies for many product lines and don't bother to return inferior products, they just push them onto retailers and end users.
6. PR (including Vieques) vendors are often extremely difficult to deal with. The bigger companies still operate in monopoly mode and provide horrible customer service. Getting quotes on simple things can take weeks and many phone calls. There is little to no follow up or follow through. Delivery times are gross and dealing with antiquated credit departments for a simple credit card purchase on the phone can be impossible.
7. Retailers in Vieques are also monopolies in effect and never return substandard products to suppliers, but just try to sell whatever they can get.
8. A combination of ignorance and passivity on the part of the population results in both acknowledgement and acceptance of the fact that we are getting dumped on.

Just a few frequent examples:

- National branded food products that are packaged incorrectly with errors in the cooking instructions.
- Kitchen "small wares" made from such inferior metals that they break upon being used the first time.
- Electronics and appliances that don't last much more than a year.
- Plywood that is off dimension by a ¼" long or more in both dimensions.
- Plywood and lumber that is totally substandard and uncertified that is sold as "construction grade".
- "Treated" lumber that has no certification stamp.
- Reinforcing steel that is stamped as 60K psi but breaks when bent.
- White plastic electrical items like electrical plates, switches, and outlets that turn beige in a year.

The list goes on, but one can see that there are issues that range from annoying to very dangerous. Additionally, the prices charged for this garbage are higher than the prices on the quality products available in the States. Compounding all of this, the Jones Act limitations increase prices by about 12%.

Vieques currently has no international port and cannot receive commercial shipping from anywhere other than PR. Therefore, any cargo destined to arrive in Vieques must go through San Juan. This has always been an issue and causes long delays, added administrative time, and costs. Parcel shipments via UPS, Federal Express, or others, are exceptionally expensive and notoriously slow. USPS is significantly

cheaper for small things but costlier for heavier packages. Shipments through the main PR sorting center suffer greater theft losses for the USPS than any other facility, we are told. Many US suppliers have exclusive carrier contracts and cannot ship USPS. Large numbers of vendors refuse to ship to PR.

We can by-pass many of the former issues by shipping in bulk directly to Vieques. The items shipped would all be ordered and purchased by Vieques residents or businesses with possession and ownership transferred in the States when delivered to the aggregator. In this way, the vendors selling the items would not be exporters nor would they need to deal with any aspects of delivery other than shipping their items to a domestic aggregator. When the container (solely for Vieques) reaches its capacity, it would be shipped to a “clearing house” in Vieques that would unload and deliver the products locally. The delivery would be to the Port of Vieques. Taxes may be imposed on “vice” related items but not as an issue for the sender, solely the recipient.

Vendors for the various purchases could range from furniture, tools, and building products to autos, boats, and sports equipment. Heavy and/or bulky are obvious candidates, but even smaller lighter items are viable due to a lower cost. Many new homeowners buy their furniture and ship it, but the process is expensive and a lot of work for a one-time venture. Some builders would buy everything they could for a project including plywood, rebar, concrete additives, synthetic stucco, insulation, bulk screws and nails, hardware, lighting, and all sorts of specialty items or common products that are of poor or unknown quality here.

In order for such an effort to be fruitful, a number of people and companies with varied capabilities must partner:

- Buyer. Local Vieques residents and businesses must be willing to use the service to procure the items they want and need. They will either visit the States to select what they want or will use the internet to buy items. All purchases will be sent to the aggregator.
- Seller. Businesses throughout the States will sell to Buyers and send the purchases to the aggregator. A special opportunity could exist for a building material supplier in that Buyers may find it much more convenient to deal with a Seller closely related to the whole process.
- Aggregator. Company that receives the goods and packs the container. When the container is full or otherwise ready for shipment, transportation (aggregator or third party) to the port and processing for the shipment is completed. Special knowledge is required for procurement of containers, loading, insuring, and processing.
- Shipper. Shipping Company that delivers the container to Vieques on its barges or smaller ships.
- Receiver/Clearing House. Local company that receives, unloads, and distributes the contents of the container. This entity also processes the charges to the Buyers and the payments for the Aggregator and Shipper.

Logical locations for such a new business in the States would be near a port that services Vieques.



# APPENDIX C: BILL OF RIGHTS

## DECLARATION OF HUMAN RIGHTS

[Note: This is a pretty straight adaptation of the [Universal Declaration Of Human Rights](http://www.un.org/en/universal-declaration-human-rights/index.html) created by the UN. <http://www.un.org/en/universal-declaration-human-rights/index.html>]

There should be language to limit the government's ability to make laws or take actions contrary to these rights. The role of government is to protect the rights of the citizens.

### Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore, the citizens of the Independent Vieques hereby proclaim this document as the primary guiding Universal Declaration of Human Rights and fully support it with the rule of law.

### Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

### Article 2

Every citizen is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, gender preference, birth or other status.

### Article 3

Every citizen has the right to life, liberty and security of person.

**Article 4**

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

**Article 5**

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

**Article 6**

Every citizen has the right to recognition everywhere as a person before the law.

**Article 7**

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

**Article 8**

Every citizen has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

**Article 9**

No one shall be subjected to arbitrary arrest, detention or exile.

**Article 10**

Every citizen is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

**Article 11**

1. Every citizen charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.
2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

**Article 12**

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to untrue attacks upon his honor and reputation. Every citizen has the right to the protection of the law against such interference or attacks.

**Article 13**

1. Every citizen has the right to freedom of movement and residence within the Independent Vieques borders.
2. Every citizen has the right to leave any country, including his own, and to return to his country.

**Article 14**

1. Every citizen has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

**Article 15**

1. Every citizen has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

**Article 16**

1. Citizens of full age, without any limitation due to race, gender, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage, and at its dissolution.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

**Article 17**

1. Every citizen has the right to own property alone as well as in association with others.
2. No one shall be arbitrarily deprived of his property.

**Article 18**

Every citizen has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance as long as it does not interfere with the rights of others.

**Article 19**

Every citizen has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

**Article 20**

1. Every citizen has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

**Article 21**

1. Every citizen has the right to take part in the government, directly or through freely chosen representatives.
2. Every citizen has the right to equal access to public services.
3. The will of the people shall be the basis of the authority of government; this democratic process is to be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

**Article 22**

Every citizen, as a member of society, has the right to social security: the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

**Article 23**

1. Every citizen has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.
2. Every citizen, without any discrimination, has the right to equal pay for equal work.
3. Every citizen who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Every citizen has the right (though not the obligation) to form and to join trade unions for the protection of his interests.

**Article 24**

Every citizen has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays.

**Article 25**

1. Every citizen has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

**Article 26**

1. Every citizen has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

**Article 27**

1. Every citizen has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
2. Every citizen has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

**Article 28**

Every citizen is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

**Article 29**

1. Every citizen has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, every citizen shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

**Article 30**

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.



# APPENDIX D: PATRIMONY & LOCAL BUSINESS DEVELOPMENT

There are a number of lifelong residents who feel that newcomers to the island come with talents, money, and experience that gives them competitive advantages over the rest. Some feel that those born here are more entitled to live here and “run the show”. Many others are aware that in a contemporary mobile world, such a view is only held in smaller enclaves and is not the norm. Nonetheless, it is an issue with a significant number of existing residents, and a compromise of sorts should be found to address their concerns and prevent any resentment or deep-seated dissatisfaction that could cause a rift in the community now or in the future. There are many forms of compensation or deference that could be used. The following offers a form of granting limited business advantages to **Founding Father Citizens (FFC)** – those who are present and qualify for citizenship from day one. Any solutions selected must be temporary and fair.

In order to understand how to assist founding citizens to be successful in business, we need to look at the existing situation. In order for a business to flourish, it must first survive and get off the ground. It is difficult to start any business anywhere, but residents here have a more extreme set of circumstances than typical in the States. Inhibitors to entry include:

- Lack of capital
- Lack of expertise
- Lack of availability of appropriate locations
- Lack of access to distribution/delivery
- Too much existing monopoly control
- Administrative obstacles

All of these issues can be successfully addressed in the formation of a new government.

## **Capital.**

Raising money to start a new business is a challenge for all but the already successful or wealthy, and it is almost impossible for the poor. A mechanism for loans and equity investment must be provided that balances the needs of new businesses with the risks associated with lending and/or investing. Programs that provide both training and monitoring of entrepreneurs and their progress can be very useful. Micro loans and crowd funding opportunities could augment the more traditional financial offerings. While direct government subsidies and loan guarantees are not advised, Vieques chartered banks (and other institutions) should be “encouraged” to engage with the community through lending/investment programs which can begin with very small loans and grow as the business person shows more expertise and establishes a track record. In no way should a program be established that resembles an entitlement or handout, but the availability of funding is critical to business development and must be a high priority. Bank lending laws must be very flexible for business loans of small amounts.

### **Expertise.**

Local expertise may be limited in many business categories and difficult to gain in Vieques. Internship and apprenticeship are forms that allow hardworking inexperienced people to gain the expertise that may be required with certain enterprises. Just like educational achievement, we must help establish the fundamental skills in our citizens to enable them to take advantage of these higher learning opportunities. Along with the basics learned in K-12, we must provide counseling and establish or join an international network of organizations offering such learning options.

### **Business Locations.**

In most cases, to open a business requires procuring an appropriate location and suitable facilities. Historically, Vieques has had very limited commercially zoned property, and of the inventory, little was available. This must change. Zoning must be based on a more holistic approach of planned neighborhoods and mixed uses. We have tremendous real estate resources, but they must be managed well.

### **Distribution/Delivery.**

New businesses currently have an impossible time securing access to the ferry as required for regular operations. A robust ferry system will allow for adequate, reliable movement of products, contractors, labor, tourists, and residents. The cost of goods and services will decrease while the quality and variety will increase.

### **Monopoly Control.**

Monopolies take one of three forms. First, there is the creative monopoly protected by patents or the development of incomparable products or services. Examples include pharmaceuticals, high tech products, the iPhone, etc. Second there are the natural monopolies of scale. A small population may only be able to economically support a single provider of autos or yachts or other products and services. Third, there are the “protected” monopolies that have acquired their status through rent seeking (special treatment from the government) or by illegally preventing competition from gaining access to distribution, permits, or facilities. Of the three types, only the last is truly problematic and must be eliminated.

### **Administrative Obstacles.**

Deterrents and impediments to business formation are horribly counterproductive and tend to benefit only the bureaucracy and the existing monopolies or oligopolies. Streamlining the business formation process is critical to innovation, efficiency, consumer satisfaction, and generating the maximum income for the island and the residents.

### **Viequense Reserved Businesses.**

Many new businesses require expertise not possessed by our existing citizens, and it is reasonable that new business people and various professionals who have the knowledge and experience would start such innovative enterprises. Other businesses, for which we already have qualified entrepreneurs, may need some initial “protections” from new competitors whose resources dwarf those of our existing citizens.

Over the last fifty years or so, new governments in several Caribbean jurisdictions have implemented rules and regulations to limit the participation of new residents in their local economies. Restrictions on citizenship exist in two forms: 1. Multiple classes of citizens granted differing rights and privileges; and 2. Taxing mechanisms to gain citizenship and/or create and operate a business.



Establishing multiple categories of citizens automatically creates a “class” system and codifies inequality of opportunity under the law. This is inconsistent with our goals and would be a mistake to implement any such system. Limiting new citizenship, however, will be necessary and can be used to tailor our labor force and investment resources. Notwithstanding the above, many of the native Viequenses face a marketplace with inferior skills and resources preventing them from competing effectively. It is therefore suggested that FFC’s should be granted certain business advantages for a period of 25 years. This amount of time is sufficient for the owners of said businesses to become fully established and the next generation to start their new businesses with the benefits of better schooling and experience.

What businesses are preferred to be owned by FFC’s and native born Viequenses?

First of all, existing businesses would be “grandfathered”. Any existing business could be operated and sold to anyone. GE operated an assembly plant here and sold it to a “foreign” company, and that would have been allowed as long as the general nature of the business remained the same, and it is operated within our laws. The grocery store is owned by the Morales family, and they could sell it to Econo in PR or to John Doe of Bravos or Juan Lopez of Orlando.

Secondly, appropriate businesses requiring protected or preferred status include those in which locals could adequately compete. It would be counterproductive to reserve businesses for which locals have no expertise or desire to engage in. Some areas that other islands have “protected” are food service carts, standalone bars and restaurants (not part of a hotel or parador), bakeries, fish markets, real estate agencies, retail stores, travel agencies, security services, etc.

Next, the form of protection needs to be consistent with the goals in the context of the business type. Local advantage can be garnered through a requirement of majority ownership by a qualifying citizen or instead require that new business owners that are not FFC’s pay a tax or fee to open protected businesses. The former option directly improves the likelihood of involving locals in businesses that require capital otherwise unattainable but runs the risk of creating a “front man” that is just being compensated to pretend to be running the business. The latter option is a form of leveling the playing field to allow the FFC to compete more effectively.

Lastly, the goal of growing the capabilities and the wealth of our existing population is worthy of a plan of temporary subsidies as outlined above, but care must be given to ensure that the new economy of the island is market based and that no attempt to “plan” the economy will be implemented, ever. *Nothing kills long term growth and innovation like trying to plan the future rather than plan for the future.*



# APPENDIX E: MEDICAL TOURISM IN VIEQUES

The medical tourism industry [ [www.medicaltourismassociation.com/en/index.html](http://www.medicaltourismassociation.com/en/index.html) ] has emerged in recent decades to address certain market deficiencies in various countries. Popular conceptions are that wealthy people who want lower cost cosmetic surgery jet off to South America for tummy tucks and facelifts. While this is true, it is only a small part of this growing healthcare sector. There are, in fact, many reasons to justify traveling to a distant location for a wide range of medical procedures:

- Lower cost treatment and/or aftercare
- Immediate availability
- Unique specialty expertise
- Highly successful outcomes
- Alternative medicines and experimental procedures
- End of life care options
- Anonymity for the famous or infamous
- Combined treatment or services with a vacation

While it is our goal to meet all of the above criteria, we cannot be all things to all people. We must limit the offerings to those areas in which we can develop a significant competitive advantage. We must initially focus on one or two specialties to grow our brand of progressive procedures, quality outcomes, and patient value.

## The Objectives

Medical tourism is an extremely desirable industry for Vieques and one of the very best forms of economic development for several reasons that inform our objectives:

- Brings considerable income to Vieques
- Provides basic general hospital and healthcare services to Vieques residents
- Is necessary for retirement community residency and related tourism
- Offers a wide range of excellent employment and career opportunities for our region
- Gives boost to our educational system and motivates young people to consider medically related careers
- Brings a wide range of professionals into the community as residents
- Creates numerous facilities and high-quality infrastructure
- Is totally compatible with eco-tourism

In order to accomplish our long-term objectives, we need to partner with professionals capable of creating and implementing a business model that will be sustainable long into the future. The plan must be well thought out and address many issues.

## The Plan

Establishing a community or regional healthcare facility serving a surrounding population of only 10,000 to 20,000 is a normal activity performed throughout the US and other countries. Hospitals sized for this population level are typically limited to providing very basic services. Patients rely on referrals to other larger hospitals to obtain the requisite specialists for a large variety of ailments and conditions. This forms a network of care and is a two-way street. It is upon this foundation that our own specialty will be grown.

First, we assemble a team. We need both medical and business consultants who understand the potential of our situation and can assist us in finding and selecting potential partners to develop a marketable medical specialty appropriate for Vieques. This is not a simple exercise designed to merely find a few good surgeons and add some support staff. A professional staff is certainly essential, but not sufficient. This is the creation of a business model for the industry that is intended to become the backbone of our economy. The team must understand the elements of a sustainable, competitive, healthcare endeavor.

Healthcare is a broad and complicated industry. In addition to the doctors, nurses, assistants, technicians, therapists, administrators, etc., it includes:

### Outside Services

*[This list is derived primarily from Figure 6-1 Illustrative Business Services in the Value Chain, The Competitive Advantage of Nations, by Michael E. Porter, 1990, The Free Press]*

#### Firm Infrastructure

- Financial Services
- Accounting
- Management Consulting
- Legal Services

#### Human Resource Management

- Compensation Consulting
- Education & Training
- Temporary Help
- Employment Agencies

#### Technology Development

- Design Services
- Contract Research
- Custom Software
- Market Research

#### Procurement

- Rating Services
- Telecommunications Consulting
- Inbound Logistics
  - Transportation Services
  - Warehousing Services
- Operations
  - Engineering Services

- Building Maintenance
- Equipment Maintenance & Repair
- Security Services
- Industrial Laundry Services
- Outbound Logistics
  - Waste Disposal
  - Credit Reporting
  - Information Processing
- Marketing and Sales
  - Advertising
  - Direct Response Marketing
  - Databases
- Service
  - Installation, Calibration, & Testing Services
  - Repair and Overhaul

### Ancillary Partnerships & Services

- Laboratories
- Suppliers - general
- Suppliers – pharmaceuticals
- Suppliers – medical equipment
- Suppliers – medical devices & implants
- Facility & infrastructure providers
- Schools & training programs
- Recuperation and therapy accommodations

While we could design our business model to include many of these services in-house, it is far better for us to attract an external value chain that can more efficiently grow with us, innovate, and make our island more competitive.

*“The specialized service firm can often hire and train people better, employ better methods, use better equipment, and perform a service cheaper or better. The specialized service firm concentrates all its management attention on service activity that often represents a peripheral concern of the management of a company performing the service in-house as well as a low status job for employees. At the same time, an in-house service department faces some inherent constraints. There are barriers in tailoring physical facilities, policies, and procedures of in-house service units to the requirements of a particular service. In-house service units are housed at expensive locations, subject to corporate salary structures and benefit plans, constrained in some cases from using part-time workers, and live under other guidelines that are inappropriate for the nature of the service function provided. The independent service provider, conversely, tailors every aspect of its value chain to the particular service involved.”*

*[The Competitive Advantage of Nations, by Michael E. Porter, 1990, The Free Press]*

It is of critical importance to our success to cluster as many as possible of the above services nearby to provide the interaction and synergy that is required to innovate and substantially grow our medical tourism

business. With the right mix of talent and expertise, as time passes, additional specialties will emerge and be added to the offerings.

The initial cadre of professional talent and support services will be recruited from international sources. It is our goal to create a critical mass of experts involved in everything from selected medical specialties, to R&D, to therapy, and beyond. Grooming local talent to fill such positions and become leaders in their fields is extremely important. Including a rich curriculum of science in our schools combined with “after-school internships” and college scholarships will help prepare and enable our young people to participate in productive careers at all levels and eventually take ownership of the Vieques brand.

### **Structure**

There are three general components to our healthcare plan:

1. Health maintenance. We intend to offer basic healthcare for every citizen, and an HMO type system seems appropriate. Perhaps companies like Kaiser would be solicited to bid to provide (or consult on) a particular scope of such services. The winner would run the program and the basic services at the hospital.
2. Medical specialties. One or more suitable medical tourism specialty providers would be selected (or merely establish a presence on their own) to operate their businesses. The hospital may or may not be directly necessary for any given specialty. Separate facilities could be used (from the stock of existing buildings) or constructed as needed, and agreements with the hospital for facilities and services would also be expected.
3. Support and related services. Although it is our goal to have every required service located within our cluster, due to the initial small scale of the medical program, it is not likely to happen. This group of support services will need to be actively grown. Those specialties not suitable for our operations will require international agreements with other providers.

### **Philosophy**

To be both successful and sustainable, we must be:

- Innovative
- Attractive to the medical tourism marketplace
- Acknowledged as supremely competent at any specialty offered
- Desirable as a workplace to attract and retain the highest quality staff
- Able to develop an effective Value Chain of support services
- Solving the affordable healthcare puzzle for the residents of Vieques

# APPENDIX F: THE FERRY SYSTEM

## Goals and Objectives of a New Ferry System

The following envisions a privately (individual, corporate, or co-op) owned cargo ferry and passenger service operated by a commercial contractor, from the Port of Vieques (former Roosevelt Roads Naval Base) to the Island of Vieques at Mosquito Pier.

The mission statement should read something like this: ***The purpose of the Private Ferry Service (PFS) is to provide safe, convenient, reliable, economical, and pleasant transport for passengers, vehicles, and cargo between Vieques (Mosquito Pier) and the Port of Vieques on a schedule that accommodates the needs of the community for both personal access and business operations and development.***

The mission statement above is the basic confirmation of the goals and objectives. The following discusses how these objectives may be reached. This is not a complete business plan but merely a partial list of things that should be considered. It has become apparent that a two-phase process addressing the short-term problem first may bring a greater chance of success.

### Phase 1: Initial

Phase 1 is the very early part of the transition period to independence **while still under the jurisdiction (without waivers) of the Coast Guard and other US entities**, including the limitations of the Jones Act. It further assumes no participation by Culebra, although their inclusion would be welcomed and their needs accommodated.

#### ◆ **Equipment: Boats - Configuration**

The boats used should be selected for their task and their environment. They should be enjoyable – even fun – to ride.

1. The fleet should consist of two similar boats, having most if not all system components identical. This would aid dramatically in both maintenance and operations for parts inventory, technical expertise, backup, and operational substitution. Outfitting older boats in an identical way should be cost effective and should come with Coast Guard certification for our purposes.
2. The preferred boats are drive-through for rapid loading and unloading, but it is unlikely that these could be found in the used boat inventory for Phase 1 complying with the Jones Act.
3. All boats would be combination passenger and cargo. Passengers would load simultaneously but independently from the vehicles without a conflicting path. Multiple points would be provided for embarkation and disembarkation.
4. All boats would be configured to include several restrooms, a ticketing area, and a small canteen. The restrooms should be plentiful, roomy and easily cleaned. The ticketing operation should allow for the sale of tickets and the making of reservations while in port **and while under way**. The canteen should allow the sale of food and beverages.
5. Boats should be large enough to accommodate the above requirements and plan for expansion. Passenger capacity of 250 and 25 vehicles would be absolute minimums,

although USCG thresholds may make other capacities preferable. Deck capacities should allow for heavy trucks.

6. The cabins should include both outside and inside (air conditioned) seating options. The outside space should include both covered and uncovered seating.
7. Due to the shorter distance being run, a boat at 12kts would take about 30 minutes. Faster boats will typically burn more fuel but would allow quicker turn-around.
8. Each boat should have effective high capacity internet service available for passengers and administration. An AIS transponder for monitoring craft location is a must.
9. Ticket offices (onboard and onshore) require both internet and computers with text (SMS) and voice capabilities (like Skype and others) for reservations, payments, crew, and M&O (maintenance and operations) communications.
10. Ample security cameras and related systems should capture activities throughout the boat and surrounding pier areas 24/7.

◆ **Facilities**



Large trucks get stuck trying to reach the current ferry dock in Isabel Segunda





Gasoline & cargo trucks cross the unsafe bridge to the current ferry dock

The most essential land side facility is the actual loading dock, and modifications are required. Passenger loading should be through the sides. By way of an illustration, the ramp in the center of Mosquito Pier has only a couple of dolphin pilings used to hold the boats “straight”. Additional pilings, one or more figure piers, and covered passenger ramps combined with a wind breaks need to be constructed. Hydraulic ramps in the cargo loading areas will be required to accommodate different boats and water levels. Other infrastructure improvements will be dictated by the USCG.

Spacious queuing areas for loading should be provided for cars and trucks that do not conflict with disembarking vehicles or passengers. Parking areas should be provided for passengers not ferrying vehicles. On Mosquito Pier the current road side parking would continue but should be formalized. Público parking could be on the road side across from the dock and bus drop-off could be on the dock side of the road. Waiting areas for individual pickup should be north of the dock on the west side of the road. *(See the attached schematic design of the area near the center of the Rompeolas shown below.)*

Equivalent accommodations at the Port of Vieques are required, as well as services for the boats. The existing ferry docking and service area should be moved to the canal at the northwest end of Bahia de Puerca for a more efficient and protected operation. Additionally, the large docking area in Ensenada Honda can then be used for cargo ships.



Tiburon, CA ferry has no office or any other facility

Once a boat is docked and emptied, passengers could embark and use the onboard salon, ticket office, and/or restrooms. Any exterior facilities should be as minimal as possible, sized appropriately, and primarily providing weather protection.

If adequate refueling facilities are already in place at the Roosevelt Roads ferry dock, they could be utilized. If not, it may be possible to service the boats directly from a mobile fuel truck. There should be water service and “pump out” for removing all sewage as well.

◆ **Schedules**

Schedules should be determined primarily to meet the needs of the customers but are constrained by the limitations of the system – including crew labor and costs of operation. While from a customer point of view there can never be too many departures, boats must run sufficiently full to cover costs. The objective is to spread out the trips to efficiently cover each day without turning people or vehicles away or making them wait long periods.

Sample proposed initial schedule:

Depart Vieques	Depart Roosevelt Roads	
5:00 AM	6:00 AM	(except Sunday)
7:00 AM	8:00 AM	
9:00 AM	11:00 AM	
1:00 PM	3:00 PM	

4:00 PM  
7:00 PM

5:00 PM  
8:00 PM

The primary boat would spend the night on the island, and the backup in whichever port was convenient. Two full time crews would be required each day. Two part time crews would be required for the weekends and covering for vacations, sickness, etc.

The schedule should be subject to modification over time to appropriately meet the customer demand. Space availability should be shown on the website in real time as online sales take place. Delays or other items impacting travel should be current and online.

◆ **Pricing**

Setting price levels is a science. If the prices are low, there will typically be more who will buy. Fewer will pay higher amounts. The secret is in understanding how elastic the demand is: how many willing customers there would be at various prices.

From the business side, one wants to charge the price that yields the most return at any given service level. We don't have a clear picture of this from past performance given the heavily subsidized rates of the ATM. When Aluma was running a private ferry service, their prices for vehicles were two to three times those of the ATM, and many people used them because dealing with the ATM was too difficult.

Initial attempts to estimate the optimal price structure might look as follows:

Pricing (Round Trips)	1 Ride	Resident	10 Ride
Passenger	25	15	150
Car & Driver	75	45	450
Small Truck & Driver	125	75	750
Large Truck & Driver	200		
Semi-Truck & Driver	300		
Fuel Truck & Driver	750		

◆ **Contract with Ferry Service**

It is not our intent to run the ferry system with government employees but rather contract the service, regulate it, and ensure compliance with the contract. Through a competitive bidding process, we will select a contractor to run a system to our specifications.

Our requirements are results oriented and not an effort to micromanage the operation. Our bid points will include:

1. Contractor must provide all of the equipment and staff to operate a ferry system for passengers and cargo to meet our above stated requirements and schedules. All organization, management, maintenance, training, and certification are the responsibility of the contractor.
2. The orientation of the contract is to ensure a highly reliable, safe, and pleasant service to the customers - the citizens and guests of Vieques. The contractor is to operate in a manner to satisfy the stated goals. Failure to operate as contracted would lead to fines and/or termination of the contract.

## Phase 2: Advanced

Phase 2 begins in the transition period as soon as the rules of the USCG and Jones Act are lifted. This could be immediate or several years out depending upon negotiation.

Over the long run it is anticipated that the volume of business, resident, and tourist traffic will increase significantly. As the available capacity of our initial operation becomes inadequate for the demand, we will need to expand the services and facilities to include:

### ◆ *Equipment: Boats – Configuration*

1. The boats should be drive-through for rapid loading and unloading. Backing on or off would never be necessary.
2. All boats would be combination passenger and cargo. Passengers would ride above the cargo bay and load independently from the vehicles without a conflicting path. Multiple points would be provided for embarkation and disembarkation.
3. Each passenger would have an electronically encoded Vieques ID Card (resident or temporary) scanned upon embarkation. The ID card would be the preferred method of payment. This would easily allow price variations for classes of individuals: students, elderly, disabilities, government travel, etc.
4. The canteen area should include salon seating with tables.
5. An onboard maintenance facility should be created to allow limited maintenance activity to continue wherever the craft is located. Keep the mechanics, tools, and boats together.
6. Passenger capacity of 300 and 35 vehicles would become the new minimums. Larger boats could be run in anticipation of more growth.
7. Limited crew quarters are required for those occasions when one or more members are stranded due to weather or maintenance issues.

### ◆ *Facilities*

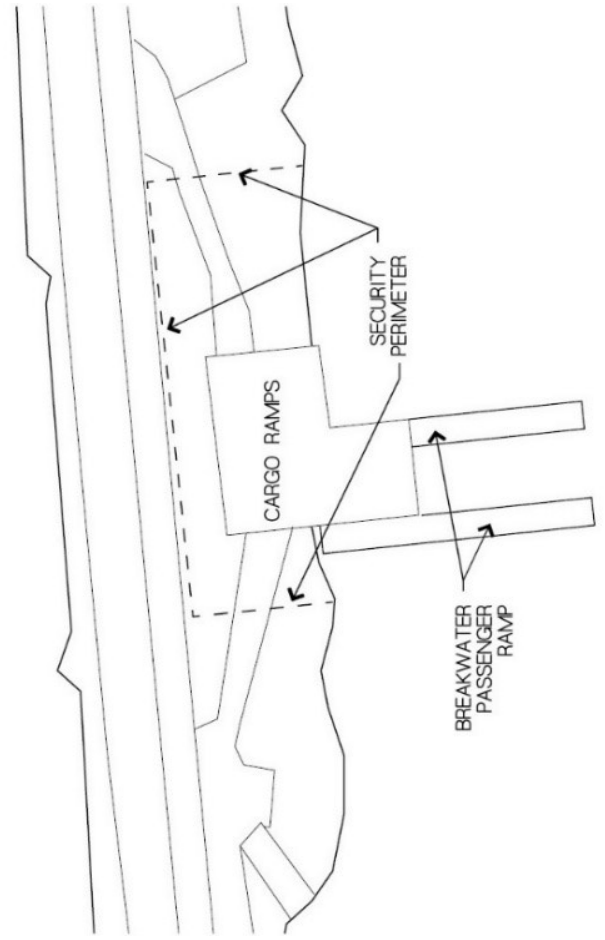
More extensive terminal waiting areas with rest rooms and food service would probably become justified, and even profitable. Current Army Reserve facilities could easily be converted and/or additions made.

### ◆ *Schedules*

Schedules should be modified as determined primarily to meet the needs of the customers.

### ◆ *Pricing*

Pricing should be adjusted up or down to reflect the legitimate costs of operations and the needs of the market. Outside subsidies are not going to be available, so the business must be self-sustaining. Balancing the needs of the community against the monies available may require shifting the burden between businesses and customers. Vieques may be required to support the operation to a small degree.



Cargo ramp plan at center of pier



# APPENDIX G: COMPACT OF FREE ASSOCIATION

The following pages present a draft agreement intended to ultimately lead to a “Compact of Free Association” between the US and Vieques. It is modeled after the Compact of Free Association between the Federated States of Micronesia and the United States, initialed by negotiators in 1980, signed in 1982, and approved by the citizens of the FSM in a plebiscite held in 1983.

Despite differences in the domestic and foreign situations in 1980 vs 2021, the essence of the existing agreement provides a roadmap and precedent for establishing a somewhat similar relationship between the US and Vieques. Experience with the original Compact informs creation of the one proposed. With Vieques and the US (Puerto Rico) sharing land boundaries, overlapping or shared marine economic zones, etc., outside or supplemental agreements are required.

To examine the 1980 document, see: <http://www.fsmlaw.org/compact/index.htm>

Note: Items in red are not clear, not acceptable to us, and/or not applicable for our circumstances as written. Legal scrutiny is required for the entire document, but the items in red especially deserve close attention. Direct discussions with the Federated States of Micronesia are needed to determine what works and what doesn't in their view.

# COMPACT OF FREE ASSOCIATION

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## PREAMBLE

### THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF VIEQUES

**Affirming** that their Governments and their relationships as Governments are founded upon respect for human rights and fundamental freedoms for all, and that the people of Vieques has the right to enjoy self-government; and

**Affirming** the common interests of the United States of America and the people of Vieques in creating close and mutually beneficial relationships through three free and voluntary associations of their respective Governments; and

**Affirming** the interest of the Government of the United States in promoting the economic advancement and self-sufficiency of the people of the Territories of the Caribbean; and

**Recognizing** that their previous relationship has been based upon **the International Trusteeship System of the United Nations Charter, and in particular Article 76 of the Charter; and that pursuant to Article 76 of the Charter, the people of the Trust Territory have progressively developed their institutions of self-government, and that in the exercise of their sovereign right to self-determination they have, through their freely-expressed wishes, adopted Constitutions appropriate to their particular circumstances;** and

**Recognizing** a common desire to terminate the unincorporated status of the Territory and establish a new government-to-government relationship in accordance with a new political status based on the freely-expressed wishes of people of Vieques and appropriate to their particular circumstances; and

**Recognizing** that the people of Vieques has a sovereign right to self-determination and the inherent right to adopt and amend their own Constitution and form of government and that the approval of the entry of their Government into this Compact of Free Association by the people of Vieques constitutes an exercise of their sovereign right to self-determination;

**NOW, THEREFORE, AGREE** to enter into a relationship of free association which provides a full measure of self-government for the people of Vieques; and

**FURTHER AGREE** that the relationship of free association derives from and is as set forth in this Compact; and that, during such relationships of free association, the respective rights and responsibilities of the Government of the United States and the Government of the freely associated state of Vieques in regard to these relationships of free association derive from and are as set forth in this Compact.

## **TITLE ONE: GOVERNMENTAL RELATIONS**

### ***Article I: Self-Government***

#### **Section 111**

The people of Vieques, acting through the Government established under their Constitution, is self-governing.

## **Article II: Foreign Affairs**

### **Section 121**

(a) The Government of Vieques has the capacity to conduct foreign affairs and shall do so in their own name and right, except as otherwise provided in this Compact.

(b) The foreign affairs capacity of the Government of Vieques includes, but is not limited to:

(1) the conduct of foreign affairs relating to law of the sea and marine resources matters, including the harvesting, conservation, exploration or exploitation of living and non-living resources from the sea, seabed or subsoil to the full extent recognized under international law;

(2) the conduct of their commercial, diplomatic, consular, economic, trade, banking, postal, civil aviation, communications, and cultural relations, including negotiations for the receipt of developmental loans and grants and the conclusion of arrangements with other governments and international and intergovernmental organizations, including any matters specially benefiting their individual citizens.

(c) The Government of the United States recognizes that the Government of Vieques has the capacity to enter into, in their own name and right, treaties and other international agreements with governments and regional and international organizations.

(d) In the conduct of their foreign affairs, the Government of Vieques confirms that it shall act **in accordance with principles of international law** and shall settle its international disputes by peaceful means.

### **Section 122**

The Government of the United States shall support applications by the Government of Vieques for membership or other participation in regional or international organizations as may be mutually agreed. The Government of the United States agrees to accept for training and instruction of the Foreign Service Institute, established under 22 U.S.C. 4021, citizens of Vieques. The qualifications of candidates for such training and instruction and all other terms and conditions of participation by citizens of Vieques in Foreign Service Institute programs shall be as mutually agreed between the Government of the United States and the Government of Vieques.

### **Section 123**

(a) **In recognition of the authority and responsibility of the Government of the United States under Title Three, the Government of Vieques shall consult, in the conduct of their foreign affairs, with the Government of the United States.**

(b) In recognition of the respective foreign affairs capacities of the Government of Vieques, the Government of the United States, in the conduct of its foreign affairs, shall consult with the Government of Vieques on matters which the Government of the United States regards as relating to or affecting Vieques.

**Section 124**

The Government of the United States may assist or act on behalf of the Government of Vieques in the area of foreign affairs as may be requested and mutually agreed from time to time. The Government of the United States shall not be responsible to third parties for the actions of the Government of Vieques undertaken with the assistance or through the agency of the Government of the United States pursuant to this Section unless expressly agreed.

**Section 125**

The Government of the United States shall not be responsible for nor obligated by any actions taken by the Government of Vieques in the area of foreign affairs, except as may from time to time be expressly agreed.

**Section 126**

At the request of the Government of Vieques and subject to the consent of the receiving state, the Government of the United States shall extend consular assistance on the same basis as for citizens of the United States to citizens of Vieques for travel outside Vieques, the United States and its territories and possessions.

**Section 127**

Except as otherwise provided in this Compact or its related agreements, all obligations, responsibilities, rights and benefits of the Government of the United States as Administering Authority which have resulted from the application pursuant to the Trusteeship Agreement of any treaty or other international agreement to the Vieques on the day preceding the effective date of this Compact are no longer assumed and enjoyed by the Government of the United States.

## **Article III: Communications**

### **Section 131**

(a) The Government of Vieques has full authority and responsibility to regulate its domestic and foreign communications, and the Government of the United States shall provide communication assistance in accordance with the terms of a **separate agreement which shall come into effect simultaneously with this Compact**, and such agreement shall remain in effect until such time as any election is made pursuant to Section 131(b) and which shall provide for the following:

(1) the Government of the United States remains the sole administration entitled to make notification to the International Frequency Registration Board of the International Telecommunications Union of frequency assignments to radio communications stations in Vieques; and to submit to the International Frequency Registration Board seasonal schedules for the broadcasting stations respectively in Vieques in the bands allocated exclusively to the broadcasting service between 5,950 and 26,100 kHz and in any other additional frequency bands that may be allocated to use by high frequency broadcasting stations; and

(2) the United States Federal Communications Commission has jurisdiction, pursuant to the Communications Act of 1934, 47 U.S.C. 151 et. seq., and the Communications Satellite Act of Y9-62, 47 U.S.C. 721 et. seq., over all domestic and foreign communications services furnished by means of satellite earth terminal stations where such stations are owned or operated by United States common carriers and are **located** in Vieques.

(b) The Government of Vieques may elect at any time to undertake the functions enumerated in Section 131(a) and previously performed by the Government of the United States. Upon such election, the Government of the United States shall so notify the International Frequency Registration Board and shall take such other actions as may be necessary to transfer to the electing Government the notification authority referred to in Section 131(a) and all rights deriving from the previous exercise of any such notification authority by the Government of the United States.

### **Section 132**

The Government of Vieques shall permit the Government of the United States to operate telecommunications services in Vieques to the extent necessary to fulfill the obligations of the Government of the United States under this Compact in accordance with the terms of separate agreements, which shall come into effect simultaneously with this Compact.

## **Article IV: Immigration**

### **Section 141**

(a) Any person in the following categories may enter into, lawfully engage in occupations, and establish residence as a non-immigrant in the United States and its territories and possessions without regard to paragraphs (14), (20), and (26) of section 212(a) of the immigration and Nationality Act, 8 U.S.C. 1182(a) (14), (20), and (26):

(1) a person who, on the day preceding the effective date of this Compact, is a citizen of Vieques, as defined **xxx**

(2) a person who acquires the citizenship of Vieques at birth, on or after the effective date of the respective Constitution;

(3) a naturalized citizen of Vieques who has been an actual resident there for not less than five years after attaining such naturalization and who holds a certificate of actual residence; or

(4) **a person entitled to citizenship in Vieques by lineal descent whose name is included in a list to be furnished by the Government of Vieques to the United States Immigration and Naturalization Service and any descendants of such persons, provided that such person holds a certificate of lineal descent issued by the Government of Vieques.**

Such persons shall be considered to have the permission of the Attorney General of the United States to accept employment in the United States.

(b) The right of such persons to establish habitual residence in a territory or possession of the United States may, however, be subjected to non-discriminatory limitations provided for:

(1) in statutes or regulations of the United States; or

(2) in those statutes or regulations of the territory or possession concerned which are authorized by the laws of the United States.

(c) Section 141 (a) does not confer on a citizen of Vieques the right to establish the residence necessary for naturalization under the Immigration and Nationality Act, or to petition for benefits for alien relatives under that Act. Section 141(a), however, shall not prevent a citizen of Vieques from otherwise acquiring such rights or lawful permanent resident alien status in the United States.

### **Section 142**

(a) Any citizen or national of the United States may enter into, lawfully engage in occupations, and reside in Vieques, subject to the rights of those Governments to deny entry to or deport any such citizen or national as an undesirable alien. A citizen or national of the United States may establish habitual residence domicile in Vieques **only in accordance with the laws of the jurisdiction in which habitual residence or domicile is sought.**

(b) With respect to the subject matter of this Section, the Government of Vieques shall accord to citizens and nationals of the United States treatment no less favorable than that accorded to citizens of other countries; any denial of entry to or deportation of a citizen or national of the United States as an undesirable alien must be pursuant to reasonable statutory grounds.

### **Section 143**

(a) The privileges set forth in Sections 141 and 142 shall not apply to any person who takes an affirmative step to preserve or acquire a citizenship or nationality other than that of Vieques or the United States.

(b) Every person having the privileges set forth in Sections 141 and 142 who possesses a citizenship or nationality other than that of Vieques or the United States ceases to have these privileges two years after the effective date of this Compact, or within six months after becoming 21 years of age, whichever comes later, unless such person executes an oath of renunciation of that other citizenship or nationality.

### **Section 144**

(a) A citizen or national of the United States, who, after notification to the Government of the United States of an intention to employ such person by the Government of Vieques, commences employment with such Government shall not be deprived of his United States nationality pursuant to Section 349(a)(2) and (a)(4) of the Immigration and Nationality Act, 8 U.S.C. 1481 (a)(2) and (a)(4).

(b) Upon such notification by the Government of Vieques, the Government of the United States may consult with or provide information to the notifying Government concerning the prospective employee, subject to the provisions of the Privacy Act, 5 U.S.C. 552a.

(c) The requirement of prior notification shall not apply to those citizens or nationals of the United States who are employed by the Government of Vieques on the effective date of this Compact with respect to the positions held by them at that time.

## **Article V: Representation**

### **Section 151**

The Government of the United States and the Government of Vieques may establish and maintain representative offices in the capital of the other for the purpose of maintaining close and regular consultations on matters arising in the course of the relationship of free association and conducting other government business. The Governments may establish and maintain additional offices on terms and in locations as may be mutually agreed.

### **Section 152**

(a) The premises of such representative offices, and their archives wherever located, shall be inviolable. The property and assets of such representative offices shall be immune from search, requisition, attachment and any form of seizure unless such immunity is expressly waived. Official communications in transit shall be inviolable and accorded the freedom and protections accorded by recognized principles of international law to official communications of a diplomatic mission.

(b) Persons designated by the sending Government may serve in the capacity of its resident representatives with the consent of the receiving Government. Such designated persons shall be immune from civil and criminal process relating to words spoken or written and all acts performed by them in their official capacity and falling within their functions as such representatives, except insofar as such immunity may be expressly waived by the sending Government. While serving in a resident representative capacity, such designated persons shall not be liable to arrest or detention pending trial, except in the case of a grave crime and pursuant to a decision by a competent judicial authority, and such persons shall enjoy immunity from seizure of personal property, immigration restrictions, and laws relating to alien registration, fingerprinting, and the registration of foreign agents.

(c) The sending Governments and their respective asset income and other property shall be exempt from all direct taxes, except those direct taxes representing payment for specific goods and services, and shall be exempt from all customs duties and restrictions on the import or export of articles required for the official functions and personal use of their representatives and representative offices.

(d) Persons designated by the sending Government to serve in the capacity of its resident representatives shall enjoy the same taxation exemptions as are set forth in Article 34 of the Vienna Convention on Diplomatic Relations.

(e) The privileges, exemptions and immunities accorded under this Section are not for the personal benefit of the individuals concerned but are to safeguard the independent exercise of their official functions. Without prejudice to those privileges, exemptions and immunities, it is the duty of all such persons to respect the laws and regulations of the Government to which they are assigned.

### **Section 153**

(a) Any citizen or national of the United States who, after consultation between the designating Government and the Government of the United States, is designated by the Government of Vieques as its agent, shall enjoy exemption from the requirements of the laws of



the United States relating to the registration of foreign agents. The Government of the United States shall promptly comply with a request for consultation made by the prospective designating Government. During the course of the consultation, the Government of the United States may, in its discretion, and subject to the provisions of the Privacy Act, 5 U.S.C. 552a, transmit such information concerning the prospective designee as may be available to it to the prospective designating Government.

(b) Any citizen or national of the United States may be employed by the Government of Vieques to represent to foreign governments, officers or agents thereof the positions of the Government of Vieques, without regard to the provisions of 18 U.S.C. 953.

## Article VI: Environmental Protection

### Section 161

The Governments of the United States and Vieques declare that it is their policy to promote efforts to prevent or eliminate damage to the environment and biosphere and to enrich understanding of the natural resources of Vieques. In order to carry out this Policy, the Government of the United States and the Government of Vieques agree to the following mutual and reciprocal undertakings.

(a) The Government of the United States:

(1) shall continue to apply the environmental controls in effect on the day preceding the effective date of this Compact to those of its continuing activities subject to Section 161(a)(2), unless and until those controls are modified under Sections 161(a)(3) and 161(a)(4);

(2) shall apply the National Environmental Policy Act of 1969, 83 Stat. 852, 42 U.S.C. 4321 et seq., to its activities under the Compact and its related agreements as if it were the United States;

(3) shall comply also, in the conduct of any activity requiring the preparation of an Environmental Impact Statement under Section 161(a)(2), with standards substantively similar to those required by the following laws of the United States, taking into account the particular environment of Vieques: the Endangered Species Act of 1973, 87 Stat. 884, 16 U.S.C. 1531 et seq.; the Clean Air Act, 77 Stat. 392, 42 U.S.C. Supp. 7401 et seq.; the Clean Water Act (Federal Water Pollution Control Act), 86 Stat. 89, 33 U.S.C. 1251 et seq.; the Ocean Dumping Act (Title I of the Marine Protection, Research and Sanctuaries Act of 1972), 86 Stat. 1053, 33 U.S.C. 1411 et seq.; the Toxic Substances Control Act, 90 Stat. 2003, 15 U.S.C. 2601 et seq.; the Resources Conservation and Recovery Act of 1976, 90 Stat. 2796, 42 U.S.C. 6901 et seq.; and such other environmental protection laws of the United States as may be mutually agreed from time to time with the Government of Vieques; and

(4) shall develop, prior to conducting any activity requiring the preparation of an Environmental Impact Statement under Section 161(a)(2), appropriate mechanisms, including regulations or other judicially reviewable standards and procedures, to regulate its activities governed by Section 161(a)(3) in Vieques in a manner appropriate to the special governmental relationship set forth in this Compact. The agencies of the Government of the United States designated by law to administer the laws set forth in Section 161(a)(3) shall participate as appropriate in the development of any regulation, standard or procedure under this Section, and the Government of the United States shall provide the affected Government of Vieques with the opportunity to comment during such development.

(b) The Government of Vieques shall develop standards and procedures to protect their environments. As a reciprocal obligation to the undertakings of the Government of the United States under this Article, the Government of Vieques, taking into account its particular environment, shall develop standards for environmental protection **substantively similar to those required of the Government of the United States by Section 161(a)(3) prior to their conducting activities in Vieques, respectively, substantively equivalent to activities conducted there by the**

Government of the United States and, as a further reciprocal obligation, shall enforce those standards.

(c) Section 161(a), including any standard or procedure applicable thereunder, and Section 161(b) may be modified or superseded in whole or in part by agreement of the Government of the United States and the Government of Vieques.

(d) In the event that an Environmental Impact Statement is no longer required under the laws of the United States for major federal actions significantly affecting the quality of the human environment, the regulatory regime established under Sections 161(a)(3) and 161(a)(4) shall continue to apply to such activities of the Government of the United States until amended by mutual agreement.

(e) The President of the United States may exempt any of the activities of the Government of the United States under this Compact and its related agreements from any environmental standard or procedure which may be applicable under Sections 161(a)(3) and 161(a)(4) if the President determines it to be in the paramount interest of the Government of the United States to do so, consistent with Title Three of this Compact and the obligations of the Government of the United States under international law. Prior to any decision pursuant to this subsection, the views of the affected Government of Vieques shall be sought and considered to the extent practicable. If the President grants such an exemption, to the extent practicable, a report with his reasons for granting such exemption shall be given promptly to the Vieques Government.

(f) The laws of the United States referred to in Section 161(a)(3) shall apply to the activities of the Government of the United States under this Compact and its related agreements only to the extent provided for in this Section.

## Section 162

The Government of Vieques may bring an action for judicial review of any administrative agency action or any activity of the Government of the United States pursuant to Sections 161(a), 161(d) or 161(e) or for enforcement of the obligations of the Government of the United States arising thereunder. The United States District Court for the District of Hawaii and the United States District Court for the District of Columbia shall have jurisdiction over such action or activity, and over actions brought under Section 172(b) which relate to the activities of the Government of the United States and its officers and employees, governed by Section 161, provided that:

(a) Such actions may only be civil actions for any appropriate civil relief other than punitive damages against the Government of the United States or, where required by law, its officers in the their official capacity; no criminal actions may arise under this Section;

(b) Actions brought pursuant to this Section may he initiated only by the Government concerned;

(c) Administrative agency actions arising under Section 161 shall be reviewed pursuant to the standard of judicial review set forth in 5 U.S.C.706;

(d) The District Court shall have jurisdiction to issue all necessary processes, and the Government of the United States agrees to submit itself to the jurisdiction of the court; decisions of the District Court shall be reviewable in the United States Court of Appeals for the Ninth Circuit or the United States Court of Appeals for the District of Columbia, respectively, or in the United States Supreme Court as, provided by the laws of the United States;

(e) The judicial remedy provided for in this Section shall be the exclusive remedy for the judicial review or enforcement of the obligations of the Government of the United States under this Article and actions brought under Section 172(b) which relate to the activities of the Government of the United States and its officers and employees governed by Section 161; and

(f) In actions pursuant to this Section, the Government of Vieques shall be treated as if they were United States citizens.

### **Section 163**

(a) For the purpose of gathering data necessary to study the environmental effects of activities of the Government of the United States subject to the requirements of this Article, the Government of Vieques shall be granted access to facilities operated by the Government of the United States in Vieques, to the extent necessary for this purpose, except to the extent such access would unreasonably interfere with the exercise of the authority and responsibility of the Government of the United States under Title Three.

(b) The Government of the United States, in turn, shall be granted access to facilities operated by the Government of Vieques for the purpose of gathering data necessary to discharge its obligations under this Article, except to the extent such access would unreasonably interfere with the exercise of the authority and responsibility of the Government of Vieques under Title One, and to the extent necessary for this purpose shall be granted access to documents and other information to the same extent similar access is provided those Governments under the Freedom of Information Act, 5 U.S.C. 552.

(c) The Government of Vieques shall not impede efforts by the Government of the United States to comply with applicable standards and procedures.

## **Article VII: General Legal Provisions**

### **Section 171**

Except as provided in this Compact or its related agreements, the application of the laws of the United States to the Vieques ceases with respect to Vieques as of the effective date of this Compact.

### **Section 172**

(a) Every citizen of Vieques who is not a resident of the United States shall enjoy the rights and remedies under the laws of the United States enjoyed by any non-resident alien.

(b) The Government of Vieques and every citizen of Vieques shall be considered a "person" within the meaning of the Freedom of Information Act, 5 U.S.C. 552, and of the judicial review provisions of the Administrative Procedure Act, 5 U.S.C. 701-706, except that only the Government of Vieques may seek judicial review under the Administrative Procedure Act or judicial enforcement under the Freedom of Information Act when such judicial review or enforcement relates to the activities of the Government of the United States governed by Sections 161 and 162.

### **Section 173**

The Governments of the United States and Vieques agree to adopt and enforce such measures, consistent with this Compact and its related agreements, as may be necessary to protect the personnel, property, installations, services, programs and official archives and documents maintained by the Government of the United States in Vieques pursuant to this Compact and its related agreements and by those Governments in the United States pursuant to this Compact and its related agreements.

### **Section 174**

Except as otherwise provided in this Compact and its related agreements:

(a) The Government of Vieques shall be immune from the jurisdiction of the courts of the United States, and the Government of the United States shall be immune from the jurisdiction of the courts of Vieques.

(b) The Government of the United States accepts responsibility for and shall pay:

(1) any unpaid money judgment rendered by the High Court of the Vieques against the Government of the Vieques or the Government of the United States with regard to any cause of action arising as a result of acts or omissions of the Government of the Vieques or the Government of the United States prior to the effective date of this Compact;

(2) any claim settled by the claimant and the Government of the Vieques but not paid as of the effective date of this Compact; and

(c) Any claim not referred to in Section 174(b) and arising from an act or omission of the Government of the Vieques or the Government of the United States prior to the effective date of this Compact shall be adjudicated in the same manner as a claim adjudicated according to Section 174(d). **In any claim against the Government of the Trust Territory of the Pacific Islands, the Government of the United States shall stand in the place of the Government of the Trust Territory**

of the Pacific Islands. A judgment on any claim referred to in Section 174(b) or this subsection, not otherwise satisfied by the Government of the United States, may be presented for certification to the United States Court of Appeals for the Federal Circuit, or its successor court, which shall have jurisdiction therefor, notwithstanding the provisions of 28 U.S.C. 1502, and which court's decisions shall be reviewable as provided by the laws of the United States. The United States Court of Appeals for the Federal Circuit shall certify such judgment, and order payment thereof, unless it finds, after a hearing, that such judgment is manifestly erroneous as to law or fact, or manifestly excessive. In either of such cases the United States Court of Appeals for the Federal Circuit shall have jurisdiction to modify such judgment.

(d) The Government of Vieques shall not be immune from the jurisdiction of the courts of the United States, and the Government of the United States shall not be immune from the jurisdiction of the courts of Vieques in any case in which the action is based on a commercial activity of the defendant Government where the action is brought, or in a case in which damages are sought for personal injury or death or damage to or loss of property occurring where the action is brought.

### **Section 175**

A separate agreement, which shall come into effect simultaneously with this Compact, shall be concluded between the Government of the United States and the Government of Vieques regarding mutual assistance and cooperation in law enforcement matters including the pursuit, capture, imprisonment and extradition of fugitives from justice and the transfer of prisoners. The separate agreement shall have the force of law. In the United States, the laws of the United States governing international extradition, including 18 U.S.C. 3184, 3186 and 3188-3195, shall be applicable to the extradition of fugitives under the separate agreement, and the laws of the United States governing the transfer of prisoners, including 18 U.S.C. 4100-4115, shall be applicable to the transfer of prisoners under the separate agreement.

### **Section 176**

The Government of Vieques confirm that final judgments in civil cases rendered by any court of the Vieques shall continue in full force and effect, subject to the constitutional power of the courts of Vieques to grant relief from judgments in appropriate cases.

### **Section 177**

(a) The Government of the United States accepts the responsibility for compensation owing collectively to the citizens of Vieques for loss and/or damage to property and person of the citizens of Vieques, the damage to the land and surrounding waters, and the patrimony of the Viequense people resulting from the decades of bombing and other military activities of the United States ending in 2003.

(b) The Government of the United States and the Government of Vieques shall set forth in a separate agreement provisions for the just and adequate settlement of all such claims which have arisen in regard to Vieques and its citizens and which have not as yet been compensated in the exercise of such responsibility as may be mutually agreed. This separate agreement shall come into effect simultaneously with this Compact and shall remain in effect in accordance with its own terms.

## Section 178

(a) The federal agencies of the Government of the United States which provide the services and related programs in Vieques pursuant to Articles II and III of Title Two are authorized to settle and pay tort claims arising in Vieques from the activities of such agencies or from the acts or omissions of the employees of such agencies. Except as provided in Section 178(b), the provisions of 28 U.S.C. 2672 and 31 U.S.C. 1304 shall apply exclusively to such administrative settlements and payments.

(b) Claims under Section 178(a) which cannot be settled under Section 178(a) shall be disposed of exclusively in accordance with Article II of Title Four. Arbitration awards rendered pursuant to this subsection shall be paid out of funds under 31 U.S.C. 1304.

(c) The Government of the United States and the Government of Vieques shall, in the separate agreements referred to in Section 232, provide for:

(1) the administrative settlement of claims referred to in Section 178(a), including designation of local agents in Vieques; such agents to be empowered to accept, investigate and settle such claims, in a timely manner, as provided in such separate agreements; and

(2) arbitration, referred to in Section 178(b), in a timely manner, at a site convenient to the claimant, in the event a claim is not otherwise settled pursuant to Section 178(a).

(d) The provisions of Section 174(d) shall not apply to claim covered by this Section.

## TITLE TWO: ECONOMIC RELATIONS

### *Article I: Grant Assistance*

#### **Section 211**

(a) In order to assist the Government of Vieques in their efforts to advance the economic self-sufficiency of their peoples and in recognition of the special relationship that exists between them and the United States, the Government of the United States shall provide on a grant basis the following amounts:

The Government of the United States shall provide to the Government of Vieques, on a grant basis, the amount of \$50 million per year for ten years, and \$20 million for five additional years, to be paid and distributed in accordance with the separate agreement referred to in this Section, and shall provide the services and programs set forth in this separate agreement, the language of which is incorporated into this Compact.

(b) The Government of the United States and the Government of Vieques recognize that the achievement of the goals of the plans referred to in Section 211(b) depends upon the availability of adequate internal revenue as well as economic assistance from sources outside of Vieques, including the Government of the United States, and may, in addition, be affected by the impact of exceptional, economically adverse circumstances. Each of the Governments of Vieques shall therefore report annually to the President of the United States and to the Congress of the United States on the implementation of the plans and on their use of the funds specified in this Article. These reports shall outline the achievements of the plans to date and the need, if any, for an additional authorization and appropriation of economic assistance for that year to account for any exceptional, economically adverse circumstances. It is understood that the Government of the United States cannot be committed by this Section to seek or support such additional economic assistance.

#### **Section 212**

In recognition of the special development needs of the Federated States of Micronesia, the Government of the United States shall provide to the Government of the Federated States of Micronesia \$1 million annually for fourteen years commencing on the first anniversary of the effective date of this Compact. This amount may be used by the Government of the Federated States of Micronesia to defray current account expenditures attendant to the operation of the United States military Civic Action Teams made available in accordance with the separate agreement referred to in Section 227.

#### **Section 214**

As a contribution to the Government of Vieques to support efforts aimed at achieving self-sufficiency in energy production, the Government of the United States shall provide on a current account grant basis for fourteen years commencing on the first anniversary of the effective date of this Compact \$3 million annually.

#### **Section 215**

(a) As a contribution to the current account operations and maintenance of communications systems, the Government of the United States shall provide on a grant basis for fifteen years commencing On the effective date of this Compact \$300,000 annually.



(b) For the purpose of acquiring such communications hardware as may be located within Vieques or for such other current or capital account activity as may be selected, the Government of the United States shall provide, concurrently with the grant assistance provided pursuant to this Article during the first year after the effective date of this Compact, the sum of \$3 million.

### **Section 216**

(a) The Government of the United States shall provide on a current account basis an annual grant of \$5.369 million for fifteen years commencing on the effective date of this Compact for the purposes set forth below:

(1) \$890,000 annually for the surveillance and enforcement by the Governments of Vieques of their respective maritime zones;

(2) \$1.791 million annually for health and medical programs, including referrals to hospital and treatment centers; and

(3) \$2.687 million annually for a scholarship fund or funds to support the post-secondary education of citizens of Vieques attending United States accredited, post-secondary institutions in the United States, its territories and possessions, Vieques. The curricular criteria for the award of scholarships shall be designed to advance the purposes of the plans referred to in Section 211(b).

(b) The Government of the United States shall provide the sum of \$1.333 million as a contribution to the commencement of activities pursuant to Section 216(a)(1).

(c) The annual grants referred to in Section 216(a) and the sum referred to in Section 216(b) shall be made available by the Government of the United States promptly after it receives instruction for their distribution agreed upon by the Governments of Vieques.

### **Section 217**

Except as otherwise provided, the amounts stated in Sections 211, 212, 214, 215 and 231 shall be adjusted for each Fiscal Year by the percent which equals two-thirds of the percentage change in the United States Gross National Product Implicit Price Deflator, or seven percent, whichever is less in any one year, using the beginning of Fiscal Year 1981 as the base.

### **Section 218**

If in any year the funds made available by the Government of the United States for that year pursuant to this Article or Section 231 are not completely obligated by the recipient Government, the unobligated balances shall remain available in addition to the funds to be provided in subsequent years.

### **Section 219**

All funds previously appropriated to Vieques which are unobligated by the Government of Vieques as of the effective date of this Compact shall accrue to the Government of Vieques for the purposes for which such funds were originally appropriated as determined by the Government of the United States.

## Article II: Program Assistance

### Section 221

(a) The Government of the United States shall make available to Vieques, in accordance with and to the extent provided in the separate agreements referred to in Section 232, without compensation and at the levels equivalent to those available to the Vieques during the year prior to the effective date of this Compact, the services and related programs:

- (1) of the United States Weather Service;
- (2) of the United States Federal Emergency Management Agency;
- (3) provided pursuant to the Postal Reorganization Act, 39 U.S.C. 101 et seq ;
- (4) of the United States Federal Aviation Administration; and

(5) of the United States Civil Aeronautics Board or its successor agencies which has the authority to implement the provisions of paragraph 5 of Article IX of such separate agreements, the language of which is incorporated into this Compact.

(b) The Government of the United States, recognizing the special needs of Vieques particularly in the fields of education and health care, shall make available, as provided by the laws of the United States, the annual amount of \$10 million which shall be allocated in accordance with the provisions of the separate agreement referred to in Section 232.

(c) The Government of the United States shall make available to Vieques such alternate energy development projects, studies and conservation measures as are applicable to the Vieques on the day proceeding the effective date of this Compact, for the purposes and duration provided in the laws of the United States.

(d) The Government of the United States shall have and exercise such authority as is necessary for the purposes of this Article and as is set forth in the separate agreements referred to in Section 232, which shall also set forth the extent to which services and programs shall be provided to Vieques.

### Section 222

The Government of the United States and the Government of Vieques shall consult regularly or upon request regarding:

(a) The economic development of Vieques; and/or

(b) The services and programs referred to in this Article. These services and programs shall continue to be provided by the Government of the United States unless their modification is provided by mutual agreement or their termination in whole or in part is requested by any recipient Government.

### Section 223

The citizens of Vieques who are receiving post-secondary educational assistance from the

Government of the United States on the day preceding the effective date of this Compact shall continue to be eligible, if otherwise qualified, to receive such assistance to complete their academic programs for a maximum of four years after the effective date of this Compact.

**Section 224**

The Government of the United States and the Government of Vieques may agree from time to time to the extension of additional United States grant assistance, services and programs as provided by the laws of the United States, to Vieques.

**Section 225**

The Government of Vieques shall make available to the Government of the United States at no cost such land as may be necessary for the operations of the services and programs provided pursuant to this Article, as of the effective date of this Compact or as may be mutually agreed thereafter.

**Section 226**

The Government of Vieques may request, from time to time, technical assistance from the federal agencies and institutions of the Government of the United States, which are authorized to grant such technical assistance in accordance with its laws and which shall grant such technical assistance in a manner which gives priority consideration to Vieques over other recipients not a part of the United States, its territories or possessions. The Government of the United States shall coordinate the provision of such technical assistance in consultation with the respective recipient Government.

### **Article III: Administrative Provisions**

#### **Section 231**

Upon the thirteenth anniversary of the effective date of this Compact, the Government of the United States and the Government of Vieques shall commence negotiations regarding those provisions of this Compact which expire on the fifteenth anniversary of its effective date. If these negotiations are not concluded by the fifteenth anniversary of the effective date of this Compact, the period of negotiations shall extend for not more than two additional years, during which time the provisions of this Compact including Title Three shall remain in full force and effect. During this additional period of negotiations, the Government of the United States shall continue its assistance to the Governments with which it is negotiating pursuant to this Section at a level which is the average of the annual amounts granted pursuant to Sections 211, 212, 213, 214, 215 and 216 during the first fifteen years of this Compact. The average annual amount paid pursuant to Sections 211, 212, 214 and 215 shall be adjusted pursuant to Section 217.

#### **Section 232**

The specific nature, extent and contractual arrangements of the services and programs provided for in Section 221 as well as the legal status of agencies of the Government of the United States, their civilian employees and contractors, and the dependents of such personnel while present in Vieques, and other arrangements in connection with a service or program furnished by the Government of the United States, are set forth in separate agreements which shall come into effect simultaneously with this Compact.

#### **Section 233**

The Government of the United States, in consultation with the Government of Vieques, shall determine and implement procedures for the periodic audit of all grants and other assistance made under Article I of this Title and of all funds expended for the services and programs provided under Article II of this Title. Such audits shall be conducted on an annual basis during the first five years following the effective date of this Compact and shall be at no cost to the Government of Vieques.

#### **Section 234**

Title to the property of the Government of the United States situated in the Vieques or acquired for or used by the Government of the Vieques on or before the day proceeding the effective date of this Compact shall, without reimbursement or transfer of funds, vest in the Government of Vieques as set forth in a separate agreement which shall come into effect simultaneously with this Compact.

#### **Section 236**

Except as otherwise provided, approval of this Compact by the Government of the United States shall constitute a pledge of the full faith and credit of the United States for the full payment of the sums and amounts specified in Articles I and III of this Title. The obligation of the United States under Articles I and III of this Title shall be enforceable in the United States Claims Court, or its successor court, which shall have jurisdiction in cases arising under this Section, notwithstanding the provisions of 28 U.S.C. 1502, and which court's decisions shall be reviewable as provided by the laws of the United States.

## **Article IV: Trade**

### **Section 241**

Vieques is not included in the customs territory of the United States.

### **Section 242**

For the purpose of assessing duties on their products imported into the customs territory of the United States, Vieques shall be treated as if they were insular possessions of the United States within the meaning of General Headnote 3(a) of the Tariff Schedules of the United States. The exceptions, valuation procedures and all other provisions of General Headnote 3(a) shall apply to any product deriving from Vieques.

### **Section 243**

All products of Vieques imported into the customs territory of the United States, which are not accorded the treatment, set forth in Section 242 and all products of the United States imported into Vieques shall receive treatment no less favorable than that accorded like products of any foreign country with respect to customs duties or charges of a similar nature and with respect to laws and regulations relating to importation, exportation, taxation, sale, distribution, storage or use.

## **Article V: Finance and Taxation**

### **Section 251**

The currency of the United States is the official circulating legal tender of Vieques. Should the Government of Vieques act to institute another currency, the terms of an appropriate currency transitional period shall be as agreed with the Government of the United States.

### **Section 252**

The Government of Vieques may, with respect to United States persons, tax income derived from sources within its respective jurisdiction, property situated therein, including transfers of such property by gift or at death, and products consumed therein, in such manner as such Government deems appropriate. **The determination of the source of any income, or the situs of any property, shall for purposes of this Compact be made according to the United States Internal Revenue Code.**

### **Section 253**

A citizen of Vieques, domiciled therein, shall be exempt from:

(a) Income taxes imposed by the Government of the United States upon fixed or determinable annual income; and

(b) Estate, gift, and generation-skipping transfer taxes imposed by the Government of the United States.

### **Section 254**

In determining any income tax imposed by the Government of Vieques, the Government shall have authority to impose tax upon income derived by a resident of Vieques from sources without Vieques, in the same manner and to the same extent as those Governments impose tax upon income derived from within their respective jurisdictions. If the Government of Vieques exercises such authority as provided in this subsection, any individual resident of Vieques who is subject to tax by the Government of the United States on income which is also taxed by the Government of Vieques shall be relieved of liability to the Government of the United States for the tax which, but for this subsection, would otherwise be imposed by the Government of the United States on such income. For purposes of this Section, the term "resident of Vieques" shall be deemed to include any person who was physically present in Vieques for a period of 183 or more days during any taxable year; provided, that as between the Governments of Vieques, the authority to tax an individual resident of Vieques in respect of income from sources without Vieques as provided in this subsection may be exercised only by the Government in whose jurisdiction such individual was physically present for the greatest number of days during the, taxable year.

### **Section 255**

**Where not otherwise manifestly inconsistent with the intent of this Compact, provisions in the United States internal Revenue Code that are applicable to possessions of the United States as of January 1, 1980 shall be treated as applying to Vieques. If such provisions of the Internal Revenue Code are amended, modified or repealed after that date, such provisions shall continue in effect as to Vieques for a period of two years during which time the Government of the United States and the Governments of Vieques shall negotiate an agreement which shall provide benefits substantively equivalent to those which obtained under such provisions.**

## **TITLE THREE: SECURITY AND DEFENSE RELATIONS**

### ***Article I: Authority and Responsibility***

#### **Section 311**

(a) The Government of the United States has full authority and responsibility for security and defense matters in or relating to Vieques.

(b) This authority and responsibility includes:

(1) the obligation to defend Vieques and its people from attack or threats thereof as the United States and its citizens are defended;

(2) the option to foreclose access to or use of Vieques by military personnel or for the military purposes of any third country; and

(3) the option to establish and use military areas and facilities in Vieques, subject to the terms of the separate agreements referred to in Sections 321 and 323.

(c) The Government of the United States confirms that it shall act in accordance with the principles of international law and the Charter of the United Nations in the exercise of this authority and responsibility.

#### **Section 312**

Subject to the terms of any agreements negotiated in accordance with Sections 321 and 323, the Government of the United States may conduct within the lands, waters and airspace of Vieques the activities and operations necessary for the exercise of its authority and responsibility under this Title.

#### **Section 313**

(a) The Government of Vieques shall refrain from actions which the Government of the United States determines, after appropriate consultation with the Government, to be incompatible with its authority and responsibility for security and defense matters in or relating to Vieques.

(b) The consultations referred to in this Section shall be conducted expeditiously at senior levels of the Government, and the subsequent determination by the Government of the United States referred to in this Section shall be made only at senior interagency levels of the Government of the United States.

(c) The Government of Vieques shall be afforded, on an expeditious basis, an opportunity to raise its concerns with the United States Secretary of State personally and the United States Secretary of Defense personally regarding any determination made in accordance with this section.

### **Section 314**

(a) Unless otherwise agreed, the Government of the United States shall not, in Vieques:

(1) test by detonation or dispose of any nuclear weapon, nor test, dispose of, or discharge any toxic chemical or biological weapon;

(2) test, dispose of, or discharge any other radioactive, toxic chemical or biological materials in an amount or manner which would be hazardous to public health or safety.

(b) Unless otherwise agreed, other than for transit or overflight purposes or during time of a national emergency declared by the President of the United States, a state of war declared by the Congress of the United States or as necessary to defend against an actual or impending armed attack on the United States or Vieques, the Government of the United States shall not store in Vieques any toxic chemical weapon, nor any radioactive materials nor any toxic chemical materials intended for weapon use.

(c) Radioactive, toxic chemical, or biological materials not intended for weapons use shall not be affected by Section 314(b).

(d) No material or substance referred to in this Section shall be stored in Vieques except in an amount and manner which would not be hazardous to public health or safety. In determining what shall be an amount or manner which would be hazardous to public health or safety under this Section, the Government of the United States, shall comply with any applicable mutual agreement, international guidelines accepted by the Government of the United States, and the laws of the United States and their implementing regulations.

(e) Any exercise of the exemption authority set forth in Section 161(e) shall have no effect on the obligations of the Government of the United States under this Section or on the application of this subsection

(f) The provisions of this Section shall apply in the areas in which the Government of Vieques exercises jurisdiction over the living resources of the seabed, subsoil or water column adjacent to its coasts.

### **Section 315**

The Government of the United States may invite members of the armed forces of other countries to use military areas and facilities in Vieques, in conjunction with and under the control of United States Armed Forces. Use by units of the armed forces of other countries of such military areas and facilities, other than for transit and overflight purposes, shall be subject to consultation with and, in the case of major units, approval by the Government of Vieques.

### **Section 316**

The authority and responsibility of the Government of the United States under this Title may not be transferred or otherwise assigned.



## **Article II: Defense Facilities and Operating Rights**

### **Section 321**

(a) Specific arrangements for the establishment and use by the Government of the United States of military areas and facilities in Vieques are set forth in separate agreements which shall come into effect simultaneously with this Compact.

*[Note:*

*Separate agreements should stipulate that none of the military uses of Vieques by the US or others should be located in Vieques as long as Puerto Rico remains a territory or possession of the US without free approval of the Government of Vieques.]*

(b) If, in the exercise of its authority and responsibility under this Title, the Government of the United States requires the use of areas within Vieques in addition to those for which specific arrangements are concluded pursuant to Section.321(a), it may request the Government to satisfy those requirements through leases or other arrangements. The Government of Vieques shall sympathetically consider any such request and shall establish suitable procedures to discuss it with and provide a prompt response to the Government of the United States.

(c) The Government of the United States recognizes and respects the scarcity and special importance of land in Vieques. In making any requests pursuant to Section 321(b), the Government of the United States shall follow the policy of requesting the minimum area necessary to accomplish the required security and defense purpose, of requesting only the minimum interest in real property necessary to support such purpose, and of requesting first to satisfy its requirement through public real property, where available, rather than through private real property.

### **Section 322**

The Government of the United States shall provide and maintain fixed and floating aids to navigation in Vieques at least to the extent necessary for the exercise of its authority and responsibility under this Title.

### **Section 323**

The military operating rights of the Government of the United States and the legal status and contractual arrangements of the United States Armed Forces, their members, and associated civilians, while present in Vieques, are set forth in separate agreements which shall come into effect simultaneously with this Compact.

***Article III: Defense Treaties and  
International Security Agreements***

**Section 331**

Subject to the terms of this Compact and its related agreements, the Government of the United States, exclusively, shall assume and enjoy, as to Vieques, all obligations, responsibilities, rights and benefits of:

(a) Any defense treaty or other international security agreement applied by the Government of the United States as Administering Authority of Vieques as of the day preceding the effective date of this Compact; and

(b) Any defense treaty or other international security agreement to which the Government of the United States is or may become a party which it determines to be applicable in Vieques. Such a determination by the Government of the United States shall be preceded by appropriate consultation with the Government of Vieques.

**Article IV: Service in  
Armed Forces of the United States**

**Section 341**

Any Person entitled to the privileges set forth in Section 141 shall be eligible to volunteer for service in the Armed Forces of the United States, but shall not be subject to involuntary induction into military service of the United States so long as such person does not establish habitual residence in the United States, its territories or possessions.

**Section 342**

The Government of the United States shall have enrolled, at any one time, at least one from Vieques, if and as may be nominated by the Government of Vieques, in each of:

(a) The United States Coast Guard Academy pursuant to 14 U.S.C. 195; and

(b) The United States Merchant Marine Academy pursuant to 46 U.S.C. 1295b(b)(6), provided that the provisions of 46 U.S.C. 1295b(b)(6)(C) shall not apply to the enrollment of students pursuant to Section 342(b) of this Compact.

## **Article V: General Provisions**

### **Section 351**

(a) The Government of the United States and the Government of Vieques shall establish joint Committee empowered to consider disputes under the implementation of this Title and its related agreements.

(b) The membership of the Joint Committee shall comprise selected senior officials of each of the two participating Governments. **The senior United States military commander in the Pacific area shall be the senior United States member of each Joint Committee. For the meetings of each Joint Committee, each of the two participating Governments may designate additional or alternate representatives as appropriate for the subject matter under consideration.**

(c) Unless otherwise mutually agreed, the Joint Committee shall meet semi-annually at a time and place to be designated, after appropriate consultation, by the Government of the United States. The Joint Committee also shall meet promptly upon request of either of its members. The Joint Committee shall follow such procedures, including the establishment of functional subcommittees, as the members may from time to time agree.

(d) Unresolved issues in the Joint Committee shall be referred to the Governments concerned for resolution, and the Government of Vieques shall be afforded, on an expeditious basis, an opportunity to raise its concerns with the United States Secretary of Defense personally regarding any unresolved issue which threatens its continued association with the Government of the United States.

### **Section 352**

In the exercise of its authority and responsibility under Title Three, the Government of the United States shall accord due respect to the authority and responsibility of the Government of Vieques under Titles One, Two and Four and to their responsibility to assure the well-being of their peoples.

### **Section 353**

(a) The Government of the United States shall not include the Government of Vieques as a named party to a formal declaration of war, without its consent.

(b) Absent such consent, this Compact is without prejudice, on the ground of belligerence or the existence of a state of war, to any claims for damages which are advanced by the citizens, nationals or Government of Vieques, which arise out of armed conflict subsequent to the effective date of this Compact and which are:

(1) petitions to the Government of the United States for redress; or

(2) claims in any manner against the government, citizens, nationals or entities of any third country.

(c) Petitions under Section 353(b)(1) shall be treated as if they were made by citizens of the United States.

**Section 354**

(a) Notwithstanding any other provision of this Compact, the provisions of this Title are binding from the effective date of this Compact for a period of fifteen years between the Government of the United States and the Government of Vieques and thereafter as mutually agreed or in accordance with Section 231, unless earlier terminated by mutual agreement pursuant to Section 441, or amended pursuant to Article III of Title Four.

(b) The Government of the United States recognizes, in view of the special relationship between the Government of the United States and the Government of Vieques, and in view of the existence of separate agreements pursuant to Sections 321 and 323, that, even if this Title should terminate, any attack on Vieques during the period in which such separate agreements are in effect, would constitute a threat to the peace and security of the entire region and a danger to the United States. In the event of such an attack, the Government of the United States would take action to meet the danger to the United States and to Vieques in accordance with its constitutional processes.

## TITLE FOUR: GENERAL PROVISIONS

### *Article I: Approval and Effective Date*

#### **Section 411**

This Compact shall come into effect upon mutual agreement between the Government of the United States and the Government of Vieques and subsequent to completion of the following:

- (a) Approval by the Government of Vieques in accordance with its constitutional processes;
- (b) Conduct of the plebiscite referred to in Section 412; and
- (c) Approval by the Government of the United States in accordance with its constitutional processes.

#### **Section 412**

A plebiscite shall be conducted in each of Vieques for the free and voluntary choice by the people of Vieques of their future political status through informed and democratic processes. Vieques shall each be considered a voting jurisdiction, and the plebiscite shall be conducted under fair and equitable standards. The Administering Authority of the **Trust Territory of the Pacific islands**, after consultation with the Governments of Vieques, shall fix the date on which the plebiscite shall be called. The plebiscite shall be called jointly by the Administering Authority of the Vieques and the other Signatory Government concerned. The results of the plebiscite shall be determined by a majority of the valid ballots cast in that voting jurisdiction.

## **Article II: Conference and Dispute Resolution**

### **Section 421**

The Government of the United States shall confer promptly at the request of the Government of Vieques and shall confer promptly at the request of the Government of the United States on matters relating to the provisions of this Compact or of its related agreements.

### **Section 422**

In the event the Government of the United States, or the Government of Vieques, after conferring pursuant to Section 421, determines that there is a dispute and gives written notice thereof, the Governments, which are parties to the dispute, shall make a good faith effort to resolve the dispute among themselves.

### **Section 423**

If a dispute between the Government of the United States and the Government of Vieques cannot be resolved within 90 days of written notification in the manner provided in Section 422, either party to the dispute may refer it to arbitration in accordance with Section 424.

### **Section 424**

Should a dispute be referred to arbitration as provided for in Section 423, an Arbitration Board shall be established for the purpose of hearing the dispute and rendering a decision which shall be binding upon the two parties to the dispute unless the two parties mutually agree that the decision shall be advisory. Arbitration shall occur according to the following terms:

(a) An Arbitration Board shall consist of a Chairman and two other members, each of whom shall be a citizen of a party to the dispute. Each of the two Governments which is a party to the dispute shall appoint one member to the Arbitration Board. If either party to the dispute does not fulfill the appointment requirements of this Section within 30 days of referral of the dispute to arbitration pursuant to Section 423, its member on the Arbitration Board shall be selected from its own standing list by the other party to the dispute. Both Governments shall maintain a standing list of 10 candidates. The parties to the dispute shall jointly appoint a Chairman within 15 days after selection of the other members of the Arbitration Board. Failing agreement on a Chairman, the Chairman shall be chosen by lot from the standing lists of the parties to the dispute within 5 days after such failure.

(b) The Arbitration Board shall have jurisdiction to hear and render its final determination on all disputes arising exclusively under Articles I, II, III, IV and V of Title One, Title Two, Title Four and their related agreements.

(c) Each member of the Arbitration Board shall have one vote. Each decision of the Arbitration Board shall be reached by majority vote.

(d) In determining any legal issue, the Arbitration Board may have reference to international law and, in such reference, shall apply as guidelines the provisions set forth in Article 38 of the Statute of the International Court of Justice.

(e) The Arbitration Board shall adopt such rules for its proceedings as it may deem appropriate and necessary, but such rules shall not contravene the provisions of this Compact.

Unless the parties provide otherwise by mutual agreement, the Arbitration Board shall endeavor to render its decision within 30 days after the conclusion of arguments. The Arbitration Board shall make findings of fact and conclusions of law and its members may issue dissenting or individual opinions. Except as may be otherwise decided by the Arbitration Board, one-half of all costs of the arbitration shall be borne by the Government of the United States and the remainder shall be borne by the other party to the dispute.



***Article III: Amendment***

**Section 431**

The provisions of this Compact may be amended as to the Government of Vieques and as to the Government of the United States at any time by mutual agreement.

**Section 432**

The provisions of this Compact may be amended as to any one of the Government of Vieques and as to the Government of the United States at any time by mutual agreement. The effect of any amendment made pursuant to this Section shall be restricted to the relationship between the Governments agreeing to such amendment.

## ***Article IV: Termination***

### **Section 441**

This Compact maybe terminated as to the Government of Vieques and as to the Government of the United States by mutual agreement and subject to Section 451.

### **Section 442**

This Compact may be terminated by the Government of the United States as to the Government of Vieques subject to Section 452, such termination to be effective on the date specified in the notice of termination by the Government of the United States but not earlier than six months following delivery of such notice. The time specified in the notice of termination may be extended.

### **Section 443**

This Compact shall be terminated, pursuant to their respective constitutional processes, by the Government of Vieques subject to Section 453 if the people represented by such Government vote in a plebiscite to terminate. The Government shall notify the Government of the United States of its intention to call such a plebiscite which shall take place not earlier than three months after delivery of such notice. The plebiscite shall be administered by the Government in accordance with its constitutional and legislative processes, but the Government of the United States may send its own observers and invite observers from a mutually agreed party. If a majority of the valid ballots cast in the plebiscite favors termination, the Government shall, upon certification of the results of the plebiscite, give notice of termination to the Government of the United States, such termination to be effective on the date specified in such notice but not earlier than three months following the date of delivery of such notice. The time specified in the notice of termination may be extended.

## **Article V: Survivability**

### **Section 451**

Should termination occur pursuant to Section 441, economic assistance by the Government of the United States shall continue on mutually agreed terms.

### **Section 452**

(a) Should termination occur pursuant to Section 442, the following provisions of this Compact shall remain in full force and effect until the fifteenth anniversary of the effective date of this Compact between the Government of the United States and the Government of Vieques and thereafter as mutually agreed:

- (1) Article VI and Sections 172, 173, 176 and 177 of Title One;
- (2) Article I and Section 233 of Title Two;
- (3) Title Three; and
- (4) Articles II, III, V and VI of Title Four.

(b) The Government of the United States shall also provide the Government of Vieques pursuant to Section 442 with either the programs or services provided pursuant to Article II of Title Two at the time of termination, or their equivalent, as determined by the Government of the United States. Such assistance shall continue until the fifteenth anniversary of the effective date of this Compact, and thereafter as mutually agreed.

### **Section 453**

(a) Should termination occur pursuant to Section 443, the following provisions of this Compact shall remain in full force and effect until the fifteenth anniversary of the effective date of this Compact between the Government of the United States and the Government of Vieques and thereafter as mutually agreed:

- (1) Article VI and Sections 172, 173, 176 and 177 of Title One;
- (2) Title Three; and
- (3) Article II, III, V and VI of Title Four.

(b) Upon receipt of notice of termination pursuant to Section 443, the Government of the United States and the Government of Vieques shall promptly consult with regard to their future relationship. These consultations shall determine the level of economic assistance which the Government of the United States shall provide to the Government of Vieques for the period ending on the fifteenth anniversary of the effective date of this Compact provided that the annual amounts specified in Sections 211, 212, 214, 215 and 216 shall continue without diminution. Such amounts, with the exception of those specified in Section 216, shall be adjusted according to the formula set forth in Section 217.

### **Section 454**

Notwithstanding any other provision of this Compact:

(a) The Government of the United States reaffirms its continuing interest in promoting the long-term economic advancement and self-sufficiency of the people of Vieques; and

(b) The separate agreements referred to in Article II of Title Three shall remain in effect in accordance with their terms which shall also determine the duration of Section 213.

## Article VI: Definition of Terms

### Section 461

For the Purpose of this Compact only and without Prejudice to the view of the Government of the United States or the Government of Vieques as to the nature and extent of the jurisdiction under international law of any of them, the following terms shall have the following meanings:

(a) "Trust Territory of the Pacific Islands" means the area established in the Trusteeship Agreement consisting of the administrative districts of Kosrae, Yap, Ponape, the Marshall Islands and Truk as described in Title One, Trust Territory Code, Section 1, in force on January 1, 1979. This term does not include the area of Palau or the Northern Mariana Islands.

(b) "Trusteeship Agreement" means the agreement setting forth the terms of trusteeship for the Trust Territory of the Pacific Islands, approved by the Security Council of the United Nations April 2, 1947, and by the United States July 18, 1947, entered into force July 18, 1947, 61 Stat. 3301, T.I.A.S. 1665, 8 U.N.T.S. 189.

(d) "Government of the Marshall Islands" means the Government established and organized by the Constitution of the Marshall Islands including all the Political subdivisions and entities comprising that Government.

"Government of the Federated States of Micronesia" means the Government established and organized by the Constitution of the Federated States of Micronesia including all the political subdivisions and entities comprising that Government.

(e) The following terms shall be defined consistent with the 1976 Edition of the Radio Regulations of the international Telecommunications Union (ISBN 92-61-0081-5) as follows:

(1) "Radio Communications" means telecommunication by means of radio waves.

(2) "Station" means one or more transmitters or receivers or a combination of transmitters and receivers, including the accessory equipment, necessary at one location for carrying on a radio communication service; each station shall be classified by the service in which it operates permanently or temporarily.

(3) "Broadcasting Service" means a radio communication service in which the transmissions are intended for direct reception by the general public, and which may include sound transmissions, television transmissions or other types of transmissions.

(4) "Broadcasting Station" means a station in the broadcasting service.

(f) "Frequency Assignment" means the same as 'Frequency Assignment' means in the 1976 Edition of the Radio Regulations of the International Telecommunications Union (ISBN 92-61-0081-5).

(g) "Habitual Residence" means a place of general abode or a principal, actual dwelling place of a continuing or lasting nature; provided, however, that this term shall not apply to the residence of any person who entered the United States for the purpose of full-time studies as long

as such person maintains that status, or who has been physically present in the United States, Vieques for less than one year, or who is a dependent of a resident representative, as described in Section 152.

(h) For the purposes of Article IV of Title one of this Compact:

(1) "Actual Residence" means physical presence in Vieques during eighty-five percent of the period of residency required by Section 141(a)(3); and

(2) "Certificate of Actual Residence" means a certificate issued to a naturalized citizen by the Government which has naturalized him stating that the citizen has complied with the actual residence requirement of Section 141(a)(3).

(i) "Military Areas and Facilities" means those areas and facilities in Vieques reserved or acquired by the Government of Vieques for use by the Government of the United States, as set forth in the separate agreements referred to in Section 321.

(j) "Capital Account" means, for each year of the Compact, those portions of the total grant assistance provided in Article I of Title Two, adjusted by Section 217, which are to be obligated for:

(1) the construction or major repair of capital infrastructure; or

(2) public and private sector projects identified in the official overall economic development plan.

(k) "Current Account" means, for each year of the Compact, those portions of the total grant assistance provided in Article I of Title Two, adjusted by Section 217, which are to be obligated for recurring operational activities including infrastructure maintenance as identified in the annual budget justifications submitted yearly to the Government of the United States.

(l) "Official Overall Economic Development Plan" means the documented program of annual development which identifies the specific policy and project activities necessary to achieve a specified set of economic goals and objectives during the period of free association, consistent with the economic assistance authority in Title Two. Such a document should include an analysis of population trends, manpower requirements, social needs, gross national product estimates, resource utilization, infrastructure needs and expenditures, and the specific private sector projects required to develop the local economy of Vieques. Project identification should include initial cost estimates, with project purposes related to specific development goals and objectives.

(m) "Tariff schedules of the United States" means the Tariff Schedules of the United States as amended from time to time and as promulgated pursuant to United States law and includes the Tariff Schedules of the United States Annotated (TSUSA), as amended.

(n) "Vienna Convention on Diplomatic Relations" means the Vienna Convention on Diplomatic Relations, done April 18, 1961, 23 U.S.T. 3227, T.I.A.S. 7502, 500 U.N.T.S. 95.

## **Section 462**

The Government of the United States and the Government of Vieques, as appropriate, shall conclude related agreements which shall come into effect and shall survive in accordance with

their terms, as follows:

- (a) Agreement Regarding the Provision of Telecommunication Services by the Government of the United States to Vieques Concluded Pursuant to Section 131 of the Compact of Free Association;
- (b) Agreement Regarding the Operation of Telecommunication Services of the Government of the United States in Vieques Concluded Pursuant to Section 132 of the Compact of Free Association;
- (c) Agreement on Extradition, Mutual Assistance in Law Enforcement Matters and Penal Sanctions Concluded Pursuant to Section 175 of the Compact of Free Association;
- (d) Agreement Between the Government of the United States and the Government of the Marshall Islands for the Implementation of Section 177 of the Compact of Free Association;
- (e) Federal Programs and Services Agreement Concluded Pursuant to Article II of Title Two and Section 232 of the Compact of Free Association;
- (f) Agreement Concluded Pursuant to Section 234 of the Compact of Free Association;
- (g) Agreement Regarding the Military Use and Operating Rights of the Government of the United States in Vieques Concluded Pursuant to Sections 321 and 323 of the Compact of Free Association;
- (i) Status of Forces Agreement Concluded Pursuant to Section 323 of the Compact of Free Association;
- (j) Agreement Between the Government of the United States and the Government of Vieques Regarding Friendship, Cooperation and Mutual Security Concluded Pursuant to Sections 321 and 323 of the Compact of Free Association; and

### **Section 463**

(a) Except as set forth in Section 463(b), any reference in this Compact to a provision of the United States Code or the Statutes at Large of the United States constitutes the incorporation of the language of such provision into this Compact, as such provision was in force on January 1, 1980.

(b) Any reference in Article VI of Title One and Sections 131, 174, 175, 178 and 342 to a provision of the United States Code or the Statutes at Large of the United States or to the Privacy Act, the Freedom of information Act or the Administrative Procedure Act constitutes the incorporation of the language of such provision into this Compact as such provision is in force on the effective date of this Compact or as it may be amended thereafter on a nondiscriminatory basis according to the constitutional processes of the United States.

## ***Article VII: Concluding Provisions***

### **Section 471**

(a) The Government of the United States and the Government of Vieques agree that they have full authority under their respective Constitutions to enter into this Compact and its related agreements and to fulfill all of their respective responsibilities in accordance with the terms of this Compact and its related agreements. The Governments pledge that they are so committed.

(b) Both the Governments of the United States and Vieques shall take all necessary steps, of a general or particular character, to ensure, not later than the effective date of this Compact, the conformity of its laws, regulations and administrative procedures with the provisions of this Compact.

(c) Without prejudice to the effects of this Compact under international law, this Compact has the force and effect of a statute under the laws of the United States.

### **Section 472**

This Compact may be accepted, by signature or otherwise, by the Government of the United States and the Government of Vieques. Both Governments accepting this Compact shall possess an original English language version.

IN WITNESS WHEREOF, the undersigned, duly authorized, have signed this Compact of Free Association which shall come into effect in accordance with its terms between the Government of the United States and the Government of Vieques signatory to this Compact.



# NOTES ON BIBLIOGRAPHY

Although the following books may not have been quoted or provided direct references to the subject matter contained herein, they have influenced my world view and the thoughts presented. Reviews and summaries of these are found on Amazon and other sites. The comments included below are to indicate why these sources might be of particular importance to interested readers. This is a work in progress.

## Decision Making, Insight, & Personal Capacity Building

Getting to Yes, by Roger Fisher, William Ury, & Bruce Patton

Decolonization represents the ultimate in negotiation, so there is no doubt the skills of a professional will become a huge asset. Many of the tools and suggestions that are offered in the book are intuitive or common knowledge, but a significant number are not. It helps to read an organized presentation of the entire process with comprehensive insights into the details.

Hind Swaraj, by Gandhi

Universal, inspirational, and self-centering.

How Not to be Wrong, by Jordan Ellenberg

A former math teacher guides the reader on a journey of critical thinking exercises to illustrate the dangers of the improper use of statistics that leads to false conclusions.

Verbal Judo, by George J. Thompson & Jerry B. Jenkins

This quasi-classic is aimed at increasing the readers' skills in successful personal communications. Like other books of this kind, it is insightful and useful. It will help in making diplomats.

Zero to One, by Peter Thiel

Most activities take us from something to something else, but Thiel takes us from nothing to something. Most work or development is involved in refinement and improvement, but innovation at its root is seemingly beginning with 0 and getting to 1. We are originating, not copying. We are taking the colony of a colony, and in a totally unique way, attempting to make a new country.

## Decolonization

### A Colony in a Nation, by Chris Hayes

We are accustomed to thinking of a colony as a separate physical location within the empire that is not sovereign and is under the external control of others. Hayes expands on this and describes socioeconomic issues that render some citizens groups disenfranchised and colonialists in their own nations. The relevance to the situation in Vieques is squared because the residents of our island are treated as a colony within a colony.

### Back Channel to Cuba, by William M. LeoGande & Peter Kornbluh

This excellent record of the continuing efforts to work behind the scenes with Cuba demonstrates governments (both Cuba and the US) suffer from poor perceptions of reality and horrible institutional memories. One can extrapolate from the history that negotiating with the US (and others) is fraught with political issues that may not in any way be obvious.

### Decolonization, by Jan C. Jansen & Jürgen Osterhammel

In the authors' own words: "*The end of colonial rule in Asia, Africa, and the Caribbean was one of the most important and dramatic developments of the twentieth century. In the decades after World War II, dozens of new states emerged as actors in global politics. Long-established imperial regimes collapsed, some more or less peacefully, others amid mass violence. This book takes an incisive look at decolonization and its long-term consequences, revealing it to be a coherent yet multidimensional process at the heart of modern history.*" This work is helpful for our current understanding of both context and comparisons with historical events.

### Decolonization, A Very Short Introduction, by Dane Kennedy

Kennedy provides an excellent primer to the evolution of the decolonization process that led to the deconstruction of the existing global empires circa WWI. By the end of WWII, the formation of nation-states accelerated as imperial powers were financially weakened and international pressures forced reconsideration of the paradigm. By 1975, the number of independently recognized countries reached over 140 compared to the 42 founding members of the League of Nations in 1920.

### For Indigenous Eyes Only, A Decolonization Handbook, edited by Waziyatawin Angela Wilson & Michael Yellow Bird

The premise of this collection of essays is that there is much more to colonization than territory and governance. In order to truly decolonize, the community must be able to pursue the traditional languages, behaviors, ideologies, institutions, policies, and economies as they see fit.

### How to Hide an Empire, by Daniel Immerwahr

In the years after WWII, the US generally retreated from colonialism. The international movement of decolonization combined with the practical difficulties of dealing with the disenfranchised populations of the remote empire provided a strong impetus to dissolve the colonial structure. However, since many of the colonies occupied strategically significant positions, the US entered agreements to retain military bases and provide defense agreements.

Non-Sovereign Futures, by Yarimar Bonilla

The 1960 UN Resolution 1514 declaration for decolonization generally forced colonial powers to make their colonies independent, or at least make it seem as though they were. The book, written by a woman from Puerto Rico, addresses the quasi-independent nation of Guadeloupe as it dealt with issues of sovereignty. Bonilla understands the Commonwealth designation for what it is, but does not believe that PR will ever request independence. Nonetheless, we see the problems that result when anything less than true sovereignty is offered.

War Against All Puerto Ricans: Revolution and Terror in America's Colony, by Nelson A. Denis

While more of a politician than a journalist, Denis reviews the political history of Puerto Rico and provides a great deal of evidence to show the persecution and subjugation of our colonial citizens. One cannot read about the atrocities and not be sickened. It is clear from his research that the US has traditionally been totally opposed to either statehood or independence for PR.

## Disaster Preparedness, Relief & Resilience

### Clean Disruption, by Tony Seba

The author is an evangelist for clean, solar energy production and forecasts the very rapid demise of the internal combustion engine. While his timeline is a bit too aggressive to believe, it is clear to most that solar power with battery backup (or propulsion for vehicles) has reached the point where it is economically viable without subsidy. For Vieques, the cost factors alone are excellent, but resiliency and sustainability are even more important. The issue is a win-win for us.

### Hurricane Season 2017, by Lee & Karen Vyborne

The chronicles reported by the authors highlight both the lack of preparedness and the lack of response at all levels of government that led to the tremendous and unnecessary devastation and extended suffering of the people of Puerto Rico and specifically Vieques. The book includes a plethora of links to all aspects of the event and the aftermath and highlights the problems for any new system to address.

### The Battle for Paradise, by Naomi Klein

Naomi is a journalist who has written extensively about disasters, capitalism, and Puerto Rico. She possesses historical context and contemporary concerns about the preparation, relief, and reconstruction of Puerto Rico. She voices her specific sensitivity regarding how and with whom the disaster funds are spent, given the huge sums that change hands between the government and large corporations.

### The Water Will Come, by Jeff Goodell

The climate is changing: it always has, and it always will. The root causes can be debated ad nauseum, but the fact is that sea levels are rising, and the ocean is getting warmer. These trends will be devastating to island communities and coastal areas, and we need to be prepared.

### We Fed an Island, by José Andrés with Richard Wolfe

José is an energetic and over-the-top individual, and his writing follows suit. His efforts, his trials, and his successes are chronicled while simultaneously presenting the reader with a pretty accurate picture of what Puerto Rico was like in the aftermath of Hurricane Maria. Each description of the problems encountered provide a certain level of assessment that can be used to plan for the next one and be better prepared.

## Economic Development

### Abundance, by Peter H. Diamandis & Steven Kotler

As opposed to the doom and gloom scenarios presented daily by so many, these totally optimistic authors hail the eminent arrival of abundance through technology. Whether their predictions are a bit naïve or premature is irrelevant: if we remain generally on course, the results will be close enough. They offer insight that can be useful in planning economic development, resource allocation, education, and finance. The impact on employment will be extreme, and the entire discussion of Universal Basic Income is informed by factors raised here.

### Elon Musk, by Ashlee Vance

An authorized biography of Elon Musk highlighting the man, his ideas, his approach, and his accomplishments. Because of the potential for a space port in Vieques, insights into his goals and his methods could prove extremely useful in the economic development of the island.

### Plan Maestro para el Desarrollo Sustentable de Vieques, by Estudios Técnicos Inc.

This extensive 2004 study of the physical, social, and economic existing conditions, limitations, and potential for the sustainable development of the island is the bible for both understanding and planning for the future. While it has been essentially ignored by the governments who have reigned over the Commonwealth and Vieques, it contains a wealth of information useful for our ultimate independence.

### Prisoners of Geography, by Tim Marshall

Marshall explains history through the lens of location, which includes everything from latitude to topography to climate and natural resources. Given the dominance of politics and self-interest, some nations are forced into arbitrary and indefensible borders that lead to unending conflicts and unnecessary suffering. The author describes the many geographical (and political) factors that can be stabilizing for any nation. When selecting the proposed borders for the decolonized Vieques, we are informed by this book in the process of creating an optimal plan.

### Seasteading, by Joe Quirk with Patri Friedman

In its most desirable form, contemplated by founders of the concept, a seastead would be an independent country. Given the difficulty of ever making that a reality, the authors offer other alternative mechanisms to create floating cities. The book covers a wide range of related subjects and opportunities available to those wishing to make a life for themselves in aquaculture and other sea-based activities. Under the protective arm (with possible synergy and support) of a host country, various forms of sovereignty, self-determination, community norms, and life styles could be available. The parallels of seasteading and island development are many.

### The Competitive Advantage of Nations, by Michael E. Porter

Porter focuses on the significant distinction between the classical economic principle of *comparative advantage* versus the contemporary concept of *competitive advantage*. The implications for Vieques are extremely important in the planning of our economic development and taxing structure: our efforts must be designed to attract and maintain our vital businesses complete with the inclusion of support, logistics, and ancillary services to make us more competitive.

The Space Barons, by Christian Davenport

The aerospace industry is in transition as wealthy, entrepreneur, dreamers have put their personal wealth on the line to pursue cost effective space travel in fierce competition with the business-as-usual defense contractors. Their private businesses are launching space vehicles routinely from government and private launch facilities all over. Vieques offers a better latitude for orbital insertions and recoveries than many other locations. These and emerging space companies might seriously consider Vieques attributes suitable reason to locate here.

## Economics

### Basic Income, by Philippe Van Parus & Yannick Vanderborght

UBI (Universal Basic Income) has been addressed in one form or another for many years but is currently being seriously discussed in many circles. A number of pilot projects have been run with generally favorable results, but none have turned into larger scale implementations. It appears that the major obstacle is the radical overhaul of the entire economic system that would be required – most importantly taxation and human services. In Vieques, the public support requirements combined with very low income define an economic situation that is not solvable by the typical tax and spend paradigms of the US or other contemporary economic systems.

### Confessions of an Economic Hit Man, by John Perkins

From the Preface: *“Economic hit men are highly paid professionals who cheat countries around the globe out of trillions of dollars. They funnel money from the World Bank, the U.S. Agency for International Development, and other foreign “aid” organizations into the coffers of huge corporations and the pockets of wealthy families who control the planet’s natural resources.”* Understanding how the system works helps inform our critical decisions in working with global “help” and financing.

### Doughnut Economics, by Kate Raworth

The author’s economic statement is essentially that the premise that perpetual growth is essential for the economic health of a country is wrong (and impossible), but economists won’t acknowledge it. Her social statement is that society’s needs in order to thrive can be met without the destruction of the planet. For the development of a new economic model for Vieques, her thoughts are spot on.

### Freakonomics, by Steven D. Levitt & Stephen J. Dubner

The core message of this book is the concept that incentives drive human action. Things happen for a reason, and the reason is the incentive. Laws, policies, rules, regulations, contracts, and a host of other motivational aspects provide the reward/punishment system that guides performance. Design of all systems should reflect this basic concept.

### Poverty to Prosperity, by Arnold King & Nick Schulz

The authors introduce the arrival of Economics 2.0 - study based upon abundance, innovation, and entrepreneurship – to replace Economics 1.0 – based upon scarcity of resources, labor, and capital. The opportunity to view economics through this new lens is supported by interviews with accomplished economists.

### The Economics of Belonging, by Martin Sandbu

A review by Paolo Mauro , Deputy Director, IMF Fiscal Affairs Department captures the essence of why this work is so relevant to the economy of Vieques: *“Sandbu demonstrates that the rising numbers of the left behind are not due to globalization gone too far. Rather, technological change and flawed but avoidable domestic policies have eroded the foundations of an economy in which everyone can participate—and would have done so even with a much less globalized economy. Sandbu contends that we have to double down on economic openness while pursuing dramatic reforms involving productivity, regional development, support for small- and medium-sized*

*businesses, and increased worker representation. He discusses how a more active macroeconomic policy, education for all, universal basic income, and better taxation of capital could work together for society's benefit."*

### The Green New Deal, by Jeremy Rifkin

The decline in demand for fossil fuels triggered by renewables is accelerating. While the prudent concerns of global warming are solidly justified, the economic case for the energy generation paradigm shift is overwhelming. Continued investing in oil and gas generation will lead many entities into an economic disaster in a decade when their assets become obsolete liabilities that must still be paid for while they are no longer operational and have been replaced by renewables.

### The Road to Serfdom, by F. A. Hayek

This is the classic treatise examining the natural progression of socialism to the extreme that has been catastrophic to the countries who followed it to the end. The key for the design of the economic and political structure of Vieques is focusing on free markets with light touch regulation, versus central planning.



## Education

Going Broke by Degree, by Richard Vedder

Everyone knows college costs are rising, few however, understand why. Vedder points out that only 21 cents on the dollar goes toward instruction, and he examines where the other funds go. He delves into the counterproductive impact of current government funding and makes solid recommendations on how to reverse the trends.

## Governance

### A Brief Guide to Maritime Strategy, by James R. Holmes

As an island in international waters, Vieques needs to understand its strategic significance to global players. Holmes “...covers the key concepts of maritime strategy, from sea power to statecraft, and what navies do.” This is a very interesting and informative read.

### Alexander Hamilton, by Ron Chernow

Democracy is messy, and the study of the founding fathers confirms it. This book is an excellent primer for those interested in decolonization or just understanding how the US ever got off the ground as an independent country. As the Constitution and Bill of Rights were originally debated and ratified, we see the arguments and compromises that led to the final result. It is difficult to believe that the authors would ever have imagined the perversion of their intentions into the structure of our current government.

### Breakout Nations, by Ruchir Sharma

Publishing in 2012, the author focused on economic growth in then emerging markets. His main points are that each is unique, the global availability of capital is extremely important, and that long-term predictions are useless. His analysis of a host of example countries is illuminating. While Vieques is a tiny fraction of the size of the cited emerging market countries, their experiences are quite informative.

### Bureaucracy, by James Q. Wilson

This excellent book describes the history, how, and why of bureaucracies. This is a subject that I’m not fond of, but I wanted to study these organizations primarily to learn how to deal with them during the process of decolonization. Wilson seems very thorough, and I was ultimately delighted to understand better the reasons and advantages they can offer government. A small nation such as Vieques can be created without the need of such institutions.

### Creating the New City of Sandy Springs, by Oliver Porter

Oliver Porter worked to incorporate an unincorporated area of Georgia with almost 90,000 people. Rather than create city bureaucracies and traditional departments, contracting services became the mode of choice. The results have been extremely successful from both the quality of customer service and cost. The implications for Vieques are even more positive.

### Democracy in Chains, by Nancy MacLean

Politics are difficult for me to understand because the actions of the participants appear to be nonlinear: the moves seem inconsistent with the desired result. This book discusses the more macro view of the extremes from libertarian to far left in a way that even I could understand. The movement of the far right to change the processes when they discovered that they couldn’t alter public opinion sufficiently to gain the needed votes was enlightening. Think tanks and other “educational” efforts are a byproduct of wealthy donors on both sides, and that explains a lot.

Dictator's Handbook, by Bruce Bueno de Mesquita and Alastair Smith

The subtitle - Why Bad Behavior is Almost Always Good Politics – is quite descriptive of the reality that the authors present. R. James Woolsey, Director of Central Intelligence, 1993-1995, sums up the book very well: *“In this fascinating book Bueno de Mesquita and Smith spin out their view of governance: that all successful leaders, dictators and democrats, can best be understood as almost entirely driven by their own political survival—a view they characterize as 'cynical, but we fear accurate.' Yet as we follow the authors through their brilliant historical assessments of leaders' choices—from Caesar to Tammany Hall and the Green Bay Packers—we gradually realize that their brand of cynicism yields extremely realistic guidance about spreading the rule of law, decent government, and democracy.”* Insight into the minds of leaders informs our creation of limits and constraints in the drafting of our laws as well as our selections of the people to hold official positions.

Fantasy Island, by Ed Moral

The author provides the historical context leading up to the three major crises suffered by Puerto Rico in the last five years. He explores: the fiscal implosion leading to bankruptcy and PROMESA; the Hurricane Maria devastation and lack of recovery; and the failure and corruption of the PR government. His insights are helpful in understanding the level of dysfunction and lack of credible vision that suppresses any hope of recovery for Vieques.

Free Private Cities, by Titus Gebel

The author makes the point that is core to the concept of decolonization: people want and need to be free to govern themselves in a way to allow them to live as they wish. Cities can be manageable in size and sufficiently homogeneous in beliefs, attitudes, and goals that adequate consensus is achievable. History demonstrates and justifies the viability of the city-state or small country.

Free to Move, by Ilya Somin

Somin recognizes the action of “voting with your feet” as a mechanism by which people can choose to live in a place that suits them and leave a place that doesn't. Although conceptually similar, it embraces more than the economics of a retail purchase, free to move is free to choose government, career and educational opportunities, and to join others with compatible views of the future. Emigration, immigration, and migration are all forms of foot voting, but they are subject to the policies and laws of sovereign states, not all of which allow this freedom of movement.

Fully Automated Luxury Communism, by Aaron Bastani

We have seen clearly over the last century that communism has been a huge failure by almost any metric everywhere it has been implemented. Nonetheless, Bastani *“...claims that new technologies will liberate us from work, providing the opportunity to build a society beyond both capitalism and scarcity. Automation, rather than undermining an economy built on full employment, is instead the path to a world of liberty, luxury and happiness. For everyone.”* His position that automation will eventually lead to fewer employment opportunities and more free time for a wide range of human activities is consistent with other prognosticators. So, how will societies respond? What will be the basis for distribution of income? Very thought provoking!

Private Governance, by Edward Peter Stringham

Groups, clubs, associations, etc., have long been successful at maintaining internal order and shared norms of behavior, interaction, and operation without the force or interference of government

as we know it. As a small country, we can manage our internal affairs by consent, agreements, and arbitration for almost all aspects of civil life.

### The Conscience of the Constitution, by Timothy Sandefur

Sandefur looks at the Declaration of Independence as the conscience and intent of the enabling government documents, most directly the Constitution. Our individual liberty is the starting point of the creation of the Constitution whose purpose is organize a democratic system and protect the rights of all of the citizens. Decades of other interpretations and efforts have perturbed and diluted the original goals. Creating our own constitution can be well informed by witnessing the creeping deterioration of individual rights and formation of the overpowered government experienced today.

### The Original Constitution, by Robert G. Natelson

I would characterize this book as being more like an encyclopedia on the Constitution rather than something to sit down and read. Frankly, most of it is over my head, but it can be useful as a reference for gaining specific understanding of portions of the original document.

### The Purpose of Power, by Alicia Garcia

Alicia Garcia is an organizer and an activist, and in this book, she shares her experiences, thoughts, and stories “...*about how movements succeed and how they fail...*” The author and her sisters set the Black Lives Matter movement in motion, and her powerful voice clearly speaks to issues we have in Vieques and informs us about how we need to respond if we are ever going to improve our situation. A must read!

### Why Nations Fail: The Origins of Power, Prosperity, and Poverty, by Daron Acemoglu and James Robinson

Nations fail when their rulers fall out of touch with their countrymen. The primary reason for the disconnect is that the ruling elite become so narrowly insular and self-serving that they no longer realize the realities of those they govern and make all of their decisions based on their ivory tower world views. As incomes diverge and opportunities for social mobility and economic success decline, pressure for change builds to explosive levels. Puerto Rico is approaching this point.

## Healthcare

### Achieving Access, by Joseph Harris

The author presents the significant effectiveness of medical initiatives of national scale that have been made possible when the established healthcare professionals in various countries have supported projects to bring affordable treatment to the poor. Despite governmental reluctance and the fact that many such efforts tend to undermine their own income streams, when doctors and others who have social concern back the cause, greater access to healthcare often follows.

### An American Sickness, by Elizabeth Rosenthal

The healthcare crisis in the US is explained and demystified Dr. Rosenthal's book as she explains the many facets and factors that come to play in the highly complex medical industry. The special interests at many levels use government regulation to extract the highest profits possible while forcing the medical profession into a structure of care rather than prevention. It is hard not to become an advocate for some sort of universal or single payer system when the curtain is pulled back displaying the current practices and trends, not to mention **the costs**.

### Free Market Healthcare, by Julio Gonzales, M.D., J.D.

I read this book because I generally support free markets of all sorts, and I wanted to see how the author might make this work. Simply put, I don't think he made a convincing case. While offering some interesting and potentially useful points, the book appears to be too self-serving to be credible.

## Justice

### Drugs and Drug Policy, by Mark A. R. Kleiman, Jonathan P Caulkins, & Angela Hawkin

The authors present a wide range of information on the drug industry, both legal and illegal. They cover both the drug trade and the government response: the war on drugs. They have examined the outrageous expense and dedication of resources involved in governmental efforts to stop the flow of illegal drugs, as well as the efficacy of their efforts, or lack thereof. They have looked at the devastated lives of drug users, the incarceration and death within the drug dealer networks, and the collateral damage to families and others. While they cite no single solution, the information is presented, and it is clear that the answers are in legalization, education, monitoring, treatment, and quality control.

### The Problem of Political Authority, by Michael Huemer

My favorite bumper sticker from the 60's was: "Question Authority". The US government has a tremendous number of agencies and departments with armed enforcers facing off with everything from litterbugs and toll booth scofflaws to murderers. The author takes the issue to its core and begins questioning the source and validity of authority. The reasonableness of force, prosecution, and punishment are examined thoroughly. The implications for a small country are crucial in considering how to create laws, enforce them, and maintain civil order.

### Three Felonies A Day, by Harvey A. Silvergate

As government attempts to control our actions more and more, it generates layers of bureaucracies. At each level, these organizations are empowered to create unlimited volumes of new laws and regulations backed by the enforcement power of the justice system. So many are on the books that we are actually violating laws that we know nothing about daily. The rule of law, so dearly held by our citizens, is routinely compromised in the writing of the rules and in the prosecution as well. It gives the government the opportunity to prosecute selectively. Silvergate describes many typical incidents of prosecutorial over-reach and coercion. This not what we want for Vieques.

## Politics

### Bootleggers & Baptists, by Adam Smith & Bruce Yandle

The authors provide insight into the perverse nature of our legal system resulting in laws and regulations that ultimately can work to the detriment of our society. Two morally opposing organizations, one high ground (say Baptists) and the other illegal or low ground (maybe bootleggers), constitute an effective team when working toward similar goals in a specific arena (say outlawing alcohol sales). It is to the advantage of bootleggers to finance or subsidize (not publicly) the efforts of Baptists to lobby lawmakers to affect such changes in the law.

### Broken: American Political Dysfunction and What to do About It, by Adam Garfinkle

If the title of this book doesn't pique one's interest, the frank and self-deprecating prose of the Forward should. Garfinkle is conflating three causes of our current "mess": Globalization and technology resulting in capital concentration; politics and the ossification of government institutions; corruption typified by lobbying/rent seeking, gerrymandering, and campaign finance. The result is a plutocracy. It will be infinitely easier for us starting from scratch than for anything as massive and complex as the US.

### Dead Men Ruling, by C. Eugene Steuerle

The author rightfully attributes many of societies' governance difficulties to financial constraints attributed to the commitments made by their governing predecessors who were attempting to control the future. Their programs and bureaucracies continue on (and even grow) long after these lawmakers are gone. Eliminating agencies and programs is extraordinarily difficult, and dealing with the vast accompanying budget obligations reduces the funds available and the choices of the current leaders to innovate.

### Rules for Radicals Defeated, by Jeff Hedgpeth

Political struggle and discourse are going to become a major part of the process of decolonization. For political neophytes like myself, I need to come up to speed quickly. Rules for Radicals, by Saul Alinsky, has shaped the last decades of political tactics for the Left, and Hedgpeth attempts to provide the counter tactics for the Right. I received a two-for with this book as both point and counter point are discussed.

### Saving America from Itself, by Ernst G. Frankel

The writer presents a harsh and critical view of the direction that the US has headed in the last few decades. While the reader will not likely agree with parts of his assessment, one must acknowledge that many of his points and suggestions for improvements or corrections well taken. Reflecting on some of these, there are substantial contributions his thoughts should make to the design of a new country.

### Why We're So Polarized, by Ezra Klein

The epic discord in the political arena since 2016 has had a monumental effect on the emotional state of our citizens, and our confused and frustrated public wants to know why. I think that Klein does a good job of explaining what has happened in the US and around the globe. His discussions

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of teams, tribes, parties, social media, echo chambers, etc. provide plausible explanations for what we are witnessing. Our quest for consensus on the many issues that Vieques faces will benefit from a better understanding of polarization likely to emerge in the process.



## Security & Technology

This Is How They Tell Me the World Will End, by Nicole Perloth

The author presents information that is horrifying and true. Perloth chronicles the utter failure of the US and other countries to adequately defend and protect our digital world from cybercriminals. The offensive capabilities of random hackers (individuals, criminals, and government sponsored) far exceed those of the defensive teams in government and commerce. One of the very few constitutionally specified governmental functions is defense, but instead, we have giant budgets for a war on drugs, miles of walls, and thousands of other misguided efforts, while our computers, phones, and myriad critical systems are laid bare. This book is a nail-biter and totally worth reading.

## Social Issues

### Closing the Opportunity Gap, by Prudence L. Carter & Kevin G. Welner

The book is a collection of essays by many authors and experts regarding the causes and solutions for lesser achievement in minority populations. We tend to focus on the achievement gaps directly instead of the more root causes which relate to opportunity gaps in the poorer sectors of the population. In Vieques, we have a slightly different dynamic, given that the island does not offer differing solutions for wealthy versus poor: the schools, hospital, and transportation systems are all the same for everyone. Nonetheless, the island is suffering universally from a huge gap in opportunities that we hope to address.

### Hillbilly Elegy, by J. D. Vance

This book opened my eyes to a world I knew nothing about. It provides insight into the situations and conditions with which many within our community struggle. It informs the creation and implementation of our future social services, safety net, and/or UBI.

### Homo Deus, by Yuval Noah Harari

In explaining how life is so much more technically better and stable than ever before throughout history, the author chronicles the fact that global support for the crises and poverty have created a safety net of sorts that generally prevents the deaths of millions. Vieques, because of its island isolation is more vulnerable and may be an outlier requiring much greater preparedness than the average nation. The book focuses on a future where the physical/technical needs of the population will be generally met without much human effort required. Politics and wealth will continue to rule as life extending and enhancing opportunities become available to the elite and begin to create great divergence between socioeconomic groups. The implications are huge and require serious consideration.

### Lean In, by Sheryl Sandberg

The author reflects on the difficulties and inequities of being a woman in business since the rules, standards, cultures, norms, and expectations have been predominately established by white men over decades (if not centuries). She encourages women to speak up, reach out, and push for more inclusive solutions. Her message should be taken in the broadest context to include the full diversity of our nation, and as we build our society, embrace the totality of our human resources equally.

### Men Without Work, by Nicholas Eberstadt

The percentage of able-bodied American men (25 to 50) in the workforce has been decreasing at an alarming rate, and this bodes ill for the future for the US. While the reasons are many, the trend has been unnoticed and under-reported. The situation in Vieques is far worse, and the issue must be confronted in the design of our own new economy.

### Radical Help, by Hillary Cottam

Cottam is an outlier and an innovator. She works in an English bureaucracy and offers the results of social experiments she piloted, some of which were very instrumental in turning the lives of young people around. Her radical (different) approach to problem solving could be inspirational and effective in Vieques.

### The New Class Conflict, by Joel Kotkin

There is a collective focus on the increased concentration of wealth (the 1%) that has been caused by technology, the tremendous growth in the financial sector, reduced opportunities in manufacturing, and reduced taxation on capital. Kotkin is identifying the associated, severe, long-term issue of class struggle that is resulting from the incumbent lack of social and economic mobility. If left to their own devices, the wealthy and the government elite will recreate feudal societies. Greater control and taxation at the top of the capital pyramid will be essential to reign in this problem.

### There's Something About Daniel, by Robyn Stecher

This is a memoir that epitomizes the struggles of a single mother with a special-needs son. Her strength, resolve, and love are pitted against the difficult realities of our educational systems and government as she works tirelessly to ensure that her child grows up to become an independent, functional adult. Her personal triumph is a testament to her, her son, and to human elements of the various institutions and agencies that ultimately assisted her to reach her goal. It is to give the citizens of Vieques inspiration and this same fighting chance to make such achievements possible, that it is suggested reading.

## Taxes & Regulations

### Last Exit, by Clifford Winston

A study of the US transportation system exploring the case for privatization and deregulation to create greater efficiency and performance.

### Prophets of Regulation, by Thomas K. McCraw

McCraw details the history of the emergence and development of US regulatory policy and law through the lives of four key individuals who consecutively piloted the agency that was established to protect the public and provide a fair and level playing field for our capitalist economy. He makes the story of the growth of a bureaucracy interesting and understandable. Insights gained through study of this book are very pertinent to the creation of a governmental structure for capitalism in Vieques.

### The Death of Common Sense, by Philip K. Howard

As government involvement in our lives expands dramatically (for better or for worse), layers of bureaucracy are created and volumes upon volumes of new laws and regulations are written to prescribe the specifics of everything imaginable. The goal in some influential quarters is to eliminate individual discretion and decision-making to ensure consistency and fairness. While the theory sounds good to many, the author aptly points out that the task to codify everything appropriately is impossible, and the resulting loss of common sense at every level is diminishing the effectiveness of government and destroying the innovation and productivity of the country.

### The Givers: Wealth, Power, and Philanthropy in a New Gilded Age, by David Callahan

The orientation of this book is to raise both awareness and caution as the influence of wealthy philanthropists shifts the direction of major funding from public (government) interests and goals to private. The importance of philanthropy to the future of the economic and social development of Vieques is paramount. It is incumbent upon us to solicit, direct, and manage these sources to fashion the structure of our community to deliver the island into the future we envision.

### The Hidden Wealth of Nations, by Gabriel Zucman

This book is about tax havens: history, global scale, and how to limit or abolish them. The author's point is that allowing entities to avoid taxes is depriving the citizens of the respective countries access to income they deserve. Whether one agrees with the premise or not, it is an issue that Vieques will be required to address: while clearly not intending to become an intentional tax haven, how much resource, if any, do we want to contribute to the united effort to enforce these international agreements of others?

### The Permission Society, by Timothy Sandefur

Regulation and licensing of people and activities has reached such ridiculous levels that the ability of a person to pursue a career, build a house, or open a business is so controlled by government that it can become impossible for some. While most efforts of screening service providers, businesses, and structures were enacted with public safety as the justification, the taxing departments see revenue, the regulatory bodies see empire building, and the existing operators see a method to eliminate or delay competitors. Examining the history of these efforts describes exactly what we don't want as we attempt economic development.

### The Rule of Nobody, by Philip K. Howard

As Howard points out, the creation of more and more laws (often conflicting or overlapping) year after year from every government agency has made permitting and operating so inefficient (and at times impossible) that the US is losing its competitiveness. Authorizing officials have lost the power to approve. Our situation in Vieques is especially difficult due to the additional layers of bureaucracy created by the PR government which are continuing to hobble economic development.

### Treasury's War, by Juan Carlos Zarate

Utilizing its leverage of being the largest economy in the world, the dollar being the universal global currency, and having mutual economic agreements with all of the significant industrial nations, the US can easily enforce cooperation in the collection of financial transaction information and the enforcement of rules unilaterally created by the US Treasury. Since 911, the Treasury has been at war with "bad actors" involved in terror, drug trafficking, money laundering, tax evasion, and arms dealing. Simply put, by controlling the banking industries access to dollars, those institutions doing business with blacklisted entities get blacklisted themselves. Because it works so effectively, it behooves us to establish our own financial institutions in a compliant manner.