

ADDENDUM

En reunión celebrada el 24 de agosto de 1970 la Comisión de Derechos Civiles adoptó por unanimidad, el siguiente acuerdo:

Luego de estudiar documentos sometidos a, y analizados por, la Comisión de Derechos Civiles con posterioridad a la fecha de nuestro informe de 6 de mayo de 1970 (1970-CDC-015), a saber:

a) El informe especial titulado "Culebra—An Analysis of National Security Issues and U.S. Naval Training" sometido por el Dr. Robert A. Kilmarx a requerimiento del Honorable Gobernador de Puerto Rico, de fecha 20 de agosto de 1970;

b) La declaración del Gobernador de Puerto Rico, de fecha 19 de agosto de 1970, respecto a la Isla de Culebra, y

c) El informe del Subcomité de Bienes Raíces del Comité de las Fuerzas Armadas de la Cámara de Representantes del Congreso de los Estados Unidos, de fecha 4 de agosto de 1970;

Se amplía nuestro informe con las siguientes recomendaciones:

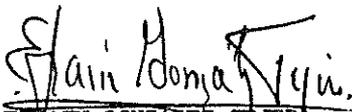
1. La Marina de Estados Unidos no ha justificado que es necesario a los mejores intereses de la defensa nacional de Estados Unidos el mantener sus prácticas y ejercicios de adiestramiento militar, con las correspondientes restricciones, en la isla de Culebra.

2. Por consiguiente, recomendamos que la Marina CESE [y DESISTA], a la mayor brevedad posible, los ejercicios antes mencionados en la isla de Culebra.

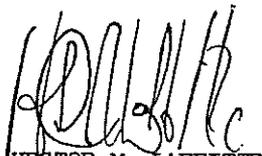
3. Recomendamos, finalmente, *de ser estrictamente esencial y necesario a los mejores intereses de la defensa nacional*, que dichas prácticas y ejercicios se realicen en áreas despobladas, fuera de la isla de Culebra, en donde no se interfiera *drásticamente* con los derechos constitucionales de los ciudadanos.

San Juan, Puerto Rico, a 24 de agosto de 1970.


BALTASAR CORRADA DEL RÍO
Presidente


EFRAÍN GONZÁLEZ TEJERA
Vicepresidente


JOSE V. TOLEDO TOLEDO
Secretario


HECTOR M. LAFFITTE
Comisionado


ALFONSO MIRANDA CÁRDENAS
Comisionado

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APENDICE A

Deponentes en Audiencias Públicas

TEMA: LA INSTRUMENTACION POR LA MARINA DE LA ORDEN EJECUTIVA NUMERO 8684 DEL PRESIDENTE DE LOS ESTADOS UNIDOS DE AMERICA SOBRE LA ISLA-MUNICIPIO DE CULEBRA Y LOS DERECHOS CIVILES

23 DE AGOSTO DE 1969—*Sitio: Oficinas Administrativas de la Comisión de Derechos Civiles—San Juan*

1. LIC. JOSÉ A. SURO—Asesor Legal del Municipio de Culebra
2. HON. RAMÓN FELICIANO ENCARNACIÓN—Alcalde de Culebra
3. SR. BETANCES GALLARDO—Representante de la Autoridad de los Puertos
4. SR. JOHN K. VINCENT—Superintendente de Escuelas de Culebra
5. SR. ANASTACIO SOTO AYALA—Presidente de Asociación de Pescadores de Culebra

24 DE ENERO DE 1970—*Sitio: Municipio de Culebra*

1. SR. RAMÓN FELICIANO ENCARNACIÓN—Alcalde
2. LIC. JOSÉ A. SURO
3. LIC. ALBERTO PICÓ
4. SR. EDGARDO SANTANA CUETO
5. SR. ANASTACIO SOTO AYALA
6. LIC. DAVID URBINA URBINA—Representante a la Cámara por Acumulación (P.N.P.)
7. SR. HARRY GREYSON
8. SR. AUREO AMARO NAVARRO
9. LIC. FRANCISCO GUZMÁN RIVERA
10. SR. TEÓFILO BERMÚDEZ
11. SR. CLARO FELICIANO
12. SR. BENJAMÍN PÉREZ VEGA
13. SRA. GAILE VINCENT
14. SR. CARLOS GUAL
15. SR. JOHN K. VINCENT
16. SR. MARTIN WHITE
17. SR. PABLO MUNET
18. SR. CARMELO FELICIANO

19. SRA. ALEJANDRINA NIEVES DE SOTO
20. SR. JOHN DINGA
21. SR. MARCOS VILLANUEVA
22. SR. AURELIO VILLANUEVA
23. SR. JUAN MANUEL LÓPEZ LLOVET
24. SR. MIGUEL GONZÁLEZ AVILA
25. SRA. TOMASA PADRÓN
26. SR. JOSÉ ENRIQUE ROMERO
27. SR. ERNESTO VILLANUEVA
28. LIC. JOSÉ AYOROA SANTALIZ (ponencia escrita)
29. SR. JORGE AYALA

APENDICE C

Navy Disposal Report No. 300 and Acquisition Report No. 102

LETTER OF TRANSMITTAL

DEPARTMENT OF THE NAVY

Naval Facilities Engineering Command

Washington, D. C. 20390

24 Apr 1970

Dear Mr. Córdova:

This is to advise you that we have submitted to the Armed Services Committees of the Senate and House of Representatives a Disposal Report covering a proposal to dispose of 680 acres of excess land for conveyance to the Government of Puerto Rico, and an Acquisition Report covering a proposal to acquire a leasehold interest in 2350 acres of land at Culebra, Puerto Rico for use in connection with the Weapons Training Area of the Naval Station, Roosevelt Roads, Puerto Rico.

Copies of Disposal Report No. 300 and Acquisition Report No. 102 are enclosed for your information.

In accordance with Title 10 U.S.C. 2662, final action on this report will not be taken until thirty days after this submission to the Committees.

Sincerely,

C. J. BAKER (signed)

CAPT, CEC, USN

Assistant Commander for

Real Property Management

Honorable Jorge L. Córdova
Resident Commissioner,
Commonwealth of Puerto Rico
U.S. House of Representatives
Washington, D.C. 20515
Enclosures

DISPOSAL REPORT NO. 300

DEPARTMENT OF THE NAVY
SUBMITTED BY:
COMMANDER, NAVAL FACILITIES
ENGINEERING COMMAND

Station Designation: Naval Station, Roosevelt Roads,
Puerto Rico

Former Use: Weapons Range and Landing Field

Area: 680 acres Value: In excess of \$50,000

Consideration: To be reported to GSA as excess

1. The Department of the Navy proposes to report to General Services Administration (GSA) as excess, for conveyance to the Government of Puerto Rico, 680 acres at Culebra Island, Puerto Rico. The property was originally acquired as a coaling station and training area. Since World War II it has been used as a portion of the Atlantic Fleet Weapons Range. The landing field has been operated by the Puerto Rico Ports Authority under license to serve the Town of Dewey on the island.

2. The property includes a 177 acre area on the southern peninsula of the Island, approximately 235 acres of land comprising 10 lineal miles of the Island's coastline in the vicinity of the Town of Dewey, and approximately 268 acres on which the landing field is located. The areas are delineated on the attached drawing. The peninsular and coastline areas were ceded to the United States by Spain after the Spanish-American War. The Navy acquired the excess peninsular and coastline areas by Executive Order of 18 December 1901 and Presidential Proclamation of 26 June 1903. The landing field portion was acquired by the Government by donation from the people of Puerto Rico on 29 April 1939. Except for the landing field and related appurtenances, there are no Government-owned improvements on the areas to be disposed of. The landing field will be conveyed to the Commonwealth of Puerto Rico under the authority of the Airport Act (49 U.S.C. 1115), as amended. A community cemetery, dispensary, power house and a number of private residences have been constructed in the excess area. The Report of Excess to GSA will reflect this occupancy and stipulate that equitable arrangements to provide

for continued occupancy will be developed by the Commonwealth in accordance with applicable laws.

3. The property has been screened throughout the Department of Defense and with the Coast Guard with negative results. The proposed disposal and a contemporaneous leasing action covered by Acquisition Report No. 102, accompanying this report, update the Navy's real estate assets consistent with operational requirements of the Range.

4. The proposed disposal will be made under the authority of the Federal Property and Administration Services Act of 1949, as amended. Such disposal has been approved by the Assistant Secretary of Defense (Installations and Logistics). It is being reported pursuant to the requirements of Title 10 U.S.C. 2662.

SUBMITTED TO ASCs

30 April 1970

ACQUISITION REPORT NO. 102

DEPARTMENT OF THE NAVY
SUBMITTED BY:
COMMANDER, NAVAL FACILITIES
ENGINEERING COMMAND

Station Designation: Naval Station, Roosevelt Roads,
Puerto Rico

Use: Training Area, Atlantic Fleet Weapons Range, Culebra,
Puerto Rico

Area: 2350 acres

Estimated Cost: Exceeds \$50,000

1. The Department of the Navy proposes to acquire a leasehold interest in 2350 acres of land at Culebra, Puerto Rico, for use in connection with the Weapons Training Area of the Naval Station, Roosevelt Roads, Puerto Rico. The proposed leasing and a contemporaneous disposal action covered by Disposal Report No. 300, accompanying this report, update the Navy's real estate assets consistent with operational requirements of the Range.

2. The Roosevelt Roads-Vieques-Culebra Complex is the only area available where units of the Atlantic Fleet, including Marines, can conduct realistic training in the employment of all integrated tactical weapons systems, including guided missiles. Control of these areas is exercised from an operational control center at Naval Station, Roosevelt Roads which is the nerve center of a radar surveillance system. The low density of civil air routes and shipping coupled with excellent weather conditions makes the complex ideal for all types of tactical missile firings. Facilities at Roosevelt Roads support fleet missile operations by launching, recovering and controlling the jet target drones used as surface-to-air and air-to-air missile targets.

3. The present Navy/Marine targets and training areas have served well to train many Atlantic Fleet aircraft, ships, and landing force teams; the changing nature of technology and Navy's current requirement makes it urgent that Navy take steps to preserve the ability of the Atlantic Fleet Weapons Range and associated target areas to support realistic fleet training. To do this Navy needs a target area free of restrictions and systems through

their operational limits. The proposed acquisition is required to establish an unrestricted target complex which will provide for safety of the inhabitants of the island and permit training with advanced weapons.

4. Culebra and a group of smaller islands, comprising approximately 7200 acres, is located 20 miles east of Puerto Rico and 10 miles north-northeast of Vieques. Approximately one third of the Culebra group is Navy owned. Navy holdings include target areas on the northwest peninsula and surrounding cays (small islands) which are used for impacting ordnance fired from both ships and aircraft, air target areas on the islands and cays east of Culebra, and operational areas from which firings are controlled and impacts are spotted. Present Navy holdings on Culebra are too small to contain targets for surface-to-surface and air-to-surface missile firings. Because there are no other land targets presently available to the Atlantic Fleet for tactical missile training, facilities at Culebra are critical. Missiles are now reaching the forefront as fleet weapons. Land targets are essential for training firings of these weapons, mainly from the standpoint of firing assessment and high cost per shot. Because the Roosevelt Roads missile operating areas are in being, the land missile target area should be in this vicinity.

5. All possible training/target areas in the Continental United States and in the Caribbean area were exhaustively considered as possible alternates to the proposed acquisition; it has been concluded that there is no other suitable area. Culebra is the only area with optimum training capability for the Atlantic Fleet to meet the Atlantic Fleet Weapons Range training requirements. It is proposed to acquire a leasehold interest in 2350 acres of land at Culebra to meet the Navy's requirement. The leases will be for a one-year term with a right to renew annually for a period of four additional years and will provide for continued grazing by the Lessors. The estimated fair market value of the lease will exceed \$50,000. Appraisals are being obtained to establish the fair market value of the leasehold interests.

6. This acquisition has been approved by the Assistant Secretary of Defense (Installations and Logistics) and is being reported pursuant to the requirements of Title 10 U.S.C. 2662.

SUBMITTED TO ASCs
30 April 1970

APENDICE D

House of Representatives Committee Report on Culebra Island

(Navy Acquisition Report No. 102 (non-habitation easements), and Navy Disposal Report No. 300 (release of 680 acres to the Commonwealth of Puerto Rico).

Report by the Real Estate Subcommittee of the Committee on Armed Services, House of Representatives, Ninety-First Congress, Second Session, August 4, 1970.)

LETTER OF TRANSMITTAL

July 29, 1970

Hon. L. Mendel Rivers, Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, D.C.

Dear Mr. Chairman:

Attached is the report of the Real Estate Subcommittee in connection with Navy Acquisition Report No. 102 and Navy Disposal Report No. 300.

These actions request approval for the Navy to acquire a "non-habitation" leasehold interest in 2,350 acres of land on the island of Culebra, Commonwealth of Puerto Rico, and at the same time release some 680 acres of land on other parts of the island to the Commonwealth of Puerto Rico.

The subcommittee conducted extensive hearings and also made an onsite inspection. The subcommittee is unanimous in its approval of the Navy's request. However, Mr. Stratton has filed additional views outlining his reasons for approval of the Navy's request. Mr. Stratton's additional views are attached to the report.

I shall appreciate your early approval of the report so that it may be printed.

Sincerely,

(signed) Charles E. Bennett, Chairman
Real Estate Subcommittee.

Approved:
L. Mendel Rivers.

[H.A.S.C. No. 91-65]

NAVY ACQUISITION REPORT NO. 102
(NON-HABITATION EASEMENTS),
AND NAVY DISPOSAL REPORT NO. 300
(RELEASE OF 680 ACRES TO
THE COMMONWEALTH OF PUERTO RICO)

Navy Real Estate Plan for Culebra

The Real Estate Subcommittee of the Committee on Armed Services, House of Representatives, has held extensive hearings and conducted onsite inspection to consider Acquisition Report No. 102 and Disposal Report No. 300 submitted by the Department of the Navy as provided by 10 U.S.C. 2662. The reports are intended to be interrelated and propose to initiate a real estate action to acquire a "non-habitation" leasehold interest in 2,350 acres of land on the island of Culebra, Puerto Rico, and at the same time, release some 680 acres of land on other parts of the island more particularly set forth in the aforementioned reports.

Culebra and a group of smaller islands comprising approximately 7,200 acres of land are located 20 miles east of Puerto Rico and 10 miles north-northeast of Vieques. Approximately one-third of the area is owned or under the exclusive control of the Navy. The Navy presently owns the north-west peninsula of Culebra which is used as an impact area for ship-to-shore firings. *That is the only target area on the island of Culebra, and it has been used by the Navy continuously since 1936.* In addition, the Navy uses groups of rocks and cays to the east and west of Culebra as targets for aerial bombardment and gunnery training.

There are no new targets planned for Culebra as a result of the Navy request. There will only be a slight increase in the existing safety zone. The Navy is concerned that if rumored real estate developments bring habitation substantially closer to the target areas, present safety zones may be inadequate. The areas which the Navy proposes to lease to provide adequate safety zones are primarily agricultural, and as such, are not incompatible with training operations. No permanent residents on Culebra presently live in these proposed safety zones, and the owners will be able to use these areas for farming and grazing as they do now.

Subcommittee hearings

In order to hear the views of all concerned, public hearings were held beginning June 10, 1970. Complaints and past grievances, from prior to World War II to the present, were thoroughly aired before the subcommittee.

The subcommittee also heard Navy witnesses present their requirements which are summarized below.

Atlantic Fleet Weapons Range

Combined air, sea, and land operations are conducted by the Navy in the Atlantic Fleet Weapons Range. This range includes installations at Roosevelt Roads, Culebra, Vieques, St. Thomas, and St. Croix, as well as 118,000 square miles of open ocean to the north and south.

This large target complex with its broad open sea areas and reserved airspace is where all operational training, shakedown firings, and evaluation firings of any weapon system in the entire Atlantic Fleet are conducted under realistic conditions. Simultaneous air, sea, and land operations allow the Navy to test and grade its operational proficiency and evaluate its weapons systems and battle tactics.

Within this range, the Culebra complex is stated by the Navy to be irreplaceable as a training area for both ship-to-shore and air-to-ground weapons firing.

Onsite inspection

In order to obtain a realistic perspective of the operations conducted on Culebra, and its effect on the residents, the chairman and several members of this subcommittee visited Puerto Rico, Vieques, and Culebra during the period June 26 through 28, 1970.

The trip to Culebra was a revealing one from many standpoints.

1. The Committee found that the inconvenience of range firing noise to the citizens of Culebra was, in fact, infinitesimally small, and that ordinary conversation would prevent it from being heard in the town of Dewey.

2. The Navy proposal will improve the present safety of Culebrans without requiring any of them to move.

3. There are, in fact, no rare Puerto Rican parrots on the island as was alleged, and possibly there never have been, but if any rare wild-life can be found there in the future its chances of survival will be improved, not harmed by the Navy proposal to limit human habitation in certain areas.

4. Contrary to testimony received during the open hearing: there are no bombs dropped on the island of Culebra *and no napalm is dropped on Culebra or any other part of the Atlantic Fleet Weapons Range*; artillery shells fired at the northwest peninsula are scarcely audible in the town of Dewey; and it can positively be stated that none of the firings which took place during the subcommittee's visit caused the school building or any other building in the town of Dewey to tremble.

5. Many areas in mainland United States suffer much greater inconvenience and discomfort from military requirements in their areas when contrasted with the very mild inconveniences experienced on Culebra.

6. The Navy has not done everything it should do to improve its relations with the residents of Culebra.

During this visit, the members observed naval operations and had the opportunity to talk to many residents. During our observation of aircraft bombing from the Navy observation post, it was possible to see some of the impacts, but they were not audible even from the observation post and they were certainly not audible in the more distant town of Dewey. It was also learned that Navy aircraft on bombing and strafing maneuvers do not use, and do not plan to use, flight patterns which are directly over the island of Culebra.

While observing ship-to-shore bombardment, the subcommittee could find no evidence that the operations endangered the lives of the residents, or that their health and environment would suffer as a result of present or planned Navy operation. As previously indicated low conversation totally obscured the noise of gunfire.

This subcommittee believes that many of the complaints testified about during the hearings are caused by a lack of communication between the Navy and the residents of Culebra. We believe the Navy's failure to be sufficiently mindful of the feelings of the people of Culebra brought about the majority of the complaints.

An example is the incident which occurred on May 22, 1970, during a period when range exercises were not scheduled and

movement in the surrounding water was supposed to be unrestricted. A mortar crew stationed on the island asked for and received permission to test a newly constructed concrete pad by firing from it. There was no danger to anyone from this but there was no public announcement or warning given, and this was inexcusable. Six non-explosive, smoke-producing rounds were fired. The petty officer in charge testified that he looked over the off-shore impact area prior to firing and found it clear. Testimony before the subcommittee from residents of Culebra who were on the beach miles distant from the town indicated that they were startled and apprehensive although the impact of the rounds was very distant from their location, approximately 1 mile. In addition, at the time of the firing, a boat carrying the Governor of Puerto Rico and other dignitaries was in the vicinity of Culebra, although miles distant from the impact area.

At the request of the subcommittee during its visit, the Navy recreated the mortar firing incident. The subcommittee found that although this incident did not actually endanger anyone, the circumstances of the unannounced firing by the Navy was inexcusable. Even though the range was not in operation, it would have been a simple matter for someone from the observation post to drive down to the beach and explain to the bathers what was about to occur, and that there was no cause for alarm. If someone had made this simple gesture, probably not a word would ever have been said about this firing. In this regard, we insist that the Navy publish firmer firing schedules and that these schedules be given wider publicity through whatever means are necessary to alert all citizens of Culebra.

With respect to the schedules themselves, the Navy certainly should be able to publish schedules 72 hours in advance that would not be changed except for compelling reasons, and in no event should any scheduling changes be made with less than 24 hours notice. In addition, the Navy should install more visible and permanent warning signals in the town of Dewey, such as rotating red beacons or at the minimum a centrally located red flag. The red flag now used is at the observation post miles distant from the town. We also recommend the Navy provide additional boat or helicopter patrols of the restricted areas when they are in use in order to bring about prompt evacuation of visiting pleasure or fishing boats.

The subcommittee also finds that claims by fishermen for damaged traps have not been settled as rapidly as they might have been. Some of them have been unable to replace their traps until payment has been made by the Navy. The needs of the citizens in such cases should be sufficient cause to generate a priority for the settlement.

The subcommittee suggests that an officer be assigned and stationed full-time on the Island of Culebra. He should be Spanish speaking or at least someone in his unit should be fluent in Spanish. Among his duties should be responsibility for the improvements of the Navy's relations with the residents of this island community. The Navy must learn to live with these citizens, not in a sense of tolerating them, but to become involved with their problems and assisting them whenever possible. Attitude is an important thing. The Navy should make every effort to hire more Culebrans for range support and other work whenever this is possible.

Subcommittee position

The Real Estate Subcommittee of the House Committee on Armed Services, after extensive hearings and an onsite inspection, has come to the conclusion that the Culebra complex is irreplaceable and definitely required for our national defense. Therefore, approval of Acquisition Report No. 102 is recommended.

Although the Subcommittee recognizes that the feelings and desires of the Culebran people are important, we must also give consideration to the Nation's defense needs, which in these circumstances involve the readiness of the Navy to respond promptly and effectively whenever called upon.

The "non-habitation" easements requested by the Navy will give the protection to the people of Culebra which they have a right to expect with the continued presence of the Navy.

It should be made perfectly clear that the Navy's proposed acquisition is for non-habitation easements only and does not involve acquisition of a fee title to one single acre. Further, the proposed contemporaneous conveyance to the Government of Puerto Rico, 680 acres, is in fee simple. The property to be given up by the U.S. Government includes a 177 acre area on the southern peninsula of the island, approximately 235 acres of land

including 10 lineal miles of coastline, and the airport constructed by the Navy on another 235 acres of land.

The Navy convinced the subcommittee that it has made an extensive search and has found no site which could be made available to the Navy to substitute for Culebra in the essential defense program of the Atlantic Fleet Weapons Range. There have been charges in the press that the Navy cares more for its weapons than for human beings. This subcommittee does not consider this to be the case. The reason for training is to develop a force to protect the way of life and the very lives of all Americans. Further, realistic training gives the fighting men of this country a better chance to survive in a combat environment. The safety zones the Navy desires, and its safety procedures, are for the very purpose of protecting the lives and property of the people on Culebra. Therefore, this subcommittee feels that the charges made by some of the news media are without foundation in fact.

Disposal Report No. 300 is also approved. This proposed action to turn this land over to Puerto Rico is not controversial and is intended to permit the unrestricted use of additional areas by the people of Culebra including an air strip which would improve access to and from this island community. The subcommittee is hopeful that the benefits to be derived from this disposal action will be the basis of an overall improvement of the Navy's relations with the residents of Culebra.

During the visit to Culebra and Vieques, the subcommittee had the opportunity to review the development of these two islands. The population of Vieques, which is more than one-half owned by the Navy, is approximately 7,000 people as compared to the approximately 700 people located on Culebra. In order to enjoy the inherent advantages which naturally accrue to the more inhabited location such as schools, water supply, hospital facilities, industrial payrolls, etc., the subcommittee considered the possibility of recommending the resettlement of the people of Culebra to Vieques. However, we are hesitant to take the initiative in any such plan; and therefore, we make no such proposal. Because of the unique situation existing, if the people of Culebra would like to make such a move, which we believe would be in their own self-interest, this subcommittee would be prepared to consider legislation containing a resettlement proposal that would be fi-

nancially more attractive than the kind of settlement that would be permitted by existing laws.

The subcommittee is pleased that the Navy has already taken action to ease certain restrictions in the area. The free access sealand to the town of Dewey and the harbor is an excellent start; however, this subcommittee has discussed herein other recommendations, summarized below, which should be implemented to the maximum extent possible, consistent with safety:

1. Assign an officer to full-time duty on the island of Culebra;
2. Erect in the town of Dewey a rotating beacon or visible red flag to more adequately alert the residents of actual range usage;
3. Employ more patrol boats or helicopters to better patrol areas of the range into which boats may inadvertently enter while the range is in use;
4. Revise immediately schedule posting procedures; be certain of their accuracy; and eliminate the posting of "blanket schedules";
5. Investigate further the possibility of unexploded ordnance being in the waters around the Island of Culebra; and if such are found, investigate the feasibility of their removal.

One item not previously discussed that the subcommittee feels the Navy should consider is the possible rerouting of the present flight patterns so that the aircraft could remain even farther away from the Island of Culebra than they do today. Further, if the Navy proposes the use of any new missile on Culebrita or any other island in the range, it should report to this committee prior to the scheduling of any such firing.

The Navy shall submit a report of the implementations on these recommendations as early as possible.

ADDITIONAL VIEWS OF MR. STRATTON

The issue before this subcommittee is actually a very narrow one: Shall we approve or disapprove the Navy's pending requests: (1) For non-habitation easements on the eastern end of Culebra, across from the present Navy target area on the smaller island of Culebrita, and (2) for permission to return to the control of the territory of Puerto Rico presently held Navy land in other parts of the island of Culebra?

As the hearings make clear, much has been made, both before this subcommittee and in the press, of the dangers and nuisances

created for the people of Culebra by the present use of the Navy target areas, and also the impediments to further development and progress of Culebra and the territory of Puerto Rico generally, presented by the Navy's continued use of these ranges.

While I support, somewhat reluctantly, the conclusions of the Subcommittee in approving these two requests, Acquisition Report No. 102 and Disposal Report No. 300, I am not prepared at this time to support the broader conclusions and findings which the majority report contains. In saying this I fully acknowledge that my own participation in these particular hearings was to some extent limited by heavy demands made on me by a primary election contest during the month of June.

I am not, for example, convinced that the Navy or the Defense Department have fully explored every possible alternative to the continued use of Culebra, and I believe this search should continue at a stepped-up tempo. Like many others who have commented on this issue, I find myself uneasy at the prospect of live target practice being carried on so closely to human dwellings however modest or limited these dwellings may be.

Very frankly, although I have been a member of the Naval Reserve for 28 years, and have sailed past Culebra many times, I never realized until this debate surfaced this year that the Navy's traditional Caribbean target area was inhabited at all. I am likewise most sympathetic with the desire of the people of Puerto Rico to improve and develop their area and expand their own standard of living. I know perfectly well I wouldn't want Navy target practice carried on in my own backyard or even in my neighborhood. Neither the Navy nor this subcommittee should ever allow ourselves to be placed, or appear to be placed, in the position of putting target practice ahead of people. Yet in my opinion the subcommittee's report skirts perilously close to that position.

On the other hand, the record in this case is by no means unambiguous. While we are properly concerned about the safety of the people of Culebra, for example, the evidence suggests that many of Culebra's present inhabitants came there because of the job opportunities created by the Navy ranges. And while one may be rightfully concerned about promoting the development and prosperity of the entire Puerto Rican archipelago, there is some evidence that the sudden interest in the undeveloped areas covered

by the new proposed non-habitation easements is based less on reasons of promoting a better life for Culebrans themselves, than on perhaps providing for new high income real estate developments to be owned exclusively by outsiders and used exclusively by outsiders. The positive impact on the standard of living of Culebrans under such circumstances would be at least as questionable as has been the impact of similar developments in the Virgin Islands on the standard of living of the native residents there. Incidentally, there is something to be said for the subcommittee's suggestion that the future development of the people of Culebra might be considerably greater on some other island.

In any event all these questions need to be investigated much more carefully and in much greater detail than this subcommittee has thus far had the opportunity to do, diligently and faithfully as it has already discharged its present assignment. And the long-range future of Culebra as well as of the Navy's Caribbean target areas should hinge on the results of such a study and not on our actions with regard to these two specific real estate proposals. For this reason I do not believe the subcommittee should arrive at any conclusions that might tend to go beyond the immediate and specific issue here presented to us. We cannot avoid a decision on the issue immediately before us, but we should not close the door too firmly on new, different, or more imaginative solutions that might be proposed at some future date.

I fully share the subcommittee's position that an adequate firing range in the Atlantic is vital to our Nation's defense and "gives the fighting men of this country a better chance to survive in a combat environment." It is also obvious that no adequate substitute for Culebra has thus far been advanced. Actually, the two proposals immediately pending before the subcommittee are both addressed to what critics have suggested are the paramount issues, namely, the safety of the people of Culebra, and the progress and development of the Puerto Rican archipelago.

Acquisition Report No. 102 as the subcommittee notes, is "for the very purpose of protecting the lives and property of the people on Culebra". For us to refuse at this time to approve it simply because we might at some future date develop a more satisfactory target area elsewhere would not improve the present protection of the people of Culebra, but would only increase their danger. So long as the target areas remain we have no alternative but

to insure that there shall be no encroachments upon them—just as a wise municipality makes certain that homeowners don't build new houses alongside the fences and inside the safety zones of a local airport.

Similarly, Disposal Report No. 300 is designed to help the people of Culebra and to improve our relations with them. To refuse to approve it now would be equally indefensible, whatever different arrangements might ultimately be worked out in the future.

Therefore, I concur with the subcommittee in its specific actions, but am strongly of the opinion that, in the light of all the circumstances, these actions should be regarded as strictly temporary and provisional, and capable of being altered, vacated, or amended at any time that a more suitable solution to the Navy's obviously critical operational problems can be found. I believe that both the subcommittee and the full committee ought to take this opportunity to urge the Navy and the Defense Department both to step up the effort to find that more suitable alternative at the earliest practicable moment.

SAMUEL S. STRATTON (signed)
Representative from New York

HOUSE COMMITTEE ON ARMED SERVICES
NINETY-FIRST CONGRESS, SECOND SESSION

L. MENDEL RIVERS, South Carolina, *Chairman*

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F. EDWARD HEBERT, Louisiana	ALVIN E. O'KONSKI, Wisconsin
MELVIN PRICE, Illinois	WILLIAM G. BRAY, Indiana
O. C. FISHER, Texas	BOB WILSON, California
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CHARLES H. WILSON, California	JOHN E. HUNT, New Jersey
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JOHN R. BLANDFORD, *Chief Counsel*

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JAMES F. SHUMATE, Jr., *Counsel*

APENDICE E

United States Conference of Mayors

RESOLUTION

WHEREAS, the Island of Culebra is a municipality of the Commonwealth of Puerto Rico and has been the place of residence of several hundred United States citizens of Puerto Rico, and

WHEREAS, the United States Navy retains part of the Island as an impact area for weapons practice, and has expressed intent of enlarging the area under its control, and

WHEREAS, this situation involves great danger under which the residents, American citizens of Puerto Rico, have been forced to live for years, depriving them their right to live securely and in peace in the community where most of them were born and have lived during their whole life, and

WHEREAS, the Caribbean Sea Frontier Commander, Rear Admiral Norwell G. Ward, has publicly supported the Navy's reluctance to select an alternative site outside the Island for a weapons practice area, on economic considerations of cost, above the residents' right to a peaceful living on their beloved Island, and

WHEREAS, the loyal American citizens of Puerto Rico have valiantly participated in the two great world wars, in the Korean War, and in the Vietnam and Cambodia conflicts, and have generously given their blood contribution to the defense of democracy, and

WHEREAS, it is a moral obligation of citizens and institutions of this great nation to defend and to speak on behalf of the traditions of human dignity and citizens' rights that we so much cherish, and

WHEREAS, the U.S. Conference of Mayors is a representative institution of local governments and an avowed defender of the interests of municipalities and other local governments, and

WHEREAS, the Island-Municipality of Culebra, due to its small size has no official standing as member of the U.S. Conference of Mayors, the fact notwithstanding of it being a small local government that needs moral support at this difficult moment in its fight for the well-being of its citizens.

NOW THEREFORE BE IT RESOLVED, that the *U. S. Conference of Mayors* expresses its moral support to the Municipal Government of Culebra in the presentation of its case before the U.S. Navy authorities and before Congress of its just demand that the U.S. Navy seek and select an alternative site for their weapons practice outside the Island of Culebra, and

BE IT FURTHER RESOLVED, that copy of this Resolution be sent to the Vicepresident of the United States, to the Hon. Speaker of the House of Representatives, to the Hon. Chairman of the House Armed Services Committee, and to the Hon. Chairman of the House Real Estate Subcommittee.

(PRESENTED AND ADOPTED BY UNANIMOUS VOTE, WEDNESDAY, JUNE 17, 1970, AT THE CONFERENCE HELD AT THE *Denver Hilton Hotel, Denver, Colorado.*)

APENDICE F

International Association of Official Human Rights Agencies (I.A.O.H.R.A.)

RESOLUTION IV

WHEREAS, since 1936, various stages of naval training have been carried out in the northwest portion of the island of Culebra, a small island off the east coast of Puerto Rico belonging to the Commonwealth; and

WHEREAS, on February 14, 1941, President *Franklin D. Roosevelt* issued Executive Order No. 8684 establishing Culebra Island a Naval Defensive Sea and Air Space Reservation; and

WHEREAS, because of complaints made by hundreds of inhabitants of Culebra due to the implementation by the Navy of the Executive Order, hearings were held recently by the Puerto Rico Civil Rights Commission, and a report rendered (1970-CDC-015); and

WHEREAS, the Commission found that the military training operations in the restricted zone of Culebra are *excessively intensive, continuous, irregular, and dangerous*; and

WHEREAS, the United States Conference of Mayors, prominent public figures, such as U.S. Senators and Representatives, as well as all political parties in Puerto Rico without exception, have requested insistently that the Navy cease to utilize the inhabited island, where U.S. citizens reside, as a target area for their naval exercises; and

WHEREBY, the 22nd Annual Conference of the International Association of Official Human Rights Agencies, assembled at St. Louis, Missouri,

RESOLVES:

1. That the continuing utilization of the island of Culebra by the Navy is a direct violation of the fundamental constitutional rights of the citizens residing there and should cease now.

2. Requests that the President of the United States repeal Executive Order #8684, thereby permitting the persons living in

Culebra to develop as a community, and in this manner, guaranteeing their rights to life, liberty, and the pursuit of happiness.

3. That copies of this Resolution be distributed to all interested persons connected with this matter and to the press.

(PRESENTED AND ADOPTED BY UNANIMOUS VOTE ON THE CLOSING BUSINESS SESSION OF THE 22nd ANNUAL CONFERENCE OF THE I.A.O.H.R.A. HELD AT ST. LOUIS, MISSOURI, ON JULY 17, 1970. DELEGATES FROM THE FOLLOWING PLACES ATTENDED THE CONFERENCE: ALASKA, ARIZONA, CALIFORNIA, CANADA, COLORADO, CONNECTICUT, GEORGIA, ILLINOIS, INDIANA, IOWA, KANSAS, KENTUCKY, LOUISIANA, MARYLAND, MASSACHUSETTS, MICHIGAN, MINNESOTA, MISSOURI, NEBRASKA, NEW JERSEY, NEW MEXICO, NEW YORK, OHIO, OREGON, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, TENNESSEE, TEXAS, VIRGINIA, WASHINGTON, WASHINGTON, DISTRICT OF COLUMBIA, WEST VIRGINIA AND WYOMING.)

APENDICE G

Statement of the Civil Rights Commission of the Commonwealth of Puerto Rico Before the Real Estate Subcommittee of the House Armed Services Committee

On April 1970, the Civil Rights Commission of the Commonwealth of Puerto Rico issued a lengthy and exhaustive report on the activities of the United States Navy, in, over and around the small Island of Culebra, located approximately twenty miles east of Puerto Rico. The Civil Rights Commission's special report, which has been hastily translated in English and filed and distributed before this Subcommittee, examines and analyzes the manner and extension of the Navy's activities pursuant to Executive Order No. 8684 of February 14, 1941, and its effects upon the civil rights of the population of Culebra.

By virtue of Executive Order No. 8684 the territorial waters surrounding the Island of Culebra for a perimeter of three miles are established as a defensive sea area and airspace reservation. No person who is not in a public vessel of the United States may enter the designated area without prior authorization from the Secretary of the Navy or his authorized representative. No aircraft, except public aircraft of the United States shall penetrate in this air reservation without having obtained the corresponding prior permit. Violation of any of the provisions of Executive Order No. 8684 is a federal offense.

1. Access by Sea to the Island of Culebra:

To date the Navy has not granted any permanent permit to private vessels. In order to comply with the provisions of the Presidential Order, any vessel attempting to enter the restricted area must apply for a permit to the local naval authorities in each particular case. It is difficult to obtain an entrance authorization because there are no adequate means of communication by radio or other media with naval authorities. Consequently, numerous vessels proceeding from Puerto Rico or any other place approaching Culebra have done so and continue to do so in violation of the law and risking damages from the maneuvers and practices which are constantly being carried out in the area. In Puerto Rico, the naval authorities do not give adequate notice of their exercises. It is also difficult to obtain this information in detail. It must be

pointed out that the Navy has not prepared in an appropriate form a warning system nor has it established an advanced schedule of the military practices which are to be conducted in the restricted area.

The Navy has granted, however, a permanent authorization to the Ports Authority of the Commonwealth in 1969, which conducts a daily passenger and cargo service between Fajardo and the islands of Vieques and Culebra, via an indirect course which lengthens the running time from one hour to two hours and twenty minutes.

2. Air Access to Culebra:

Pursuant to Executive Order No. 8684, it is also required that every aircraft attempting to penetrate the restricted area should obtain prior authorization from the local naval authorities. The requirement is also necessary in order to land in Culebra. As of 1966, only five permanent authorizations were issued, to wit: *Mr. John K. Vincent*, a resident of Culebra; *Trade Winds and Western Airways*; *the Aqueduct and Sewer Authority and the Water Resources Authority of the Commonwealth of Puerto Rico*. The regular type of aircraft landing in Culebra accommodates from six to nine passengers. Up to the present day, the problems raised by the insufficiency of air service to and from Culebra have not been satisfactorily taken care of by the restraint of the Navy in granting permanent authorizations.

Evidence was presented that on numerous occasions it was impossible to communicate with the naval authorities, including communication by persons with authorization, who have had to take the risk of going through the restricted zone because arrival in Culebra was imperative. To summarize, in both situations, whether sea or air transportation, it is the policy of the Navy to restrict permanent authorizations to a minimum.

The Navy lacks *clear, precise and substantially uniform rules* for the granting of permanent authorization. The present permanent authorizations do not satisfactorily cover the multiple need of the civil population of Culebra.

3. The Naval and Air Military Training Practices:

Commencing in 1936, when the Navy definitely established a Naval and Air Training center in Culebra, the maneuvers and exercises were limited to the northwest part of Culebra, which

is known as Flamenco peninsula. Beginning in 1960, the Navy extended its operations throughout all of the western portion of Culebra down in a southern direction. While the training operations were conducted in the northwest side, the south and east portions of Culebra were available to the free traffic of residents and visitors to the Island. However, during the last two years the Navy has placed large caliber targets around the Island of Culebra.

Incidents have occurred in which missiles fired from aircrafts and vessels of the Navy have fallen in the neighborhood of the town of Dewey. These incidents have caused a state of intense fear, including hysteria, amongst the residents of Culebra. Two examples of these incidents were the falling of two missiles on private property from the Navy vessel *U.S.S. New* on April 16, 1968. These incidents were corroborated by the Navy. In general terms, the gradual intensification of the naval operations throughout almost all the perimeter of Culebra and the adjacent keys, substantially affects the safety, peace, and tranquility of the residents of Culebra. The frequent and continuous flights of aircrafts of the Navy over private property, the noisy effect of the same, and the resulting shaking-up, constitute an unreasonable burden upon the life and properties of the people of Culebra. It should be noted that these activities are carried out into late hours of the night.

4. The Activities and Restrictions of the Navy and Their Effect on the Fishing Industry:

By reason of the establishment of a restricted zone and target practices, the fishing industry has been one of the most adversely affected economic activities. The naval exercises have prevented the free daily fishing by persons who depend on the same for their support. The shells kill numerous fishes thus depleting the fisheries. Navy vessels have destroyed the nets placed by the fishermen. On account of the foregoing difficulties undergone by the fishermen of Culebra, out of forty-seven families of fishermen, only seven remain.

The Culebra fishermen depend on the notices which the Navy posts in the port for the purpose of notifying target practices. On numerous occasions, the fishermen have had to return without having made any catch whatsoever, because notwithstanding the notices that no practice was scheduled, they in fact have en-

countered said target practices. The irregularities and inaccuracies of the present system of notices is a burdensome and dangerous condition for persons who must rely upon said notices to commence their daily work.

5. *Tourism and Industrial Development:*

The achievement of economic development within the natural resources available is a legitimate goal of every community. Because of the Navy restrictions in Culebra, tourism and industrial development cannot achieve its maximum potential. Several projects for summer resorts and for residential housing have been abandoned with the inevitable loss of jobs opportunities.

6. *The Navy's Proposal of April 24, 1970 for the Approval of Congress Relating to the Use of Culebra:*

In this plan, the Navy proposes to *cede* some six hundred eighty (680) acres of lands belonging to the U.S. Government to the Commonwealth of Puerto Rico. Likewise, with these lands the littoral corresponding to the same in the southern and western part of Culebra is ceded, approximately ten (10) miles of coast. The plan also proposes to remove a target which is approximately one mile from the town of Dewey. In exchange of the foregoing, the Navy intends to intensify the training exercises and to substantially narrow the restrictions in the northwest, north, northeast, east, southeast portions of Culebra. Also, the said plan extensively enlarges the safety zone within the Island of Culebra covering approximately two thousand two hundred (2,200) acres of *private* lands. The extension of this safety zone would prevent any residential use within the same. Only an agricultural use, particularly cattle raising would be permitted within the safety zone. The Navy proposes to compensate the owners of these lands through leasing, and later, purchase. With respect to the restrictions on sea and air traffic through the maritime defense area and the naval air reservation, the Navy would continue the present restrictions. The Navy plan has been strenuously opposed to by the residents of Culebra.

Thus, the problem and issues confronting Culebra remain dramatically raised before the Federal and Puerto Rican authorities, including the Congress of the United States.

7. *Liberty To Live in a Community:*

The constitutional rights to life, liberty, the pursuit of happiness, the enjoyment of property and the equal protection of the

laws, have to be conceived within the framework of human beings living together. It is known that men form a community for the purpose of providing for themselves in mutual reciprocity the multiple necessities required by individual existence. Living in a community encourages the effective development of the human being. It has been held by some courts that “. . . *the right to live in a community is of the very essence of personal freedom and opportunity, that the Fourteenth Amendment to the Constitution proposes to secure. This principle is fundamental and vital.*” Of course, it is recognized that the State may reasonably regulate the life of a person in a community.

8. *Freedom of Movement:*

A paramount civil right of the individual in a democratic society is the freedom of movement. The U.S. Supreme Court has ruled that the right to move freely throughout the country is an attribute of national citizenship secured by the Fourteenth Amendment of the Constitution. To summarize, the freedom of movement is not absolute. Thus every governmental regulation of this basic freedom can only be conceived within the *least drastic means.*

CONCLUSIONS

The training operations in the restricted zone are *excessively intense, continuous, irregular and dangerous.* These operations comprise almost the whole perimeter of the Island of Culebra, its adjacent islets and cays. They are carried out day and night close to the town of Dewey disturbing the security and tranquility of its residents. The manner in which the Navy's operations are presently conducted and which in the proposed Plan are substantially unmodified reduce the personal liberties of living in a community, the freedom of movement and the opportunities to engage in legitimate businesses and occupations.

The present means employed and proposed by the Navy in the attainment of the objective of national defense are not the *least drastic* in safeguarding the constitutional rights of individuals.

RECOMMENDATIONS

We suggest and recommend that the Navy limit, in the best interest of national defense and the necessary accommodation of individual rights protected by the Constitution of the United

States, its operations and restrictions to the northwest zone of the Island of Culebra known as the Flamenco peninsula. This was the area originally utilized by the Navy from 1936 to 1960. At present, it is unpopulated and constitutes the *least drastic means* for not violating the civil liberties of the residents of Culebra.

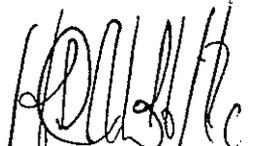
It is recommended that the Navy promulgate *reasonable, clear, and precise* regulations for the granting of permanent authorizations to enter and depart through the restrictive zone.

It is also recommended that reliable advance notices be established for the benefit of the persons in Culebra concerning the training activities of the Navy in the restricted zone.

It is further recommended that an adequate and simple system of communications be established so that persons who desire to travel through the restricted zone may obtain the prior authorization from naval authorities.

It is recommended that the Navy's proposed plan be amended to conform it to the aforesaid conclusions and recommendations.

May 27, 1970.



HECTOR M. LAFFITTE

Interim Chairman

*Civil Rights Commission of the
Commonwealth of Puerto Rico*

APENDICE H

“Culebra—An Analysis of National Security Issues and U.S. Navy Training”

(Summary of Conclusions and Recommendations)

By *Dr. Robert A. Kilmarx*

August 20, 1970

“ . . . ECONOMIC DEVELOPMENT OF CULEBRA:

“ . . . According to information contained in the ‘Special Report on the Implementation by the Navy of Executive Order 8684 of the President of the United States of America Concerning the Island of Culebra and the Civil Rights’ *prepared by the Civil Rights Commission of Puerto Rico* in 1970, there are plans to develop portions of Puerto Rico which could make meaningful contributions to the islanders. . . .” (Emphasis added.)

“TENTATIVE CONCLUSIONS:

[1] . . . *The United States’ Navy cannot convincingly demonstrate that the use of Culebra and off-shore keys and islands by the United States’ Navy is vital to the national existence of the United States.* The Navy also cannot demonstrate that the use of targets on or near Culebra is indispensable to the security of the United States or that the national security of the United States is critically at stake if the Navy ultimately curtailed or eliminated its activities at Culebra. What the Navy *can* demonstrate to varying degrees is that the *training effectiveness and efficiency of the Atlantic Fleet would be seriously degraded* if its use of Culebra and offshore islets and keys were abruptly denied, without adequate replacement.

[2] The extent of such degradation would be affected by time, i.e. the period in which activities presently conducted there might be phased down and/or re-located, and by the type of activity involved, for example air-to-ground missile launching, air bombardment or strafing, surface-to-surface ship gun fire, etc.

[3] The measure of this degradation does not lend itself to quantification or probability estimation. It is contingent on many

variables related to the Navy's capability to adjust to change through technological advances, and through shifts in training patterns and facilities. The prospects of such adjustments have been restricted by budgetary considerations, namely fund limitations.

[4] Need and prospects of adjustment without acceptable degradation are also affected by estimates of the emerging Soviet naval threat and the internal security situation in the Caribbean. The developing Soviet Naval threat places a greater premium on the combat strength and readiness of the Atlantic Fleet, but all elements that contribute to this capability should be concurrently accessed in the light of the growing requirements. The political situation in Puerto Rico should also be allowed for in such an assessment, to insure the continuing, future availability of facilities that are more irreplaceable than Culebra in naval planning, e.g. Roosevelt Roads.

[5] It already is apparent that the value of the Atlantic Fleet Weapons Range to the U.S. Navy has increased. With fewer, more modern ships, advanced training is of greater importance than in the past. This suggests a high priority should be placed on developing the Atlantic Fleet Weapons Range to an optimum degree, with advanced facilities that permit the more realistic simulation of combat conditions. *Culebra is not optimal for such development, as presently proposed.*

[6] Alternative steps in the development of more effective naval forces, including improvements at the Atlantic Fleet Weapons Range may more than compensate for the relocation of targets now used at and near Culebra. . . ."

"TENTATIVE RECOMMENDATIONS:

[1] That the Navy not be required to terminate abruptly its firing activities on Culebra and the nearby islands and keys. Such termination could degrade the Navy's combat readiness capability, especially in view of the growing Soviet naval threat and the training requirements that are necessary for fleet readiness and proficiency.

[2] That the Navy be given an adequate period in which to develop feasible alternatives to re-locate activities presently being conducted and planned for Culebra and nearby islands and keys.

[3] That the Navy be given a temporary, non-habitation easement for a 2,350 acre safety area on the eastern end of the island of Culebra for firing the Walleye missile. This temporary easement should be granted for approximately one year, to give the Navy sufficient time to establish firing facilities for Walleye and follow-on missiles at alternative locations.

[4] That the Secretary of Defense extend this period of utilization of the East Range for Walleye and more advanced tactical air-to-surface weapons, and the continuation of the non-habitation easement for a longer period if this is essential to naval preparedness or if the development of alternative facilities is prevented either by technical considerations or budgetary constraints.

[5] That the Department of Defense be encouraged to pledge that all naval firing activities on Culebra and the nearby islands and *keys will terminate within five years*. At that time, the President of the United States, however, could determine that the security interests of the United States require a limited extension of this period of utilization.

[6] That the Navy be supported in upgrading the realism of its naval training off Culebra by the establishment of a multiple, over-the-horizon drone control facility as well as an electronic warfare support facility on Culebra to permit more effective, simulated combat training against Soviet-type missiles and other naval threats than is presently possible. These facilities will not involve firing on the island or nearby locations. They would support naval exercises in Zone A of the deep sea portion of the range.

[7] That the Navy obtain support from the Secretary of Defense and Congress for additional funds to permit feasibility testing, construction and operation of one or more artificial islands. One such artificial island, approximately 200–600 feet in length, could be constructed upon key or shoal areas to the east of Puerto Rico, e.g. *Bajos Grampus* or at another practicable location in the test range area. Changes that may be required in international agreements should not prevent the selection and use of an optimal location. The artificial island should be designed according to Navy specifications, with topography and other features particularly suited to Navy's needs. It should include a site for naval ship gunfire and two air-to-ground sub-ranges. An additional small artificial island could be used as a fourth air-to-ground sub-range,

thereby contributing to concurrent training beyond present capabilities. Feasibility studies of options should consider land fill operations (most efficient and least costly option for shallow waters), dike and polder method (earth dam and topography build-up), columnar platform (piers on seabed), and floating island (most costly—for deep water). Artificial islands should contain facilities that would permit more realistic ship-to-shore and air-to-surface training than can presently be conducted by the U.S. Navy at and near Culebra because of physical and safety constraints. For example, firing could be permitted at all angles of attack, at greater ranges and at higher speeds, to simulate realistic combat conditions; firing could be against moving targets, as required; firing could be in an advanced ECM and ECCM environment through the establishment of related support facilities. Prospects for solving more complex navigation problems and evasion tactics might be included.

[8] That the Navy re-examine firing schedules and target sites near Culebra which are now used for individual or small unit firing training, but are not related to integrated exercises. Revised timing and concentration of activity and perhaps some minor target relocations may be carried out to the advantage of islanders without meaningful degradation of training.

[9] That the Navy carry out vigorously the recommendations of the August 4, 1970 report of the Bennett Subcommittee of the Committee of Armed Services, House of Representatives, to revise range-usage, schedule posting and other warning and safety procedures, including patrols. The Navy should initiate or pursue studies to insure that all available methods are utilized to minimize the impact of firing activities on the security and serenity of the people of Culebra. It should improve methods for following up reports of accidents and filing of claims. *The people of Culebra should be consulted in all these measures.* (Emphasis added.)

[10] That any adverse effects upon naval readiness and capabilities resulting from the above-mentioned proposals be compensated for by more generous budgetary support for large scale naval exercises and other operational activities to meet combat requirements. As a result of budgetary cuts, the Navy has been forced to cancel a number of important fleet exercises in recent years. The cumulative effect of these and other cuts on combat readiness could exceed the degradation resulting from the cessation of firings on and near Culebra. . . .”

APENDICE I

**Resolution adopted by New York State Legislature
respecting the Island of Culebra**

PRESENTED ON FEBRUARY 24, 1971

By STATE SENATOR ROBERT GARCÍA

“Whereas, The island of Culebra is part of the Commonwealth of Puerto Rico and is inhabited by numerous citizens of the United States and the Commonwealth; and

Whereas, The United States Navy has been using the island of Culebra and neighboring islands and waters for target practice and intends to continue to do so and to increase such use; and

Whereas, Such target practice has resulted in deaths, injuries and the disruption of the life of the residents of Culebra and neighboring islands; and

Whereas, Among other injurious and damaging effects of such target practice, children residing in the islands are terrorized and have their schooling disturbed by the noise of the explosions and planes; and

Whereas, The continued use by the United States Navy of the island of Culebra and the neighboring islands and waters as a gunnery range is an affront to the people of Puerto Rico and shows a disregard for the welfare and their rights as United States citizens; now therefore be it

Resolved (if the Assembly concurs), That the New York State legislature hereby urges the President of the United States, as Commander-in-Chief, to immediately halt the use of any part of the island of Culebra or any neighboring, islands or waters for target practice, as a gunnery range or for any military maneuvers involving the use of live armaments and that no such activities shall henceforth be continued in Culebra, or any part of the Commonwealth of Puerto Rico or the neighboring waters; and be it further

Resolved (if the Assembly concur), That a copy of this resolution be transmitted to the President of the United States, the

Speaker of the House of Representatives, the President of the Senate of the United States, and each member of congress of the state of New York. (Same Resolution by Assemblymen *Montano, et al.*—A 101.)”