



December 15, 2021



The Honorable Raúl M. Grijalva
Chairman
U.S. House Committee on Natural
Resources
1324 Longworth House Office Building
Washington, DC 20515

The Honorable Bruce Westerman
Ranking Member
U.S. House Committee on Natural
Resources
1329 Longworth House Office Building
Washington, DC 20515



Dear Chairman Grijalva and Ranking Member Westerman:

Just over one year after the historic 2020 election we are writing to urge you to respect and take immediate action on Puerto Rico's vote for statehood. As civic organizations from across the states and Puerto Rico, we represent the majority of the U.S. citizens in Puerto Rico who voted on November 3, 2020, in support of full equality and democracy through statehood. With a participation rate of 54.72 percent, the results of the November 2020 plebiscite were 52.52 percent (655,505 votes) "Yes" and 47.48 percent (592,671 votes) "No," on whether the island should be admitted as a state.¹ This was the third time in the last decade where island residents have been formally asked what future political status they prefer, and each time "statehood" has gained the most votes. The majority consensus is now clear.



After more than a century of uncertainty, it is time for Congress to stop delaying and take action to definitively resolve Puerto Rico's unequal and undemocratic territory status. We believe that the only way to respect Puerto Rico's majority vote for statehood is by immediately bringing H.R. 1522, Puerto Rico Statehood Admission Act up for a markup vote, or by quickly submitting and bringing to a markup a consensus plebiscite bill offering voters on the island a direct choice between defined constitutionally viable non-territory options of statehood or independence (with or without "free association").



Democratic Party of Puerto Rico

Only One of the Current Puerto Rico Status Bills Respects Voters: H.R. 1522

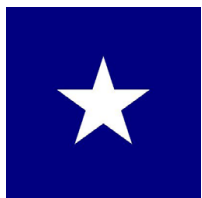
Of the two bills that address Puerto Rico's political status currently under consideration by your Committee, H.R. 1522 and H.R. 2070, Puerto Rico Self-Determination Act, only H.R. 1522 represents a viable path forward. H.R. 1522 respects the will of the majority of U.S. citizen voters in Puerto Rico about their future political status by providing a constitutionally valid and implementable path to admission as a state of the Union. H.R. 1522 establishes the terms of admission as a state to the Union for Puerto Rico, and if island voters re-confirm their choice to become a state in a simple "Yes" or "No" vote, it implements that option after a brief but reasonable transition period. This process has clear precedent, having been done most recently with Hawaii and Alaska on their path from territory to statehood. H.R. 1522 respects Puerto Rico's voters, offering them a real and implementable solution to the problem of territorial status and sets a clear timeline for making it happen. It offers a real choice, and a real solution in a reasonable timeframe.



On the other hand, H.R. 2070 ignores the local votes that have already happened and fails to deliver a clear path to solve Puerto Rico's territory status. The bill calls for a non-binding status convention composed of newly elected local delegates, supervised by a federal negotiating commission, to present a potential multitude of status options to voters with no certainty or guarantee that the proposed status option

¹ Puerto Rico State Elections Commission, *Plebiscite Results*,
https://elecciones2020.ceepur.org/Escrutinio_General_93/index.html#es/default/PLEBISCITO_Resumen.xml (last visited Nov. 29, 2021).





eventually selected by voters will ever be accepted by Congress. The unprecedented process proposed by H.R. 2070 fails to set up a clear timeline, opening the door to endless debate and delays. H.R. 2070 has no precedent in American history because it is not only unreasonable, it is simply unconstitutional. No Congress can mandate the automatic adoption of an unknown status resolution by a future Congress, which this bill purports to do. Simply put, H.R. 2070 disrespects the will of the majority of voters, it unnecessarily delays resolution to Puerto Rico's political status, and fails to offer a clear, constitutionally valid and implementable choice to the U.S. citizens that reside there.

Sufficient Feedback from Legislative Hearings and Department of Justice Analysis

As you know, the House Committee on Natural Resources (Committee) held two separate legislative hearings regarding Puerto Rico's status on April 14, 2021, and June 16, 2021. During the first hearing the Committee heard testimony from current and former Puerto Rico Government officials representing every political party on the island. In the second legislative hearing the Committee heard additional testimony from legal and economic scholars, as well as a former Member of Congress, regarding both legislative proposals. In both legislative hearings, the issue of Puerto Rico's future status and the constitutionality of both legislative proposals were thoroughly discussed and debated. The Congressional Record now reflects the unequivocal interest and support for H.R.1522 expressed by a wide variety of civil society organizations, 47 constitutional scholars from numerous accredited and reputable academic institutions throughout the U.S. and Puerto Rico and multiple other political organizations.

Following the first hearing, the Committee sought an advisory analysis from the U.S. Department of Justice (DOJ) on both legislative proposals. The DOJ found that H.R. 1522 was the only constitutionally viable proposal before the Committee that would provide the voters of Puerto Rico a clear path for determining their future status recommending only minor clarifications which can easily be addressed during a markup.²

Alternatively, the DOJ found that H.R. 2070 lacked the constitutional foundation to be enacted into law as written.³ The DOJ concluded that there are only three political status options available to Puerto Rico under the U.S. Constitution: continued current territorial status, statehood, or independence (with or without "free association").⁴ We wholeheartedly disagree with the DOJ that the current territory status should be presented to voters in any future plebiscite because it is the problem, and therefore simply cannot be offered as the solution. On the issue of "free association" with the U.S., the DOJ determined that "free association" is not a separate status option, but merely a form of independence with a mutually agreed and ultimately revocable compact to maintain close ties with the U.S.⁵ This fact must be stated clearly in any possible compromise bill to ensure the informed consent of voters. By narrowing the scope of constitutionally viable status options the DOJ's analysis effectively eliminated the need to hold a status convention to come up with new status options as H.R. 2070 proposes.

² U.S. Department of Justice: Analysis of H.R. 1522, the Puerto Rico Statehood Admission Act, House Committee on Natural Resources (June 14, 2021), <https://naturalresources.house.gov/imo/media/doc/DOJ%20Analysis%20of%20HR%201522.pdf>.

³ U.S. Department of Justice: Analysis of H.R. 2070, the Puerto Rico Self-Determination Act of 2021, House Committee on Natural Resources (June 14, 2021), <https://naturalresources.house.gov/imo/media/doc/DOJ%20Analysis%20of%20HR%202070.pdf>.

⁴ *Id.* at 2-3.

⁵ *Id.* at 3-4.



FRENTE ESTADISTA



The legislative hearings and the DOJ's analysis have provided the Committee with more than enough testimony and guidance to take action. Delaying this issue any further hurts the U.S. citizens of Puerto Rico, and is a grave offense to America's founding values as enshrined in the U.S. Constitution and Declaration of Independence. The Committee is charged with moving the legislative process forward.

Courses of Action: Markup H.R. 1522 or Quickly Introduce and Markup a Consensus Bill

What makes sense at this point is for the Committee to either immediately hold a markup vote on H.R. 1522, or to quickly submit and markup a consensus bill that offers Puerto Rico voters a direct and implementable choice on statehood and the other constitutionally viable non-territory option which is independence or independence with a pact of free association. On November 19th, it was reported that House Majority Leader Steny Hoyer is leading negotiations for a possible consensus bill and is proposing to bring it to a Committee markup by early 2022.⁶

While we fully support advancing H.R. 1522 to a markup as the only current bill that is constitutionally viable, effective, and respectful of Puerto Rico's majority vote for statehood, we also support efforts to find a viable path for approving consensus legislation to definitively end Puerto Rico's current colonial territory status. However, we believe that any consensus proposal must only include the constitutionally viable non-territorial status options mentioned above, and that voters in Puerto Rico must be given the opportunity to choose directly between those options at the ballot box. We believe each option must be defined on the ballot and that the bill must include a method for implementation of each option that is self-executing. We also believe that any consensus proposal must have a clear timeline for a final plebiscite and a timeframe for transition in a reasonable period to whichever option is selected by a majority of voters. If the Committee proceeds with a consensus bill approach it must act swiftly to introduce the measure and mark it up in January or February so that it can have a real chance to become law in the current session of Congress.

Citizen Movement Demands Action

During the last year alone, our organizations have mobilized thousands of fellow Americans to send the message to Congress to act on this issue, and in support of statehood for Puerto Rico. Thousands of U.S. citizens in Puerto Rico and stateside have signed letters, and thousands more have signed petitions. We have held countless advocacy meetings with Member Offices and coordinated demonstrations and events in front of Congress, the White House, the Supreme Court, in Puerto Rico and in numerous states.⁷ Our organizations represent people from across the country and across the political spectrum. We represent youth, elderly, women, veterans, and many non-Puerto Rican allies. We are united by a single idea, that the U.S. citizens of Puerto Rico deserve full equality and democracy through statehood. We will continue to build this citizen movement, because we believe in America's highest ideals and potential, and we know that when Congress finally gives the U.S. citizens of Puerto Rico the opportunity to achieve equal rights and responsibilities through statehood, that will not only empower Puerto Rico to reach its full potential, but also make America a more perfect Union.

⁶ José A. Delgado, *Majority leader talks about possible consensus project on the status of the island with Nydia Velázquez and Darren Soto*, El Nuevo Día, Nov. 19, 2021, <https://www.elnuevodia.com/corresponsalias/washington-dc/notas/lider-de-la-mayoria-conversa-sobre-posible-proyecto-de-consenso-sobre-el-status-de-la-isla-con-nydia-velazquez-y-darren-soto/>.

⁷ Puerto Rico Statehood Action Network. <https://www.puertoricostatehoodaction.net/> (last visited Nov. 29, 2021).



Your fellow U.S. citizens in Puerto Rico are ready to finally resolve the century-old issue of Puerto Rico's colonial territory status, and in order to give them that opportunity your Committee must take the next step. Be bold, do what is right. Take action now!

Sincerely,



George H. Laws García
Executive Director
Puerto Rico Statehood Council

Irma R. Rodríguez
President
Puerto Rico Escogió Estadidad



Dr. Zayira Jordan
Founder
Frente Estadista

Nathaniel Morel
Secretary
National Puerto Rican Equality Coalition

Hon. José Aponte-Hernandez
Executive Director
Instituto Misión Estadista

Annabel Guillén
President
Igualdad, Futuro Seguro



Hon. Charles A. Rodriguez
President
Democratic Party of Puerto Rico

Angel Cintrón
Chairman
Republican Party of Puerto Rico

Matthew Helder
Director
Puerto Rico Star Project

Kathianie Banchs
President
Young Professionals for Puerto Rico Statehood



Hon. Kenneth McClintock-Hernández
President
Puerto Rico Senior Democrats

Col. Arnaldo Claudio, US Army, Ret.
Senior Advisor
Veteranos con Puerto Rico

Harry Márquez Rodríguez
President
Organización de Pensionados Estadistas

Hon. César Méndez-Otero
President
Coalicion Pro Derechos E Igualdad



Elisa Muñoz
President
Young Democrats of Puerto Rico

Josué Rivera
Chairman
Puerto Rico Young Republican Federation

Gabriela M. Medina Marrero
Director
Demócratas Activados

Alfonso Pérez-Borroto
Founder
Puerto Rico Statehood Supporters DMV



José N. Vázquez
President
Hillsborough County Caribbean Democratic Caucus

Lt. Col. Dennis Freytes, U.S. Army, Ret.
Chief Coordinator
Patriots for U.S. Veterans - PR Equal Rights

Ricardo Marrero Passapera
Presidente
Ahora Sí Puerto Rico

Brig. Gen. Victor Pérez, U.S. Army, Ret.
President
Organización de Veteranos Progresistas



Victor Dimaio
President
Hillsborough County Democratic Hispanic Caucus

Samuel Rodríguez
CEO
Borinqueneers Congressional Gold Medal Ceremony National Committee



Jesús Pérez
Executive Director
52 States of America

Hon. Milagros López
Founder & President
Votar es Poder

Javier de la Luz
Founder
Boricuas con Kamala

Albert "Al" Fox Jr.
President
Alliance for Responsible Cuba Policy Foundation

Edwin Pagán
Founder & President
Generación 51

Francisco R. González Colón
Founder
Estadistas Unidos & New Progressive Party

Hon. José Garriga-Picó
Secretary
Puerto Rico Statehood Project

Doralice Matta
Founder & President
Las Avispas Azules

Luis D. Matos
President
Renacer Ideológico Estadista

Iván G. González
Editor & Chief
Inside The Colony

Margarita Vives
President
Coalicion Pro Derechos E Igualdad PR51 Guaynabo City Chapter

José A. Correa Alvarado
Spokesperson
We The People

Frankie Martínez-Blanco
Former Associate Member
President's Task Force on Puerto Rico's Status

Raul Eduardo Rosas
Executive Director
LIFT A VET

Wilfredo Rivera
President
IMPULSO 51

Kevin Romero
President
Institute for Statehood & Public Policy

Jaime Fortuño
Chairman
Civil Rights Coalition for Puerto Rico's Statehood

Ken Oliver
Director
U.S. Council for Puerto Rico Statehood

Gerardo Ramirez
Director
Movimiento Estadista Puertorriqueño

Emilio Ruiz
Lead Organizer
Puerto Rico Statehood Supporters of Florida & USA

Elvin Méndez
President
Movimiento Revolución Estadista

Hugo Guzman
President
True Freedom 51

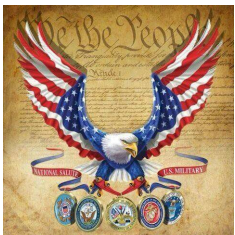
Janet Riefkohl
Founder
Movimiento Ciudadano Estadista

Jorge I. Rodríguez Feliciano
President
Puertorriqueños Pro Unión Permanente

Hon. Luis Berrios-Amadeo
Former Shadow U.S. Representative (I-PR)
Puerto Rico Statehood Commission

Hon. Iván D. Hernández
Chairman
Consejo de Ex Alcaldes de Puerto Rico

Jorge Pedrosa
President
Vietnam Veterans of America, Puerto Rico State Council



Presidente Jorge Iván Rodríguez Email: federalista51@gmail.com