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MARKUP OF H.R. 6353, "NATIONAL SERVICE ANIMALS MEMORIAL ACT"; H.R. 6438, "DEARFIELD STUDY ACT"; H.R. 6799, "JOHN P. PARKER HOUSE STUDY ACT"; H.R. 7618, TO DESIGNATE THE KOL ISRAEL FOUNDATION HOLOCAUST MEMORIAL IN BEDFORD HEIGHTS, OHIO, AS A NATIONAL MEMORIAL; AND H.R. 8393, "PUERTO RICO STATUS ACT"

MARKUP

BEFORE THE

COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTEENTH CONGRESS

SECOND SESSION

Wednesday, July 20, 2022

Serial No. 117–24

Printed for the use of the Committee on Natural Resources

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MARKUP OF H.R. 6353, TO AUTHORIZE THE NATIONAL SERVICE ANIMALS MONUMENT CORPORATION TO ESTABLISH A COMMEMORATIVE WORK IN THE DISTRICT OF COLUMBIA AND ITS ENVIRONS, AND FOR OTHER PURPOSES, "NATIONAL SERVICE ANIMALS MEMORIAL ACT"; H.R. 6438, TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO CONDUCT A SPECIAL RESOURCE STUDY OF THE SITE KNOWN AS "DEARFIELD" IN THE STATE OF COLORADO, "DEARFIELD STUDY ACT"; H.R. 6799, TO DIRECT THE SECRETARY OF THE INTERIOR TO CONDUCT A SPECIAL RESOURCE STUDY TO DETERMINE THE SUITABILITY AND FEASIBILITY OF ESTABLISHING THE JOHN P. PARKER HOUSE IN RIPLEY, OHIO, AS A UNIT OF THE NATIONAL PARK SYSTEM, "JOHN P. PARKER HOUSE STUDY ACT"; H.R. 7618, TO DESIGNATE THE KOL ISRAEL FOUNDATION HOLOCAUST MEMORIAL IN BEDFORD HEIGHTS, OHIO, AS A NATIONAL MEMORIAL; AND H.R. 8393, TO ENABLE THE PEOPLE OF PUERTO RICO TO CHOOSE A PERMANENT, NONTERRITORIAL, FULLY SELF-GOVERNING POLITICAL STATUS FOR PUERTO RICO AND TO PROVIDE FOR A TRANSITION TO AND THE IMPLEMENTATION OF THAT PERMANENT, NONTERRITORIAL, FULLY SELF-GOVERNING POLITICAL STATUS, AND FOR OTHER PURPOSES, "PUERTO RICO STATUS ACT"

Wednesday, July 20, 2022
U.S. House of Representatives
Committee on Natural Resources
Washington, DC

The Committee met, pursuant to notice, at 10:04 a.m., in room 1324, Longworth House Office Building, Hon. Raúl M. Grijalva [Chairman of the Committee] presiding.

Present: Representatives Grijalva, Napolitano, Costa, Sablan, Huffman, Lowenthal, Gallego, Neguse, Levin, Porter, Leger Fernández, Stansbury, Velázquez, DeGette, Brownley, Dingell, McEachin, Soto, San Nicolas, García, Case, McCollum, Cohen, Tonko, Tlaib, Trahan; Westerman, Gohmert, Lamborn, Wittman, McClintock, Graves, Hice, Webster, González-Colón, Fulcher, Stauber, Tiffany, Carl, Rosendale, Moore, Herrell, Boebert, Obernolte, Bentz and Conway.

Also present: Representative Hoyer.

The CHAIRMAN. The Committee shall come to order. We are meeting today to consider five pieces of legislation. All have been properly noticed and circulated electronically along with copies of timely filed amendments and will be available on the Committee repository at HNRCDocs@mail.house.gov. Late amendments are circulated electronically as well.

Pursuant to Committee Rules, members of the Committee may submit written opening statements for the record. I ask that the Members may revise and extend their remarks on the bills to be

considered at this markup and have those remarks included in the record. Without objection, so ordered.

Without objection, the Chair may also declare a recess subject to the call of the Chair. Pursuant to Committee Rule 3(i) and House Rule 11, Clause 2, I announce that I may postpone further proceedings today on the question of approving any measure or matter or adopting an amendment on which a recorded vote has been ordered.

Documents, amendments, or motions must be submitted by e-mail from a House e-mail address. Please note that Members are responsible for their own microphones, and Members can be muted only to avoid inadvertent background noise. I strongly recommend that the Members joining remotely use the grid view and lock the timer to a location so it remains visible. Any Member experiencing technical problems should inform the Committee staff immediately.

Before we begin, I would like to recognize the Ranking Member, Mr. Westerman, for his opening statement. Sir, you are recognized.

STATEMENT OF THE HON. BRUCE WESTERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS

Mr. WESTERMAN. Thank you, Mr. Chair. Republicans have always, or for months, called on this Committee to act quickly and decisively to address the pressing issues facing Americans, issues like sky-high energy prices, a supply chain crisis, and rampant inflation.

We could be taking up legislation to address these issues and make life better for the people of Puerto Rico and for all Americans. Unfortunately, here we are again taking up legislation that fails to recognize the immediacy of the crises facing us and the people we represent. I saw a poll this week—it was an unbelievable poll—that said that 95 percent of Americans are concerned about rising energy and rising food prices.

And there is no doubt that, for the residents of Puerto Rico, their long-term political status is important. I want to acknowledge the Resident Commissioner, Miss González-Colón, for being a fierce advocate for the people of Puerto Rico and for always working hard to keep Puerto Rico front of mind for every Member of Congress. As I have always said, I stand ready to work with her to address Puerto Rico's political status in a manner that places the island on stable footing, ensures its financial stability, repairs aging infrastructure, provides affordable and reliable energy to its people, and sets the island on a solid and prosperous path. Unfortunately, the Democrat Majority has hijacked this important issue to advance their own political agendas.

If the Committee's Majority was serious about addressing such a complex issue as the political future of Puerto Rico, an island with a population of more than 3 million Americans, they would not have sprung this bill on us with less than a week's notice. Let me say that again—less than a week's notice to consider a bill of this magnitude.

The bill implicates such complex issues as U.S. citizenship and immigration. It not only talks about immigration policy, but it involves taxation, trade and foreign policy, healthcare and

entitlement programs, just to name a few. These topics span a wide range of congressional committees, and it is foolish for us to assume we can handle everything here without even approaching other issue area experts to help us navigate such perilous waters.

The Majority's decision to sell this bill forward without so much as a hearing deprives all the members of this Committee and the residents of Puerto Rico the opportunity to examine the real-world impacts of the legislation and make an informed decision about whether this bill truly meets the needs of the people of Puerto Rico. We have had less than a week to look at this language. But I can tell you, after looking at it, my colleagues and I welcome the opportunity to debate and offer amendments to address the many shortcomings of the legislation and expose how it fails the people of Puerto Rico and of the United States as a whole.

In short, this legislation suffers from bad process and bad policy. While the Democrat Majority will tell you this bill is a lifeboat for the future of Puerto Rico, its many flaws threaten to leave this legislation shipwrecked. With that, I yield back.

The CHAIRMAN. The gentleman yields.

At this point, I will call up for consideration H.R. 8393, offered by myself. Without objection, this bill will be considered as read and open for amendment at any point.

I now recognize myself to speak to the legislation.

STATEMENT OF THE HON. RAÚL M. GRIJALVA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

The CHAIRMAN. Today, members of the Natural Resources Committee have an opportunity to advance legislation, H.R. 8393, the Puerto Rico Status Act, to resolve Puerto Rico's territory status and foster political, social, and economic justice for more than 3 million U.S. citizens on the island.

The Status Act represents an offer from Congress to the people of Puerto Rico to make an informed choice on their political future by participating in a federally sponsored plebiscite. This bill details the transition to an implementation of Puerto Rico's non-territory status. Options such as statehood, independence, and sovereignty in free association with the United States will be there for voters in Puerto Rico to choose.

For the first time, the House would be recognizing that Puerto Rico's territory status limits the island's development and that the status quo cannot continue. And, importantly, unlike past plebiscites, the Puerto Rico Status Act would honor the will of the majority of the voters of Puerto Rico and would implement the choice that they make. This legislation is a product of an extensive and deliberate negotiation process between the main sponsors of H.R. 1522, the Puerto Rico Statehood Admissions Act, led by Representatives Soto and González-Colón and many others, and H.R. 2070, the Puerto Rico Self-Determination Act, led by Representatives Velázquez and Ocasio-Cortez and many others. Last year, the Natural Resources Committee held two legislative hearings for Puerto Rican elected government officials, legal and human rights experts, and residents offered testimony and feedback to the Committee on the details of those bills and the critical limitations of Puerto Rico's territory status.

Members and staff also met individually with numerous advocacy groups and other stakeholders to discuss their proposals and suggestions. The Puerto Rico Status Act combines important elements of H.R. 1522 and H.R. 2070 in a compromise that also incorporates input from the voices across Puerto Rico and the status debate we believe that this discussion of those two pieces of legislation as the basis for negotiations and for the legislation that we see before us. We believe that that is supported by a majority of the Members in Congress.

After several months of sensitive and delicate negotiations among the main sponsors, the Committee released a discussion draft text to the Puerto Rico Status Act. We did that earlier this year. Members then traveled to Puerto Rico to gather input on the draft legislation directly from the residents. During this visit, Members and staff met with leaders of Puerto Rico's several political parties and hosted a public forum that was attended by more than 400 members of the general public, of which over a hundred shared comments and suggestions on the text with the delegation.

In addition to these in-person opportunities for public input, the Committee published the draft text on PopVox, an online submission tool that the public used to submit more than 100 comments, all of which were reviewed and considered while developing the bill's final language.

The Puerto Rico Status Act is a product of a participatory and informed process—it incorporates expertise and knowledge from a wide range of stakeholders who have grappled with the dilemma of Puerto Rico's second-class political status for decades. I am extremely grateful to all the political and community leaders, residents, and staff who contributed to the bill.

I also want to thank House Majority Leader Steny Hoyer, the Governor of Puerto Rico, and Representatives Velázquez, Soto, González-Colón, and Ocasio-Cortez for their leadership and commitment to work through this process. Finding a resolution to Puerto Rico's political status has been one of the top priorities as Chairman of this Committee. It was crucial to me that any proposal from Congress would have to include decolonization of Puerto Rico and that the proposal to decolonize be an informed process and informed participation by the people in Puerto Rico.

Congress and the citizens of Puerto Rico have, for decades, had numerous attempts to deal with the resolution of the current political status, most, if not all, ending in failure, non-results, and extended delays. And the status quo remains. I say that because we have an opportunity here to deal with the colonial legacy, a legacy that that vestige should not be part of the governance of this nation of ours and that the U.S. citizens of Puerto Rico deserve to have the same democratic principles that we believe in and swear to, be allowed to have their voice, their will, their vote—have the principal influence on what their future is.

I have a preference. Others have preferences in terms of the two pieces of legislation. But in my visits to Puerto Rico with Members, I came very quickly to, I hope, understand that my preference does not reflect the will and the ability that Puerto Rico should have to self-determine what that future is going to be for them and the generations that come.

And maybe my preference would not prevail in a plebiscite. What would prevail is in a democratic, free election that is above board, clean, that the people of Puerto Rico make a decision and that that decision be binding. I think that is important enough to say, that if my preference loses, that doesn't mean Puerto Rico lost. It means that they made a decision.

And I might not agree with it, but they will begin the process of breaking the colonial relationship that this country has with Puerto Rico. And I think that is an important step. It is historic, and that is why I support it and thank my colleagues on the Committee for their work on it.

This legislation is not perfect. It doesn't declare a winner. But the only loser is the current status, a status that we should all be unanimous in ending. And if there was any commonality on all the positions about the future status of Puerto Rico, one common unifying ground has been that the current status has to end.

So, I urge my colleagues to join us in supporting this legislation and ending a vestige of colonialism that I think this country shouldn't be proud of. And with that, I yield back. Does anyone seek to be recognized on the legislation?

Mr. WESTERMAN. Mr. Chairman?

The CHAIRMAN. Mr. Westerman.

Mr. WESTERMAN. Thank you, Mr. Chairman, and as you talk about winning and losing scenarios, I believe this legislation in its current form creates a losing scenario for Puerto Rico and the rest of the United States. And introduced less than a week ago, H.R. 8393, the Puerto Rico Status Act, would authorize a federally sponsored plebiscite to occur on November 5, 2023, for the voters of Puerto Rico to choose from three status options, independence, sovereignty in free association, or statehood.

Titles I through III of the bill establish the process by which status transition would occur. If no one option receives a majority vote, this bill would authorize a runoff on March 3, 2024. As I shared in my opening statement, I cannot support this measure because of a wide amount and wide-ranging process concerns and policy implications that need a robust and thorough investigation.

These issues also involve the jurisdiction of several other House committees. The implications of this bill have not been fully studied. The committee of jurisdiction with the expertise to craft legislation impacting complex issues of U.S. citizenship, taxation and entitlement programs, foreign policy, and many more have not yet had the opportunity to provide input on the many matters contemplated within the legislation.

A question of Puerto Rico's political status is a life-altering decision for the people of Puerto Rico. Just as we would expect the people of Puerto Rico to deliberate its questions, understand its consequences, and accept responsibility for the choice, so should this Committee. The issues raised by this legislation are far too important for this Committee to act without proper deliberation.

This bill contradicts itself, offering Puerto Rico the promise of independence while prescribing actions that should be taken by the sovereign nation. It promises trappings of U.S. citizenship without the responsibilities of being a part of the United States. It is unfortunate that we are holding a markup of this legislation less than

1 week after it was introduced instead of holding open, transparent hearings so that our Members and the people of Puerto Rico, more than 3 million U.S. citizens, can fully assess what this bill proposes and what it means for them and for future generations.

If this Majority were interested in placing Puerto Rico on a stable footing into the future, we would be here advancing legislation to address the reliability of the island's energy grid, ensure its fiscal solvency, repair its infrastructure, or tackle any of the other tangible needs of the people of Puerto Rico.

We should be treating these U.S. citizens with respect and letting a full and robust process take place to address the status question and its many implications for the people of Puerto Rico and for all Americans. Since we are not having a hearing, I look forward to discussing the shortcomings of the legislation during the amendment debate. I yield back.

The CHAIRMAN. Just for the record, the Committee on Natural Resources has sole jurisdiction on this question. And we checked with the other committee chairs that have been referenced, and they concur with that. So, I just want to make sure for the record that this is not a bifurcated decision. The other chairs concurred, and this is where the decision is. So, it might be uncomfortable, but that is where it is.

Miss GONZÁLEZ-COLÓN. Mr. Chairman?

The CHAIRMAN. Let me recognize Ms. Velázquez. You asked to be recognized or——

Ms. VELÁZQUEZ. I would like to make an opening statement at the appropriate time.

The CHAIRMAN. OK. Anyone wish to be recognized?

Miss GONZÁLEZ-COLÓN. Mr. Chairman?

The CHAIRMAN. Miss González-Colón. Thank you. Well, it is not opening statements. We are speaking to the legislation. Just opening statement, fine.

Ms. VELÁZQUEZ. Thank you.

The CHAIRMAN. And then I will recognize Miss Colón.

STATEMENT OF THE HON. NYDIA M. VELÁZQUEZ, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Ms. VELÁZQUEZ. Mr. Chairman, thank you to you and the Ranking Member for holding this markup today. Puerto Rico is a colony of the United States. Over 100 years ago, the United States invaded Puerto Rico and ever since, the issue of Puerto Rico's political status has loomed large.

We are here today because we have a moral obligation to decolonize Puerto Rico. This is a human rights issue because the current status is unsustainable and unfair. After 9 months of negotiations, today we are marking up a historical piece of legislation. Never in my 30 years in Congress have we been able to come to the table to find consensus on Puerto Rico's status.

The negotiations have been extremely difficult, around the clock, and emotional. However, what kept me focused during this process was the desire to bridge our differences so once and for all, Puerto Ricans would have a clear and transparent process on their status question. For too long, plebiscites in Puerto Rico have been tipped

toward only one option. Instead, H.R. 8393, the Puerto Rico Status Act, for the first time clearly defines Puerto Rico's non-territorial status options: statehood, independence, and free association.

Under this bill, Puerto Ricans will be able to vote on these options in a binding plebiscite. More importantly, this is the first time Congress recognizes free association as a choice. We also included important provisions on the right to U.S. citizenship for both the independence and free association options.

I fought hard on this because Congress has the moral obligation to give Puerto Rico the tools to stand on its own feet should their people choose to do so. Our legislation also provides for an objective and nonpartisan broader education campaign leading up to the vote. The voters in Puerto Rico have the right to know, understand, and vote upon the terms and conditions for each of the status options.

I want to underscore that these bills incorporate substantial feedback from our recent congressional visit to Puerto Rico. From the very beginning, I was very clear with all the parties at the table that we needed to listen to Puerto Ricans and pay close attention to their feedback. There cannot be a true decolonization process without the voices of Puerto Ricans being front and center.

After all, it will be up to them to choose their decolonization option that they deem best. I trust that after this bill follows its legislative course, it will be Puerto Ricans who will be empowered to make their own decisions. Congress must recognize that this bill is one of many steps of righting the wrongs of the pain and suffering we have inflicted upon the island for more than 120 years.

How could we go and preach democracy? How could we provide resources for other countries that have been invaded, and we cannot do the very least of resolving once and for all the political limbo that Puerto Ricans have been living in for 122 years. My uncle, who went to Korea to fight for the freedoms of this country, deserves that. I would like to thank Chairman Grijalva for his commitment and work on this bill.

My sincere appreciation goes to the Members on and off our Committee who have been instrumental in this process. But my special thanks goes to Commissioner González-Colón for coming to the table and holding one-on-one meetings that were extremely difficult but fruitful. It took two Puerto Rican women to come to the table. I am proud we have found a path forward, and I ask the Committee members to vote yes on this bill. Mr. Chairman, thank you. I yield back.

The CHAIRMAN. The gentlelady yields.

Miss GONZÁLEZ-COLÓN. Mr. Chairman?

The CHAIRMAN. Representative González-Colón.

STATEMENT OF THE HON. JENNIFFER GONZÁLEZ-COLÓN, A RESIDENT COMMISSIONER IN CONGRESS FROM THE TERRITORY OF PUERTO RICO

Miss GONZÁLEZ-COLÓN. Thank you, Mr. Chairman, for having this hearing today. This markup represents a step forward in Congress to assume the responsibility toward Puerto Rico. Over years, this Committee has conducted countless hearings on the issue of Puerto Rico's status with the United States as well as on

the island's unequal treatment under Federal laws and programs resulting from this relationship. The territorial commonwealth status is the main reason why Puerto Rico still faces social, fiscal, and economic challenges. This bill reflects the compromise that Ms. Velázquez and I have reached to find common ground and set forward a self-determination process that will lead to the resolution of the Puerto Rico status question once and for all. And I want to say thank you, Nydia.

It was not easy. It was extremely difficult, but at the end, the way we managed to solve the issue of Puerto Rican desire finalizing our status relationship in a colonial way. And with this compromise, I need to assure that neither of us got everything we wanted. Neither of us. And I know in my case I would very much rather be voting H.R. 1522 asking for statehood. But this compromise bill, that Ms. Velázquez and I and the rest of the Members who worked on it, is a compromise that will eventually achieve resolving Puerto Rico's status.

And that is the main reason of this bill. Therefore, although I may, in principle, understand the reasoning behind some of the concerns and arguments that may be raised today, I will uphold my commitment to the agreement we have crafted over the course of several months and hard negotiations and vote against any amendment that may be proposed. I would like to thank my friend, Representative Soto, for always standing for us in Puerto Rico's decolonization process.

Thank you, the Majority Leader, as well, for leading this way and managing these two ladies in this negotiation process. But I will also need to say that I miss, more than ever, my good friend, the late Representative, Don Young, who lived through and understood the inequities under the territorial status and the opportunities that statehood brought to Alaska. And that is why he became the biggest champion for Puerto Rico's statehood and for the need to resolve the political status on the island.

Even in 1998, as Chairman of this Committee, he held multiple hearings on the island, sponsored and successfully secured passage in the House of legislation to achieve just that. And we are now walking in his steps. Through this bill and for the first time ever, Congress will be authorizing a Federal sanctioned binding plebiscite among the truly constitutionally viable non-territorial status options: statehood, independence, and free association.

This bill empowers the people of Puerto Rico to vote in a democratic, transparent process on their future. It would allow them to know exactly the consequences of the choices that are before them through a non-partisan, well-defined voter education campaign and what Congress is willing to offer. This bill established a mechanism to implement the choice that reflect the will of the people of Puerto Rico.

We have been debating our political relationship with the United States for more than 124 years, and this bill gives us a final resolution. Remaining in a subordinate and inferior condition for political or financial convenience is not a valid option. By votes over the past decade, the status quo has been repeatedly rejected.

Congress must commit to real action and to end the territorial condition of Puerto Rico. This is a matter of making good the prom-

ise that our founding fathers made in the preamble of our Constitution in forming a more perfect union and the equal rights the people of Puerto Rico deserve, whom, for the past 105 years, have been proud American citizens with thousands paying the ultimate sacrifice to ensure our liberties and freedoms, all while being denied equal participation in the Federal decision-making process.

Over the past decade, we have held three local plebiscites in which a clear majority of the voters have chosen statehood each time. I am confident that with this enactment of this legislation, voters will ratify their desire to join the Union. However, for those who believe Puerto Rico should become a sovereign nation, this bill will give them that option as well. And that is the difference between this bill and many others in the past. We had to make difficult choices and concessions to get here. But I am convinced that this legislation represents a serious and historic effort to decolonize Puerto Rico. It is not a perfect bill. I think no legislation that we pass in the House is. I am representing here the people of Puerto Rico who elected me to solve this issue and who want to end over 100 years of inequality and second-class citizenship.

Ironically, it will also be my only opportunity to vote on this matter because, as a territorial delegate, this will prevent me from voting on final passage on this bill or any other bill impacting Puerto Rico on the House Floor. For that reason, I truly believe this is the path forward. I want to thank everybody who was involved in these negotiations, and as Puerto Rico's sole representative in Congress, I respectfully ask for your support and your vote and to respect the will and the people of Puerto Rico. I yield back.

The CHAIRMAN. The gentlelady yields. Let me ask for unanimous consent for Leader Hoyer to address the Committee.

And if there is no objection, Leader.

Mr. HOYER. Thank you very much, Mr. Chairman, and thank you, members of the Committee, for allowing me this privilege of addressing you, which I know is unusual as a non-member of this Committee. And I thank Mr. Westerman for his agreement.

And I also thank you for some other things that hopefully you and I are going to be working on together. I went to Puerto Rico in 1976. I was president of the Maryland Senate at that point in time. There was a NCSL meeting, National Conference of State Legislators, which, of course, Puerto Rico was a member. And it first occurred to me at that point in time in 1976 that Puerto Rico was, for all intents and purposes, treated as a partner but in so many real ways, was not a partner and certainly not an equal partner.

In 1986, I had come to the Congress of the United States and first expressed my support for statehood. But also, as I think all of us would agree, that is not our decision. It is the decision of the people of Puerto Rico whether or not they want to be a citizen of the United States or part of the United States or they want to be an independent nation.

As a principle, America supports, strongly across the world, self-determination. We support, in almost every region of the world, the opportunity of peoples who are in a region or in a state to make a determination as to whether or not they want to be aligned with others or whether they want to be independent entities. That is a

principle of our government, and of our foreign policy, and of our human rights perspectives.

I want to congratulate Nydia Velázquez and Jenniffer Colón for their very, very tough work. I also want to congratulate Darren Soto. And I want to say, Mr. Chairman, the Governor of Puerto Rico, elected by all the people of Puerto Rico, is for this bill. I don't know whether he submitted a statement. I talked to him yesterday. He is very strongly for this bill.

This bill may not be a perfect bill because the interests are very varied, and the concerns are varied. And as Miss González-Colón and Ms. Velázquez have indicated, it was tough to get there. But we are here. And I would hope that we could give to the people of Puerto Rico the opportunity to express their view in a democratic way. That is what this bill does.

There are a lot of nuances. There is a lot of this, that, and the other. But at the heart of this bill is the ability to give to the citizens of Puerto Rico, who also are citizens of the United States, the right to determine their own future. That is what this is about. And I know there will be amendments about this, that, and the other. I will tell you that I appreciate the position that has been expressed by the Representative of Puerto Rico, that if we start amending this bill, we will do what has happened now for decades, a century, we will end up nowhere.

We will end up being a colonialist power. One of the things I say around the world is that no country in the world has had so much hegemony of power as the United States of America and used it so non-acquisitively. Almost every other great power throughout the centuries has acquired colonies, has accreted to themselves the natural resources of those colonies, the enterprise of those colonies, the economic positive aspects of those. America has not done that. In fact, what we have done is those countries that have been our opponents, we have built up over the years and made them part of the free world and our allies.

So, Mr. Chairman, I thank you. I thank the members of this Committee for proceeding on this. And I thank you in particular, Mr. Chairman, for your working with all of the players to try to get to a place where everybody has been treated fairly. And I would hope very sincerely that this Committee would take a historical step of moving this forward so that we can put it on the Floor of the House of Representatives, so the House of Representatives cannot make a decision itself but give to the people of Puerto Rico the option of making a democratic choice of their own status. That is what America is about. And that is what, frankly, we have done with so many territories in our own country who have become states. And that is what I think we ought to give to Puerto Rico. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Mr. Hoyer. Let me now recognize Mr. McClintock. You are recognized, sir.

Mr. MCCLINTOCK. Thank you, Mr. Chairman. I certainly respect Mr. Hoyer. But when he says that statehood is not a question for the American people to decide, he is fundamentally wrong. It is the most basic question that we can answer as a people. What shall comprise our country?

And this bill is wrong in so many ways. I don't believe it is in the interest of the people of Puerto Rico or in the interest of the whole country. Let's begin with the fact that this provides us with a rigged election. The options don't include the most obvious option. That is to remain as a commonwealth. If none of the three options that are listed on the ballot gets the majority, there is a runoff. And even if the option that was dropped was the clear second choice of voters, they don't get that option either.

And I think that it is most likely to see a narrow, transient majority since the last plebiscite in November 2020 scored just 52.5 percent in favor of statehood, 47.5 percent opposed with just a 53 percent turnout.

Secondly, this dismantles the Financial Oversight Board, and it transfers all of its assets to the Puerto Rican government regardless of the outcome of the vote. I opposed PROMESA, and I still do. But disbanding it and transferring the assets that the American taxpayers were promised would be administered by the board is a cynical, broken PROMESA. There is not even a CBO estimate of the cost to American taxpayers of admitting a chronically mismanaged and utterly bankrupt state government.

The economy of Puerto Rico is expected to underperform the national economy, which is itself a disaster these days. For American taxpayers, it would mean a new state that has the lowest per capita income in the country, the highest debt per capita in the country. Its labor participation rate is 40 percent. That is compared to 62 percent nationally.

Forty-three percent of the population lives below the poverty line. And its academic performance would be the worst in the nation. Under this bill, the independence option would include the requirement, if it passed, for the United States to continue financially supporting Puerto Rico for another 20 years with no say in how those funds are to be spent. Statehood would mean that in the next reapportionment other states will lose a total of four seats in the House to accommodate the Puerto Rican delegation. I think we should also consider the question of language. Although the official language of Puerto Rico is both Spanish and English, only about 20 percent of the population is fluent in our national language, meaning we would be admitting a state whose vast majority is isolated from the national political debate that is central to our democracy.

To those who believe that statehood would solve Puerto Rico's financial problems, consider the fact that it would mean residents would be paying all Federal income taxes from which they are currently exempt. The GAO estimates that that amounts to obviously a staggering tax increase. And the GAO estimates that it would cost Puerto Rico 70 percent of its remaining manufacturing base.

But worst of all, I believe this is a blanket abrogation of responsibility of Congress to make these decisions in the best interests of the United States. Whichever of the three options is chosen would be automatically enacted without any debate or decision by the Congress. This literally hands the constitutional authority reserved for the welfare of the entire nation to the hands of what would likely be a narrow and transitory majority in Puerto Rico.

The only debate in Congress would be the debate that we are having this week when the nation is oblivious to the legislation or any of its implications. Our constituents are going to awaken one morning with the realization of the fait accompli that was quickly considered in a single week with no opportunity for national debate on the implications of admitting a new and completely bankrupt state government. I yield back.

The CHAIRMAN. Mr. Soto, you are recognized.

STATEMENT OF THE HON. DARREN SOTO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. SOTO. Thank you, Mr. Chairman. Today is the day. After 120 years, our fellow Puerto Ricans back on the island who pledge allegiance to our flag, pay certain Federal taxes already, and have served in our military all that time, dying for our country, for our freedom, for a country where they can't even vote for the President of the United States, their commander in chief, from the famed Borinqueneers that we, in such a bipartisan manner, helped honor, up until today.

Even my trips abroad to places like Afghanistan and Iraq, when we were at war there, I saw the Puerto Rican flag and units from the island serving. It is a strange feeling to see Puerto Ricans in the middle of the desert and you think, what are they doing there? They're there to defend our freedom and serve our country as our families have done for 120 years.

So, we came together. Jenniffer González-Colón, Nydia Velázquez, Alexandra Ocasio-Cortez, Richie Torres, Governor Pierluisi, and I. Something that many people thought was impossible, but we had to. We must, and I want to thank Leader Hoyer for all the work you did to help get us together. We had two lengthy hearings on this issue. They went hours, and hours, and hours. They were in fact the most heard and litigated issues I have seen in this term, and in fact many of the Members who are complaining didn't even participate in those hearings.

I also want to talk about the bipartisan nature of this. This has been both on the Democratic and the Republican platform for many, many years, up until recently sadly on the Republican platform, and the island is represented by a Republican, your colleague. This is her biggest bill. This is the most important bill for her, and I, and for so many others.

I hope that you will consider that Republicans did participate in the negotiations. Jenniffer González-Colón was point on them, and I helped her, and the rest.

And what does this mean for the people of Puerto Rico, my family's native island? It means a binding election. A clear pathway to statehood, as well as other options, like independence, and independence with free association, and a majority wins. If none reach a majority, then it will go to a runoff. If it is statehood that the people of Puerto Rico choose, it will be a 1-year transition, full benefits and privileges of citizenship, two Senators, and four U.S. Representatives.

If the people of Puerto Rico choose independence, they will be a sovereign nation separate and independent from the United States. It will be a 2½-year transition period. There will be ending of citi-

zenship for new folks after that period of time, and of U.S. benefits, but all the money paid in—whether it is Social Security, Medicare, Medicaid, and others—will go to Puerto Rico for them to establish these programs.

Then there's independence with free association. A 2-year transition. Puerto Rico would be separate from the United States. However, they would be able to establish a contract with a relationship established by that contract between the United States and Puerto Rico, and those born on the island during that compact would continue to get citizenship.

And we've done these compacts before, Micronesia, Marshall Island, Palau. This is well established in Federal jurisprudence. Those have gone 15 to 16 years. It could go 25 years. It is up to the subject of the negotiations between the United States and Puerto Rico, the length of that, and that is something we did by design to make sure that the sovereign nation of Puerto Rico in this instance and the United States could debate this and come up to a solution on the compact.

So, let's come together. This is already a bipartisan bill. Let's pass this out of Committee, then out of the House with the Leader's help, and onto the Senate. The President is already committed to signing this bill into law, and finally we could come together to give true freedom and democracy to the folks of Puerto Rico who have fought alongside us for 120 years for our freedoms here in the United States. And Chairman, I thank you for your leadership to bring us together, and I yield back.

The CHAIRMAN. Any other colleague who wishes to be recognized?

Mrs. TRAHAN. Mr. Chairman?

The CHAIRMAN. Yes?

Mrs. TRAHAN. It is Ms. Trahan, from Massachusetts.

The CHAIRMAN. Oh, please. You are recognized. I didn't see.

Mrs. TRAHAN. Thank you, Mr. Chairman. I'd like to start by thanking you, Representatives Velázquez, Soto, González-Colón, and Ocasio-Cortez, as well as Leader Hoyer for your leadership on this issue. The Puerto Rico Status Act reflects years—truly years—of negotiations to resolve Puerto Rico's political status.

I strongly believe that Puerto Ricans, and only Puerto Ricans, should determine their own status and chart a future for themselves. That is why I support this legislation. It offers Puerto Ricans three options for how to move forward: statehood, independence, and free association. To achieve this, the bill provides an objective, non-partisan, federally funded voter education campaign to ensure that Puerto Ricans fully understand the three options on the ballot.

Additionally, the bill spells out in detail the transition process for each of the three potential choices Puerto Ricans may take. It is critically necessary that we move forward on this issue.

Now, no compromise is perfect, but the fact that we came together to reach this consensus demonstrates the imperative to move forward. In the end, this bill hands the keys back to the people of Puerto Rico, who have lived under colonial control for over half a millennium. If passed, this bill provides Puerto Ricans with the sovereignty and self-determination that is essential for all. So,

I urge my colleagues to support this historic bipartisan legislation, and I yield back. Thank you.

The CHAIRMAN. Thank you very much, and the gentlelady yields. Anyone else? Sir, you are recognized.

Mr. ROSENDALE. Thank you, Mr. Chair. I was going to contain my remarks until later on when we began the amendment process, but as I just heard the Majority Leader speak that we shouldn't even have that deliberative process, I was concerned that the Chair may cut it short before we've had ample time to have this discussion, and I am gravely concerned about these proceedings and if they are going to be done in a fair fashion.

I don't think it is productive to begin the first step toward independence and self-determination with the United States curing or forgiving debt for another nation and financing their elections. That just doesn't seem like the first step that we should be taking. They're calling for the elimination of the very deliberative process that we were sent here to conduct. I cannot believe it. And then they're going to scold those of us who think that this is not in the best interest of our country and want to have that.

I would also like to say that, how is it possible that we, as Congress, can defer the exclusive control of this choice to another country? Representative McClintock eloquently identified the debt and representation problems that we are going to be facing if this actually takes place.

They would immediately enter into the United States with more representation than the entire state of Montana, and I can assure you that the people of Montana would not support that decision. So, I'm ready, willing, and able to sit here and consider the amendments that are going to be brought forward, and I hope that the Chair will allow us to at least deliberate on these choices. Thank you. I yield back.

The CHAIRMAN. The gentleman yields, and I hope the gentleman tolerates some corrections into the record. None of the options forgive any debt. None. So, a robust debate should also be one that is factually based, so that is my only caution. Anyone else wish to be recognized?

Mr. ROSENDALE. Would the Chair yield for a question?

The CHAIRMAN. I'm just recognizing the next speaker, if there's anybody——

Mr. SAN NICOLAS. San Nicolas from Guam, Mr. Chairman.

The CHAIRMAN. You are recognized, sir.

Mr. SAN NICOLAS. Thank you, Mr. Chairman. I want to begin by making some things very clear for the record. The territories of this country are under the plenary power of the Congress. And with that, basically——

The CHAIRMAN. I thought you had an inquiry?

Mr. SAN NICOLAS. Can you hear me OK, Mr. Chairman?

The CHAIRMAN. Yes, you can speak. I couldn't hear well. Thank you.

Mr. SAN NICOLAS. OK, fine. Thank you, Mr. Chairman. The territories of this country are under the plenary power of the Congress. That is very, very clear in the Constitution.

So, when we are deliberating this measure, it is important for us to understand that if we are going to find any fault in the

advancement of this legislation that has anything to do with the financial status of the territory, or the readiness of the territory to take on the responsibilities of statehood, that ultimately falls into our very own laps, because as the plenary authority over the territories, it is the responsibility of this Congress to administer these territories in a manner and a fashion that should be setting them on the course for entry into this country, because this country was not founded under the premise of us having any kind of permanent administering power over colonies.

It wasn't the founding principles of this country, even before the Constitution itself was drafted, and after the Constitution itself was drafted, then Congress had plenary authority of territories, and any weaknesses of territories thereafter are faults of this Congress, ultimately, because this Congress has the ultimate authority of these territories.

When H.R. 1522, the Puerto Rico Statehood Admission Act was introduced in this Congress, Mr. Chairman, and when H.R. 2070, the Puerto Rico Self-Determination Act was introduced to this Congress, I co-sponsored both. I co-sponsored both of them, because either of them represent a path forward for the territory of Puerto Rico out of territorial status and into a future that was not something that was counterintuitive to the founding principles of this country. I am so honored to be a part of this hearing and to be a part of this process.

My own territorial status on Guam notwithstanding, because we are going to finally set a precedent on how territories can be given an opportunity in this country to really move forward after so many years of colonization, and for the individuals who sponsored and co-sponsored both measures, who have come to the table to compromise for this ultimate measure that we are going to be discussing here today, I wanted to tip my hat to them, because that is an example of representative democracy that truly takes into consideration not only the responsibilities of this Congress, but our responsibilities to our own history as a country.

So, let us not allow ourselves to be distracted from our ultimate duty to our fellow Americans, our fellow Americans in Puerto Rico, whose very homes continue to stand on colonial soil.

There is just absolutely no reason for colonies to exist in this country. It is the responsibility of all of us to make sure that we set all of our territories onto an ultimate path of colonial resolution. This legislation does so in a manner that is going to bring a compromise to various parties that for a very long time weren't able to finally come to the table and have this kind of a path forward that is going to involve everybody in a way that represents the universal suffrage that this country stands for, that is going to include all Americans in the territory of Puerto Rico, and is going to right a historical injustice, not only for the citizens of Puerto Rico, but for all of us who call ourselves Americans.

It is absolutely an injustice to all Americans. Americans in Montana, Americans in Maine, Americans in Texas, Americans in Guam, Americans in Puerto Rico. It is an injustice for us to not resolve the territorial status of these various districts within our Congress and within our great country, because this should not be the way the United States of America moves forward with these

inconsistencies, and how we are champions of freedom across the world, and hypocrites of freedom within our own responsibilities. Thank you, Mr. Chairman, and I yield back.

The CHAIRMAN. Thank you, Mr. San Nicolas, appreciate it. Anyone else? Any other Member who wishes to be recognized?

Mr. SABLAN. Sablan, please.

The CHAIRMAN. Mr. Sablan, please.

Mr. SABLAN. Yes, thank you, Mr. Chairman. Thank you very much for holding this hearing. I want to thank Congresswoman Velázquez, Ms. Colón, Mr. Soto, and Mr. Hoyer for the work that they have put into writing up this bill. I got here in 2008. My district, the Northern Mariana Islands, became a part of the United States in 1978, but it was a decision that was made by us.

We made the decision that we chose to be the permanent political relationship with the United States against other offers, other options. It took Congress 30 years to give the Northern Mariana Islands a delegate position, even, and for that entire time, we would come here and talk to Members and attend hearings because that was the only option we had.

I associate myself with the comments of Congressman San Nicolas. Not applying this bill today is an injustice. When I got here in 2009, I was already immersed in Puerto Rico. I mean, I had people talking to me about Puerto Rico's status, both elected officials, non-elected officials, and of course my friend, Pedro Pierluisi.

It was not until yesterday, Mr. Chairman, when I read the bill that I finally said, yes, I can support this, and I asked him if I could be a co-sponsor. I appreciate, again, very much the hard work and the compromise that went into drafting this bill.

It wasn't easy. There were times when Nydia would give me her look, and Chairman, this was a difficult path, and I appreciate all the hard work that went into this.

So, when I read the bill yesterday, I said, yes, I can support this bill, and I signed on it, and today, I will be voting for the passage of this bill, and thank you very much. I yield back.

The CHAIRMAN. Mr. Sablan, thank you, and as you know, we've been on this Committee a while, that your opinion is respected on both sides of the aisle, and thank you very much for those comments. Anyone else wish to be recognized?

If there's no further debate, without objection, the ANS offered by myself is considered as read and open to amendment at any point. And with that, I'll let Representative McClintock, you have an amendment designated No. 70, and you are recognized for 5 minutes.

Mr. MCCLINTOCK. Thank you, Mr. Chairman. This amendment simply allows Puerto Ricans the opportunity to vote to retain their current commonwealth status. That is an option that is not presented under this bill. The Resident Commissioner says that there's a mandate for statehood because 52 percent voted in favor of it in the most recent plebiscite, and that is true, but it ignores the other 48 percent who didn't, or the 43 percent who didn't vote at all because their preferred option wasn't even presented.

Why would we deprive them of the option of retaining the current commonwealth status? Those votes are simply being ignored

by this bill. Currently, the President of Puerto Rico's Senate and the Speaker of the House, both elected officials, are of the popular Democratic party, which supports commonwealth status.

I think the gentlelady from New York, Ms. Velázquez, said it best when she previously supported a similar amendment. She said, "a true system of democracy does not preclude certain options from a ballot, nor does it structure votes in a way to manipulate the electorate. The process that allowed for the creation of the Commonwealth of Puerto Rico was adopted by Congress. It is a legitimate form of government that is accepted by millions."

I therefore find it appalling that this Congress will consider precluding a commonwealth as an option for the people of Puerto Rico. I agree completely, and I ask for adoption of this amendment.

The CHAIRMAN. The gentleman yields. Anyone wish to be recognized on the amendment?

Miss GONZÁLEZ-COLÓN. Mr. Chairman?

The CHAIRMAN. Ms. González-Colón, you are recognized.

Miss GONZÁLEZ-COLÓN. Thank you. I strongly oppose this amendment that is attempting to include a choice to retain the status quo. And the problem cannot be part of the solution.

I have long said that the territorial status constrains Puerto Rico's ability to prosper, and it denies 3.2 million American citizens living on the island full voting representation in Congress, and the ability to vote, even for the President of the United States. In other words, as a territory, we have no say in the national and Federal decision-making process, which impacts us every day, even me, voting in this Committee.

I cannot vote on the Floor of the House, even when there is a bill that tries to impact the island. Moreover, as a territory, the Federal Government can, and often does, treat Puerto Rico unequally under Federal laws and programs that are crucial to combat poverty and promote economic development, and actually, that is the main reason for our economical situation on the island. The current status quo that was not even thought as a permanent solution for the island.

And while it is true that Congress can pass legislation today to address some of those disparities we face, it is similarly true that a future Congress can undo such efforts, and that is because we are a territory under Article IV of the Constitution that allows Congress to treat Puerto Rico the way they want, and Puerto Rico will always be at Congress' mercy.

And that is why any effort to permanently solve Puerto Rico's political status must be among non-territorial options. Simply put, the problem cannot be, in this case, the solution. The Puerto Rico Status Act's main purpose is actually ending the condition of territorial subordination through the offer of non-colonial, non-territorial options, constitutionally viable status options. And this is not me. This is the White House—the Republican White House, the Democratic White House, as well as the Department of Justice.

In repeated Supreme Court cases, it has been reiterated that the so-called commonwealth is nothing but a territory, lacking of any attribute of sovereignty or authority other than what Congress pleases to grant, or American citizens living on the island can be treated unequally and being discriminated against it. This has

been ruled on matters from trade agreements, to double jeopardy, to social programs, to taxation, to regulations, to due process, to the very creation of the Financial Oversight Board, and to the debt of the island.

Under the status quo, the ultimate decisions on major policy in Puerto Rico are made by bodies where we lack a body of representation in this Congress. This Congress has the power to dictate laws and regulations that govern us. Without us having a full voting delegation in each chamber on this body, and that includes altered and even reducing the scope of autonomy of the current status.

The Department of Justice and the White House task force on Puerto Rico has repeatedly rejected the notion that some are selling on the island for an enhanced commonwealth, for an enhanced status quo. Both the Federal executive and legislative branches have made it clear that such an option is unconstitutional.

The problem cannot be the solution. The territorial relationship needs to end, and the democratic choice must be real, permanent, non-colonial, constitutionally solid alternatives as provided in this bill.

Seeking to retain the status quo is pandering to those who are complicit and comfortable with things as they are, and who benefit or profit from it, telling the people of Puerto Rico to be happy with crumbs, with symbolic gestures, and the remembrance of time spent feeding a dependent mentality that we cannot aspire to do something better and just.

Continuing the status quo is exactly the wrong answer if we want to stand on our own two feet and finally resolve the unequal treatment of the American citizens that live on the island. Because of that reason, I oppose the amendment.

The CHAIRMAN. The gentlelady yields. Anyone else wish to be recognized on Mr. McClintock's Amendment No. 70?

Ms. VELÁZQUEZ. Mr. Chairman?

The CHAIRMAN. The gentlelady is recognized.

Ms. VELÁZQUEZ. I seek recognition on opposition to this amendment. This amendment will make mockery of this process, and you are right, Mr. McClintock. I don't know how long ago I supported the commonwealth, and I supported the status to be part of any option in any plebiscite.

You know what changed? The Supreme Court of the United States, in its five most recent cases pertaining to Puerto Rico: *Aurelius*, *Vaello Madero*, *Sanchez Valle*, has made it extremely clear that Congress has total control over the destiny of Puerto Rico precisely because of the current status.

So, what the U.S. Supreme Court decision demonstrated is that Puerto Rico has no power, that we, the Congress, have the power and authority over the people of Puerto Rico. The inclusion of the commonwealth as an option will only ensure that Puerto Rico stays with an undignified political status where the island is at the mercy of political changes in Washington and the Supreme Court. For this reason, I oppose this amendment, and I ask all my colleagues to vote against it. I yield back.

The CHAIRMAN. The gentlelady yields. Anyone else wish to be recognized? The gentleman is recognized, Mr. Soto.

Mr. SOTO. Thank you, Chairman. There is no such status as a commonwealth. It is not in the Constitution. Puerto Rico is a territory. That is the opinion of this conservative Supreme Court and the more progressive Biden Department of Justice. I think that is pretty much a consensus at this point, and we are ending the colonization of Puerto Rico with this bill. We are ending the territorial status. Please vote down this amendment, and let our people go.

The CHAIRMAN. The gentleman yields.

Mr. ROSENDALE. Mr. Chair?

The CHAIRMAN. Mr. Rosendale, you are recognized, sir.

Mr. ROSENDALE. Thank you, Mr. Chair. Mr. Chair, I rise in support of this amendment. In the past week, my office and others in this Committee have received correspondence from the Puerto Rican House of Representatives and Senate who both state that they are opposed to this bill. This bill is a classic example of DC thinking we know best, despite the objections of the territory we are discussing. Furthermore, this bill is vastly different from the other two Puerto Rico status bills that have received hearings.

At the very least, this bill should have had a hearing rather than introducing it days before deciding to report it to the House of Representatives for a vote. Moreover, this bill rejects, ignores, or omits a sizable portion of the population who simply want the status quo to persist. It is only one thing to vote on the merits of the bill, but it is quite another to decide on a bill that will determine the future for 3 million people without offering an option that many are supportive of. Mr. Chair, I would now yield the balance of my time to my good friend, Representative McClintock.

The CHAIRMAN. The gentleman yields.

Mr. MCCLINTOCK. I thank the gentleman for yielding. We just heard from the Resident Commissioner and the gentlelady from New York why they oppose commonwealth status. That is certainly a legitimate point of view, but they have not explained why they would deny to their fellow Puerto Ricans the choice to decide for themselves whether or not they wanted to continue commonwealth status.

That is why this system is so rigged. They are abrogating to themselves a decision that ought to be made by the people of the Commonwealth of Puerto Rico, but they are not allowed to choose that option under this legislation. Washington doesn't necessarily know best, and this is certainly not a democratic process with a little 'd'. I yield back to the gentleman from Montana.

The CHAIRMAN. The gentleman yields. Sir.

Mr. ROSENDALE. Mr. Chair, I think he stated it very well. Committee members, these residents of Puerto Rico should be able to take their self-determination, and if they truly want to acquire and establish their independence, then let's have that discussion about completely granting them that independence and not involving the parental oversight of the United States. And with that, I will yield back.

The CHAIRMAN. The gentleman yields. Anyone else wish to be recognized on Mr. McClintock's No. 70? OK, any further discussion

on the amendment? Hearing no further debate, the question is now on the McClintock Amendment No. 70. I will pause so those joining us remotely can unmute.

And all those in favor of Mr. McClintock's Amendment No. 70, indicate by saying aye.

All those opposed, indicate by saying no.

In the opinion of the Chair, the no's have it.

Mr. MCCLINTOCK. I'd ask for a recorded vote.

The CHAIRMAN. And the amendment is not agreed to. Mr. McClintock, having requested a recorded vote, it will be postponed pursuant to the prior announcement. We now move to Representative McClintock. You have an amendment designated No. 71, and sir, you are recognized for 5 minutes.

Mr. MCCLINTOCK. Thank you. Mr. Chairman, just like the commonwealth amendment, this amendment simply allows the people of Puerto Rico to have all options presented to them, including a none of the above option. While I remain hesitant to cite previous plebiscites, given their long history of corruption and voter turnout, because statehood supporters are citing the 2020 plebiscite as the impetus of the bill, I think it is fair to at least remind folks what happened in the 1998 plebiscite.

In 1998, the voters were given the options of statehood, commonwealth, independence, free association, and none of the above. Guess which option succeeded? None of the above. In fact, it received not just a plurality, but a majority of the vote on a plebiscite that had more than 70 percent turnout.

I have to imagine that some folks in Puerto Rico are utterly tired of going through this over and over again. In a democracy, you are not bound to vote for any referendum or candidate which you don't support.

In presidential elections, many Americans may not support the two main candidates presented to them. They can choose a third party or simply leave the ballot blank, but at least they can do so knowing the electoral college would protect them from being subject to the whims of a slim and transitory majority. No such protections exist under this bill. In fact, such protections are completely undermined in this bill. I think the voters deserve to be presented with all of the options, and not told from Washington which choices will be made available to them.

We talk about colonialism a lot, and with respect to Puerto Rico, what is the colonial mentality except the government telling them what choices they may have available to them. I believe that particularly considering the history of the none of the above option in the Puerto Rican plebiscites, this is absolutely essential to assure that the true will of the majority is heard. So, with that, I'd ask for adoption of the amendment.

The CHAIRMAN. Let me recognize myself in response to—in opposition to the amendment. I think none of the above is, I believe, the ultimate cop out. Including none of the above as an option on the ballot suggests that there is some other mystery option for permanently resolving Puerto Rico's status in a manner that is compatible to the Constitution, but there is this unknown out there that people need to vote for, and that is just false.

There is no mystery ballot, no mystery option here. We know that such a claim is false based on the conclusions of the international community, the Federal courts, the executive branch. There is really no other viable non-territory option than the three to be presented on the ballot as provided by the underlying bill.

The none of the above amendment is not about progress. It is about looking at a difficult issue and deciding to wave the flag and give up. Self-determination for the people of Puerto Rico should no longer be slowed down, stopped, delayed forever, simply because we underestimate the people of Puerto Rico, that the response is not there because it is too complicated.

I believe that with this legislation the people and the citizens in Puerto Rico will recognize that they now have real voter empowerment, and that it means a lot with this vote. I think participation will be very, very high, and I also believe that in a fair, clean, independent election process, that all sides will be there, and all sides will present their case as we do in any democratic society. I won't be able to vote. Mr. Soto won't be able to vote, because the people on that island, citizens, they're going to get to vote.

And I think there's an important difference. So, saying none of the above means that we don't respect the Puerto Rican people enough to know that they understand what's going on, and they do, and that they feel that they will be empowered to make a choice, but we are not going to do the choice of the present. We are doing the choice of the future. So, I oppose this amendment because it serves no purpose in the legislation. And with that, I yield back and ask any other Member be wished to be recognized on the amendment. Mr. Soto?

Mr. SOTO. Thank you, Mr. Chairman. This amendment is both vague and untethered to the Constitution and would have a similar effect as the last amendment to perpetuate colonialism.

But I want to talk a little bit about history real quick. Was this the type of treatment and options given to Florida, my home state? Or California? Oregon? Montana? Or Arkansas? No. They were welcomed into the Union, and it is sad that we are not seeing that same enthusiasm today so far, but I still remain hopeful, because the vote is yet to happen. I urge you to vote against this amendment.

The CHAIRMAN. The gentleman yields. The gentlelady is recognized.

Miss GONZÁLEZ-COLÓN. Thank you. I wish to oppose amendment. And the reason for this, we are talking here about commonwealth. I mean, you have the Virginia Commonwealth. You have the Kentucky Commonwealth. Those are two states.

In the case of Puerto Rico, commonwealth is just a name. We have a territorial status and that is under Article IV of the Federal Constitution. It is not a status option, and in that case, Puerto Rico territorial status was never intended to be permanent in nature, but rather a transitional accommodation towards eventual statehood or independence, and I'll give you an example of that.

The fact that Congress granted Puerto Ricans U.S. citizenship in 1917 is a clear indication that the island was intended to be in the path of eventual statehood, particularly, when the year before in

1916, Congress enacted legislation promising Philippines independence, but never granted Filipinos the U.S. citizenship.

If the projected outcome for Puerto Rico was anything other than statehood, why grant us U.S. citizenship in 1917? But, again, we are discussing here another option, which is none of the above, and our colleague mentions here a plebiscite in 1998. It has been 24 years after that plebiscite.

We have held six plebiscites in total on the island and the last three of them, statehood won, and again, this amendment runs counter to the bill's intent to resolve Puerto Rico's political status and one constitutional impermissible options, non-territorial status options.

Including a none of the above option in the bill will perpetuate the territorial status. It is like the never ending story, which I have said has constrained Puerto Rico's social and economic development and denied 3.2 million American citizens on the island their full rights as citizens of this nation.

Additionally, a none of the above option will mislead voters in Puerto Rico into believing there's going to be something else, such as to raise a promise of an enhanced commonwealth status, which the Department of Justice has repeatedly rejected as unconstitutional under both administrations.

In addition, the White House, under Republican and Democratic administrations, has also rejected enhanced commonwealth proposal as unconstitutional. Again, a none of the above option plays into a usual obstructionist campaign that any proposal from Congress is a bait and switch in which no matter what Puerto Rico decides, Congress will just leave it like circling in the procedural limbo, awaiting for some ideal solution that someday will come. Only this time, it is officially so.

None of the above renders this process meaningless and we cannot allow that, and therefore, I oppose this amendment.

And one of the issues that I need to say, my colleagues here are mentioning the Speaker of the House and the Senate President of Puerto Rico. One of those was the Biden campaign chair on the island, and they oppose all the process of self-determination on the island because they want to have an enhanced commonwealth option that the Department of Justice says no because it is unconstitutional and they're trying to mislead the voters on the island.

So, this bill—I would prefer to have a yes or no vote on statehood because people voted for that three times in a row, but in order to get all the options and all people represented here, we have a compromise allowing that to having the options that are valued by the Department of Justice saying they are constitutional and those are independence, free association, and statehood.

We can have a yes or no vote on statehood. That is what I prefer, but in order to allow the people of Puerto Rico to make that decision, they're going to have all the options defined of what Congress is willing to allow to happen and what is constitutionally viable, and that is the reason I oppose this amendment.

I yield back.

The CHAIRMAN. Anyone else?

Mr. ROSENDALE. Mr. Chair?

The CHAIRMAN. Mr. Rosendale, sir, recognized.

Mr. ROSENDALE. Thank you, Mr. Chair.

How can we sit here and impose our beliefs and desires on the people of Puerto Rico and say that we are granting them self-determination? How can you declare that just supporting a free and fair decision when you aren't willing to make all options of governance available to the people of Puerto Rico?

This is a very important option and it is troubling that it would be prohibited to even be offered to the citizens of Puerto Rico, considering that many of them have already demonstrated that they support it.

So, we are not operating in a vacuum here, where we are just trying to make a determination if some people are or we've seen demonstrations where the residents do not. We already know and have declaration and previous votes that they do support it. So, to create this document and ignore that from or prohibit it from being considered one of their options is just puzzling to me.

And I do support the amendment and I thank the Representative for bringing it forward.

Thank you. I yield back.

The CHAIRMAN. Gentleman yields.

Anyone else?

[No response.]

The CHAIRMAN. Let me recognize myself, and on the issue of other options or the none of the above question, the previous amendment and this one, we have to begin from this point of view, this premise, that this bill is predicated and its unifying foundation is decolonization, period. And I think that should be part of the debate because that is it.

The options that are presented are all policy, political options that the Puerto Rican people decide on, are all options that are non-colonial, so that is the premise of the bill, and I will continue to oppose amendments that tear at that premise, complicate that premise, or poison that premise.

So, I oppose this amendment on that same principle.

I yield back. Anyone want to be recognized?

Mr. WESTERMAN. Mr. Chairman?

The CHAIRMAN. Sir. Recognized, of course.

Mr. WESTERMAN. Thank you, Mr. Chairman.

I was debating about whether even to comment on this amendment, and as I heard the discussion, I see a major logic flaw, which I think is a problem with the overall legislation, that this debate highlights that logic flaw. The way the plebiscite is designed in the legislation, it is like asking someone, do you want liver, broccoli, or Brussel sprouts. Now, there are a lot of people that like liver. There are a lot of people that like broccoli. There are a lot of people that like Brussel sprouts, but there may be some people that don't like any of those and they will say, "No thanks. I'm just not going to eat."

Now, couple that with the bill that says whatever passes in this legislation when the plebiscite is voted on, that becomes the law of the land. It doesn't give Congress a chance to come back and view it.

Mr. Chairman, you said that you think there will be very high turnout. Others think there might be high turnout. What if those three choices are given and there's extremely low turnout and Congress has already given its power away to come back and review that.

So, if Mr. McClintock asks for a roll call vote on this, I'm not sure how I would vote on this amendment because it still doesn't fix the underlying problem with the bill in that Congress is advocating its authority to come back and review this process after the vote with three choices is done.

So, I think there is a lot to consider here and I think this highlights why this bill has been rushed through and why it should be debated in a hearing. There is going to be so much debate because we haven't had a hearing and this markup is probably going to essentially be like a hearing and a markup without expert witnesses for us to question.

I think there is a lot to consider here and it is hard to fix the underlying legislation with one amendment when there are so many other issues.

I yield back.

Mr. MCCLINTOCK. Will the gentleman yield?

Mr. WESTERMAN. I yield to Mr. McClintock.

Mr. MCCLINTOCK. The gentleman makes precisely the point. We speak of colonialism. What could possibly be a more precise embodiment of colonialism than this Congress telling the people of Puerto Rico, "Well, you can choose your future, but only the choices that we will allow you to make." That is what we are doing with this legislation, and the hypocrisy is profound.

I yield back.

Mr. WESTERMAN. And reclaiming my time, the gentleman's amendment doesn't say the other option is colonialism, or a colony, or a commonwealth, or a territory. It says another option. I choose another option.

And there may be something that somebody likes about independence, but not the way independence is crafted in this legislation. There may be something somebody likes about statehood, but not the way statehood is crafted in this legislation, and I think that just the way the legislation is crafted, it narrows the options and the choices down and would ultimately force people to possibly choose what they consider to be the lesser of three evils, even though some may totally like what they have in either of those three options.

And I do yield back the balance of my time.

The CHAIRMAN. Thank you very much.

And my comments, Mr. McClintock, I don't feel that I'm being hypocritical or lying to you regarding the premise of this legislation. I wouldn't do that.

What I am saying is that I've been straight up about that this is a bill to take a historic step in the decolonization of Puerto Rico, period. That is the premise of the bill. That is what I will defend in this bill. And it is no reflection of anything else, other than the content of this bill.

I don't think I've hidden that opinion from the beginning on this. So, if I miscommunicated something to you, that was not the intent. I try to be as straight with all of you as humanly possible.

With that, let me now ask if there's anyone that wants to comment on the amendment?

[No response.]

The CHAIRMAN. Hearing none, all those Members in favor of Mr. McClintock's Amendment No. 71, would please indicate by saying aye.

[Chorus of ayes.]

The CHAIRMAN. All those opposed to the amendment indicate by saying no.

[Chorus of noes.]

The CHAIRMAN. The opinion of the Chair, the noes have it, and Mr. McClintock has requested a recorded vote and that will be postponed pursuant to my prior announcement.

Ranking Member, you are recognized. You have an amendment designated Westerman No. 12, sir.

Mr. WESTERMAN. Thank you, Mr. Chairman.

My amendment would ensure that the terms of the Puerto Rico Oversight Management and Economic Stability Act, or PROMESA, as we passed out of this Committee a few years ago, my amendment would ensure that those terms are completed before the Act takes place.

Section 209 of PROMESA specifically states that financial oversight of the Financial Oversight Management Board will end for Puerto Rico when three requirements are met: (1) the government of Puerto Rico has adequate access to short-term and long-term credit markets at a reasonable investment rate to meet the government's borrowing needs; (2) that the government of Puerto Rico has developed budgets in accordance with modified accrual accounting standards for 4 consecutive fiscal years; and (3) that the expenditures made by the government of Puerto Rico do not exceed revenue during that year for 4 consecutive fiscal years.

These are reasonable expectations for any real functioning government, especially one that is seeking a change in its political status. And I will remind everyone that that was a bipartisan agreement when we passed PROMESA.

According to an independent investigative report, Puerto Rico was in crisis in 2017, with $70 billion in debt and $49 billion in unfunded pension liabilities. By the end of 2021, the Financial Oversight Management Board completed assisting Puerto Rico with the largest municipal debt restructuring in the history of the United States.

Currently, Puerto Rico has $7 billion in restructured debt and the Board is working to help Puerto Rico's Electrical Power authority restructure $9 billion worth of debt. PROMESA ensured steps were taken to make Puerto Rico fiscally healthy and that work should be completed for the benefit of all in Puerto Rico. I urge support of my amendment, and I yield back.

The CHAIRMAN. The gentleman yields.

Mr. Westerman, I'm going to yield the chair to my colleague Mr. Soto, while I make a phone call that I cannot avoid for about 5–10 minutes, and I apologize for that.

Mr. Soto, thank you.

Mr. WESTERMAN. I can take over if you need.

The CHAIRMAN. I know you're planning on it, but we will see what happens.

[Laughter.]

Mr. SOTO [presiding]. Is there any further discussion on the amendments?

Ms. VELÁZQUEZ. Mr. Chairman?

Mr. SOTO. Representative Velázquez, you are recognized.

Ms. VELÁZQUEZ. Thank you.

I want to take this opportunity to let the record show that *The Wall Street Journal* just last week reported a series of several conflicts of interest held by consultants to the board. The most glaring ones are those from McKinsey, which has billed Puerto Rican taxpayers close to $939 million for their consultancy fees as part of the bankruptcy process and failed to disclose, very, very serious conflict of interest.

I am the proud author of the Puerto Rico Accuracy in Disclosures Act, which was signed into law this past January. Thanks to the PRADA bill——

Mr. SOTO. The gentlelady shall suspend. Please mute for those who are online.

The gentlelady is recognized.

Ms. VELÁZQUEZ [continuing]. Thanks to the PRADA bill, we are now learning that this company could have potentially benefited many of its clients due to the access it had to privileged information. For instance, it has been revealed now that Quanta Services, Inc. had engaged McKinsey as a consultant, while at the same time being part of the consortium that got awarded the privatization contract for the T and D of the electrical grid on the island, a privatization that I might add has proven to be unsuccessful and made the prize of electricity extremely onerous for Puerto Ricans.

In fact, I stand today in solidarity with the thousands of Puerto Ricans on the street today demanding holding Luma accountable.

So, I want to ask my colleague, do you think it is fair for the people of Puerto Rico to remain in an indefinite colonial limbo while the board clumsily gets its act together?

The members of this Committee should unanimously reject prolonging the life of a board that has been allowed for more than 6 years to have unchecked conflicts of interest that are hurting the people on the island. The decolonization of Puerto Rico goes hand in hand with the restructuring of its fiscal and economic infrastructure, and Congress has a constitutional and moral obligation to act on both fronts, which it has so far failed to do so.

For this reason, I oppose this amendment. I urge Members to vote no, and I yield back.

Mr. SOTO. The gentlelady yields back. Any other Members wish to be recognized?

The gentleman from Montana is recognized.

Mr. ROSENDALE. Thank you, Mr. Chair. I'm going to revert back to my opening statements, and I do not think it is productive to begin the first step toward independence and self-determination with the United States curing or forgiving the debt and financing

the elections, and the Chair corrected me and said they are not going to be forgiving debt.

Well, you may use different terminology and classify it as restructuring. That is forgiving debt. Let's call it what it is. And I do not think it is fair to the citizens of the United States, the current citizens of the United States, to absorb that and then to have it forced upon them without even having anything to say about it whatsoever as this legislation would provide.

So, at minimal we need to make sure that the PROMESA Act and the provisions of that are actually being met before we would continue this process.

So, I do support the Representative from Arkansas' amendment. Thank you. I yield back.

Mr. WESTERMAN. Will the gentleman yield?

Mr. ROSENDALE. Yes, I will yield.

Mr. WESTERMAN. I thank the gentleman. I think the gentlelady made a valid point talking about how maybe there needs to be some oversight and transparency of PROMESA, but we have yet to have an oversight hearing in this Committee. I believe there is one scheduled for September.

So, shouldn't we wait and have that oversight hearing and find out if there really are problems, instead of rushing this bill through today? Couldn't we at least wait until we actually have the hearing?

And I will remind everybody that it is the Majority's responsibility to schedule hearings. We could have had a hearing at any time on the oversight of PROMESA, yet we ironically have one scheduled 2 months from now when we are going to make this major vote today.

I yield back to the gentleman.

Mr. SOTO. Any other Member wish to be recognized?

Mr. MCCLINTOCK. Mr. Chair.

Mr. SOTO. The gentleman from California is recognized.

Mr. MCCLINTOCK. If I could, I would like to ask perhaps the Ranking Member, my understanding of this bill is regardless of what option is chosen, the mere passage and enactment of this bill disbands the Oversight Board and transfers all of the assets that were given to Puerto Rico with the understanding that they would be administered by this board. All of those assets are turned over to the Puerto Rican government.

Whatever happens on the plebiscite, that is an automatic provision in this bill, and all of those funds that the American people were promised that came out of their wallets, that they were promised would be administered by the Oversight Board, will now go to the government of Puerto Rico.

Am I correct in that understanding?

Mr. WESTERMAN. I believe the gentleman has read the bill and understands the language. As I understand it, if this bill were passed in its current form, it would dismantle PROMESA.

Mr. MCCLINTOCK. I support the amendment wholeheartedly. Thank you.

Mr. SOTO. The gentleman yields back. Any other Members wish to be recognized on the amendment?

Miss GONZÁLEZ-COLÓN. Mr. Chairman.

Mr. SOTO. The gentlelady from Puerto Rico is recognized.

Miss GONZÁLEZ-COLÓN. I oppose the amendment and I will be simple with this. The debt has already been restructured and the U.S. taxpayers have not borne the cost. It is the local government of Puerto Rico and the local taxpayers who are paying for the Oversight Board. I just want to make that clear, because some people may believe that it is the U.S. Government who is the one paying the oversight contracts and advisors, but the one who is paying that bill is the government of Puerto Rico, just to make that clear. That is the reason I oppose the amendment.

Mr. SOTO. The gentlelady yields back. Does any other Member wish to be recognized?

Mr. SAN NICOLAS. Mr. Chairman? San Nicolas from Guam.

Mr. SOTO. The gentleman from Guam is recognized.

Mr. SAN NICOLAS. Thank you, Mr. Chairman. I think it is important for us to remember that PROMESA is an aberration of colonialism.

The whole reason why PROMESA had to be enacted to begin with was because Puerto Rico was a territory and therefore unable to avail of the existing municipal bankruptcy laws that were already in place for various reasons, and actually utilized by various other municipalities across the country when they did face financial difficulty.

So, it is ironic that now we are going to be using PROMESA, an aberration of colonialism, to perpetuate colonialism because we are going to say that its provisions need to be met before going to actually entertain a plebiscite vote to resolve the status conundrum that is the current Commonwealth of Puerto Rico.

And I think it is further ironic, Mr. Chairman, that we would suggest that Americans living on American soil should have their political status called into question with respect to their ability to respond to PROMESA, when really, would we put the same questions to Americans who are undergoing a municipal restructuring anywhere else in this country?

Would we therefore suggest that they should be stripped of their state rights because they are availing of municipal bankruptcy laws, whether it is Orange County in California or any of the other various jurisdictions anywhere else in the country that had faced financial difficulty?

And then let's look at the fundamental question of the outcome that ultimately resulted in PROMESA. We are talking about a territory that did not have the same kind of coverage on Medicaid for so many years, a territory that does not have supplemental security income for its most vulnerable. And both of those were financial questions that strained the finances of Puerto Rico because of their political status.

So, we just have political status problem layered on top of political status problem, PROMESA, lack of parity in funding. And now we are going to turn those very same things, those political status problems, and use it to say we are not going to now resolve your political status because those problems are now being administered by PROMESA, which by the way, is a creation of the Congress.

And Mr. Chairman, we really should not use PROMESA as a reason to not move forward this legislation, unless we are going to apply the same principles and the same logic to any other municipal financial challenges, and I really do not think that that is a good precedent to set for Americans.

Thank you, Mr. Chairman. I yield back.

Mr. SOTO. The gentleman yields back. Does any other Member wish to be recognized?

In that case, I recognize myself for 5 minutes.

First, the bill makes clear in the event a plebiscite results in statehood, that contracts, obligations, liabilities and debts of the territory of Puerto Rico shall continue.

In addition, the bill states that in the event a plebiscite results in favor of independence or independence with free association, the nation of Puerto Rico shall recognize and give effect to all orders and judgments rendered by the United States for territories.

And I would also argue that this bill makes fiscal sense for the United States. Right now, Puerto Rico is already getting many programs at equal funding as states, whether it was under the American Rescue Plan or under the Infrastructure Law.

If Puerto Rico chooses statehood, they would then be paying Federal income tax to help fray those costs, much like all of our constituents make every day. In addition, if they chose independence or independence with free association, they would no longer be the financial obligation of the United States.

So, in either event, I would argue that this makes fiscal sense for taxpayers across the nation.

And with that, is there any other further discussion to the amendment?

Hearing no further debate, the question is on Westerman Amendment No. 12. I will pause so Members joining remotely can unmute.

All those in favor, say aye.

All those opposed, say no.

In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

Mr. WESTERMAN. Mr. Chair, I would request the ayes and nays.

Mr. SOTO. A recorded vote has been requested. This vote will be postponed pursuant to the Chair's prior announcement, and I'll yield back to the Chairman.

The CHAIRMAN [presiding]. We now move to the amendment designated No. 75.

Representative McClintock, you are recognized, sir.

Mr. MCCLINTOCK. Thank you, Mr. Chairman. Under the bill before us, Congress surrenders all further say in the most important and consequential decision that we can make, the permanent admission of a new state to the Union. We simply surrender this decision to a carefully rigged selection process to be voted on only in Puerto Rico.

And, by the way, that selection process offers the people of Puerto Rico only those options that the majority has also prechosen for them. Can you pronounce colonialism?

Once this bill passes, Congress would have no further say in the process. This is irresponsible and it is a complete abdication of the

responsibility we have to our constituents and to the whole country on a question so fundamental to its future.

The amendment that is before us says that the issue has to return to Congress for a national debate that we owe to the American people if statehood is chosen from among the three preselected options. And because of the profound question it presents to us, this amendment calls for a two-thirds vote for ratification.

I know this is a departure from the past. The Constitution requires only a majority. But in the last century we have waited to admit new states until an overwhelming consensus for admission has been formed throughout the country.

I would remind you that Alaska and Hawaii were admitted with 78 percent vote in the House and 83 percent in the Senate. I believe Congress should fully debate the question of statehood before it is ratified, and it should be by an overwhelming majority, a two-thirds vote.

I yield back.

The CHAIRMAN. The gentleman yields. Anyone wish to be recognized on Mr. McClintock's Amendment No. 75?

Mr. Soto, sir.

Mr. SOTO. The opposition is right in the gentleman from California's own admission, which is that none of this is required by the Constitution, and it hasn't been used for other states, so why would we do it for Puerto Rico? We didn't do it for Alaska or Hawaii, our most recent states, and it is just a further barrier.

The Constitution is clear. We technically would not even need an election. Congress shall admit new states. But we are doing this because it is within the jurisprudence and tradition of our nation. But adding additional requirements on it is an affront to what our forefathers had intended in the Constitution.

The CHAIRMAN. The gentleman yields.

Miss GONZÁLEZ-COLÓN. Mr. Chairman?

The CHAIRMAN. The gentlelady is recognized.

Miss GONZÁLEZ-COLÓN. Thank you. I wish to oppose the amendment, and the reason for that is that the Puerto Rico Status Act provides a process for voters to ratify their choice as future status, including a run-off to make a majority decision clear.

Admission or recognition of any change in status of a territory is carried out by an Act of Congress, and I need to be clear on that, which requires a straight majority in both houses—a disposition of a territory or admission of a state does not require a Constitutional amendment, nor an international treaty, and have never been treated as such, not even when the then independent nation of Texas sought admission.

Title III of the Act is an admission act contingent on the people voting for statehood with the same criteria of admission as were in the case of Alaska and Hawaii. In neither case was there a requirement that after the people voted Congress had to again approve of their choice, much less by a two-third of majority of both houses.

Further, the Constitution and the precedent for 37 states that were admitted into the nation do not support the idea that admission of a territory into statehood or any other change in status mandates a congressional supermajority. As such, a supermajority has never been required.

The amendment seeks to impose a hurdle in Puerto Rico's path that has not been placed for any state. I will oppose this, or any amendments to an amendment, that seeks to block execution of this act after the people of Puerto Rico have voted, whatever the choice it may be.

And I maybe respect the intention of my colleagues, because I do know Representative McClintock introduced last year a resolution calling for an amendment of the U.S. Constitution requiring a two-thirds yes vote in both chambers in order to admit a new state.

And that is another proposal that has not been discussed here. Perhaps we need to say that if that rule had been in place back in 1959 when Alaska was getting into admission, Alaska would not be a state today because of that provision.

So, I think we need to be consistent. We cannot ask something that was never asked of other states or other territories, not even Texas at the time when it was an independent nation.

And the vote in Alaska at that time that we were mentioning here, that vote was 210 to 166, just 55 percent of the vote. So, they were way short of the two-thirds of the vote to admit Alaska as a state.

So, I just want to make that clear. I think if politicians in Puerto Rico who favor the status quo and have perfected the dark art of seeking to undermine the legitimacy of any status process or vote they lose or refuse to participate in, like they did in 2012 where the people of Puerto Rico were asked by the question that the intergovernmental office of the White House asked, and it was Bush and Obama's administration and Clinton administration proposing the question, that was a question about plebiscite, do you want to remain as a territory of the United States? The people of Puerto Rico said no. They rejected the current territorial situation.

And then after that, 61 percent voted for statehood among the rest of the options. And then we got another plebiscite in 2017 with the same question, status. And then in 2020. So, we already held six plebiscites, all local.

That is the reason this bill is so different. It would allow for the first one ever to have a federally mandated plebiscite with binding resolutions that would secure not having a permanent territorial condition to Puerto Rico or perpetually relegate the people of Puerto Rico to second-class citizenship that is not representative of what we are as a great nation.

Because of that, I yield back.

The CHAIRMAN. The gentlelady yields. Anyone else?

Mr. WESTERMAN. Mr. Chairman.

The CHAIRMAN. Mr. Westerman, sir.

Mr. WESTERMAN. Thank you, Mr. Chairman. This amendment is rather simple. It requires that Congress certify the results of the plebiscite. And we could have a debate on whether that should be two-thirds vote or a majority vote, but I think the underlying principle is that Congress should certify any results before admitting a state. The Territory Clause of the Constitution gives Congress plenary power over U.S. territories.

When previous territories became states, Congress acted. We have not relinquished our duties. Congress has legislated in various ways to confirm statehood. Congress has never provided a

federally sponsored self-executing plebiscite a political status. This is unprecedented in our nation's history. Congress is constitutionally required to take final action on the outcome of the plebiscite. This amendment ensures Congress does not abdicate its duties under the Constitution to "make all needful rules and regulations respecting the territory belonging to the United States."

Just the fact that we are having a debate today on the constitutionality of the language that again was published last Friday, and we are voting on such an important issue today again tells me that we should be having more hearings. We should be having constitutional experts come in. We should have more time to review this, and we shouldn't rush into unprecedented territory in our nation's history just on a wing and a prayer. I support this amendment, and I yield back.

The CHAIRMAN. The gentleman yields.

Mr. Soto, do you wish to be recognized on this amendment? No. Anyone else?

Hearing no further debate on Mr. McClintock's Amendment No. 75, all those in favor of the amendment, please indicate by saying aye.

All those opposed, indicate by saying no.

In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

The gentleman has requested a recorded vote, and the vote is postponed pursuant to prior announcements.

The CHAIRMAN. Representative Boebert, you have an amendment designated No. 4, and you are recognized for 5 minutes.

Mrs. BOEBERT. Thank you, Mr. Chairman. This amendment that I have introduced here would strike the authorization of the appropriations for the proposed referendum and for creating new voter education materials. My first concern with this provision is that it authorizes "such sums as may be necessary" to achieve these ends. We don't know how much the scheduled vote and the voter education materials would cost, which Congress should know if we are authorizing Federal dollars to be spent on this.

Can I have order in the Committee? More to the point we unfortunately do not have a CBO score for this bill. The members of this Committee should not be expected to vote on this bill without having all the information we need to make an informed decision. And my second concern is that we are using Federal funds for this. Last Wednesday morning, the Bureau of Labor Statistics reported that the latest inflation rate, a record breaking 9.1 percent over the last 12 months, the Consumer Price Index for all items went up by 1.3 percent in June. The rate of inflation for food is now at 10.4 percent, the inflation rate for energy commodities is at 60 percent, and the inflation rate for fuel oil is now at 98.5 percent.

If the residents of Puerto Rico feel strongly about changing their status, it stands to reason that the government of Puerto Rico should foot the bill. We shouldn't be authorizing Federal funding for voter educational materials and for running this scheduled vote for Puerto Rico. I urge my colleagues to vote in favor of my amendment, and I yield back.

The CHAIRMAN. The gentlelady yields back. Thank you.

Anyone wish to be recognized on Representative Boebert's Amendment No. 4?

Mrs. BOEBERT. Mr. Chairman, it is Boebert.

The CHAIRMAN. Boebert. Thank you.

Ms. VELÁZQUEZ. Mr. Chairman?

The CHAIRMAN. I have trouble with vowels. Yes.

Ms. VELÁZQUEZ. I seek recognition in opposition to that amendment.

The CHAIRMAN. The gentlelady is recognized.

Ms. VELÁZQUEZ. The process we are discussing today must guarantee that the people of Puerto Rico are fully informed about the options available. We included a federally funded voter education because it is our duty to provide a democratic transparent process. We must clearly establish what Congress is able and willing to offer. So, when the gentlelady asked about not scoring the CBO, well, I will say that after 120 years of colonialism, of having subjects, of exploiting the island of Puerto Rico that is the score that we need to know in order to provide a process that we allow for the Puerto Rican people for once and for all to define what is it that they want to support.

What is it? What will be the political option of their choosing? That is the score that we need to know here today, that it is time for us, the U.S. Congress, who have ruled for so many years that they are given the resources and the tools that they need in order to make an educated choice. I yield back.

The CHAIRMAN. Anyone else?

Mr. Soto.

Mr. SOTO. Thank you, Mr. Chairman. I am sure the gentlelady appreciates the importance of educating Puerto Rican voters on this, and while this authorizes it, it will still have to go through Appropriations, and there will have to be bipartisan support for it to go forward. So, here today we are just doing the authorization, but we want to make sure everybody understands all the repercussions, so I oppose the amendment.

The CHAIRMAN. Anyone else?

Mr. Graves, sir.

Mr. GRAVES. Thank you, Mr. Chairman.

Mr. Chairman, first of all, I want to thank Congresswoman—should I say Congresswoman J Go—for all of her efforts on representing the citizens of Puerto Rico. She has been tireless in her efforts since she got here in trying to promote an opportunity for the citizens of Puerto Rico to be given the chance of some degree of self-determination. And I have a tremendous amount of respect for her and the hard work that she has been doing trying to promote that opportunity.

Mr. Chairman, the legislation we are talking about today was introduced on Friday. This is potentially creating the opportunity for statehood or other options, as you know, under this bill. Introduced on Friday, and here it is—what is today—Wednesday? Wednesday, and we are marking up a bill to potentially allow a territory to become a state or independent. I mean, this is crazy. This is absolutely crazy in this condensed amount of time to do something as consequential as this.

There are constitutional questions. There are questions about U.S. taxpayer investment. And Ms. Boebert is exactly right on this. It is just one of the many, many things that needs to be thought out and needs to be considered. Yes, we have had a hearing on this topic but not on this bill. This is huge, and we are just going to come in in just days and make a flippant decision on something as big as this. The public, the American public, the Puerto Rican public, this entire country deserves the opportunity to make sure that we understand the consequences and understand exactly what this bill does.

Now, Mr. Chairman, I also want to make note that here we are in July, in fact toward the end of July, and I am just going to pick a number and say that this may be the hundredth bill that we have done that is not energy, that is not energy. It is the hundredth bill we have done that is not solving the energy affordability crisis. People can't afford to refuel their cars. People can't afford to pay their electricity bills that we are seeing a doubling and tripling. This Committee has jurisdiction over the solutions.

My friend, the Chairman, tweeted out last week a picture of me from this Committee and saying that Republicans have offered no solutions, which is absolutely incredible. As a matter of fact, I want to remind the Chairman that during the previous administration, emissions went down an average of 2.5 percent a year. Under the Biden administration, they have gone up 6.3 percent. So, if we are going to talk about facts and data, which I know some people in this Committee are afraid of, if we are going to talk about facts and data, President Trump did a better job on emissions than President Biden did.

Talking about energy affordability, President Trump smoked President Biden, technical term, in regard to energy affordability. Gas prices were nearly half what they are today. Natural gas prices were nearly one-third. You are forcing people into energy poverty. You are forcing people into it, and you are doing nothing, you are doing absolutely nothing, ignoring this Committee's jurisdiction, ignoring our responsibility, and instead bringing up a lot of other bills today that just aren't priorities.

And I want to be clear so my words aren't minced. The Puerto Rico situation is a priority, but to try to rush something like this through that no one understands even the constitutionality of it is crazy. If you want to go back, Mr. Chairman, on every opportunity that I had because you won't allow us to debate energy bills in this Committee, I am going to remind you that this energy crisis that this country is experiencing, every single American is experiencing, is self-imposed. It was self-imposed by the Biden administration. It is self-imposed by this Committee's failure to act.

And, unfortunately, we have proposed dozens and dozens of bills and solutions, and the Committee has refused to even have hearings on them. So, let's be very clear. You own the crisis as much as this President does. You own it, and it is awful that we are in this situation today that Americans are forced to choose between refueling their car and buying groceries. They can't afford to pay their electricity bill, that the President is going to Saudi Arabia and asking them for energy when it is dirtier than U.S. energy.

They are negotiating with Iran to release their energy. I think the quote yesterday was that, "The world needs Iran's energy." Yes, like a hole in our head. This is unbelievable that we can have the president of our country out there advocating for the interests of other countries and, in the case of Iran, terrorist nations that are funding terrorist activities contrary to the interests of Israel, the United States, and the Middle East. Unbelievable that this is happening. I yield back.

The CHAIRMAN. Anyone else wish to be recognized on amendment designated No. 4?

Mr. NEGUSE. Mr. Chairman.

The CHAIRMAN. Mr. Neguse, sir.

Mr. NEGUSE. Thank you. Mr. Chairman, I didn't intend to speak on this amendment, but I have to provide a little bit of rebuttal to my colleague and my good friend from Louisiana who seemed a little all over the place there, on the one hand sort of saying that this Committee is not bringing up bills that are priorities but then simultaneously saying that Puerto Rico, that this particular bill is a priority, complaining that it is somehow being rushed, notwithstanding the year-long negotiation process that Miss González-Colón, Mr. Grijalva, Ms. Velázquez, and Mr. Soto had been engaged in, of course with a wide range of stakeholders, notwithstanding the two, not one, but two legislative hearings on this particular issue that were held over the course of the last year and a half.

I am not sure if my colleague had a chance to participate in one or two of those hearings, but they were certainly very informative and robust notwithstanding the fact that we have an amendment process today where I think my colleagues have suggested no less than 17 amendments that the Committee is visibly debating as we speak. So, I certainly think that I would concur with the statements that my colleague and my friend made at the outset of his remarks regarding the work that Miss González-Colón has done and our shared respect, I suppose, for her work and her tenacity in bringing forward this bill along with the other colleagues that I've mentioned.

And I would hope that my colleague would join me once we have finished this long debate process in supporting this bill. I trust that he will given the statements that he made at the outset regarding his colleague on the other side of the aisle. I think this is a good bill. I think that our colleagues on both sides of the aisle have worked in good faith to negotiate a reasonable compromise that, as you said, provides the people of Puerto Rico with some degree of self-determination. I think it is a bill we ought to pass. I look forward to debating the rest of these amendments, but would hope that we could remain focused on the bill that is before the Committee. And with that, I would yield back.

The CHAIRMAN. The gentleman yields.

Anyone else wish to recognized?

Dr. HICE. Mr. Chairman.

The CHAIRMAN. Sir, you are recognized.

Dr. HICE. Thank you. This is anything but a good bill. This is a horrible bill, and to imply somehow that we have had multiple hearings—we have had hearings on the topic, no one on this side has said otherwise—we have not had any hearings on this bill that

was dropped Friday, and here we are dealing with an issue of enormous magnitude of statehood for Puerto Rico, and this is our first hearing on this bill. That is absolute insanity, and since you brought up by name, my friend from Louisiana, I am going to yield some time to him.

Mr. GRAVES. Thank you. First, my friend from Colorado, thank you for hosting us in your state a few years ago. Certainly appreciated that and enjoyed the time working with you. I want to apologize for confusing you in my statement. Let me see if I can go back through it again. No. 1, I appreciate the work of Congresswoman J Go. I think she is great, and I think she is tireless in her efforts to fight for and represent the citizens of Puerto Rico.

No. 2, we are talking about a bill that was introduced on Friday that is taking a territory and millions of people and potentially making them independent, making them a state. This is something that all Americans, not just Puerto Ricans, all Americans should have an incredible interest in. This is not something that should be rushed, and as Mr. Hice just noted, this deserves a hearing.

Yes, we have had hearings on this topic. We have not had a hearing on this bill. Zero hearings on this bill. And as had been discussed today, the constitutionality of this bill has been called into question.

No. 3, I commented that I support Ms. Boebert's amendment, and it is indicative of what happens when you rush legislation, and it hasn't been thought through.

No. 4, I just want to remind everybody in this Committee and everybody in this country this is the single committee in the U.S. House of Representatives that has jurisdiction over solving the energy crisis. We are the ones that have jurisdiction over energy exploration and production, yet the only energy bills we have done are ones that have been to actually prevent, prevent renewable energy from taking place in the United States.

We did a bill last week, or whatever, did a bill to ban—and I wish Mr. Stauber was here—I think it is 75 percent of the nickel, copper, cobalt, and platinum minerals that are available in the United States, and maybe I am wrong on the number, but I will say approximately a lot, and we banned it. So, it is no to renewable energy, and just in case folks weren't clear there earlier we had a hearing on a bill related to New Mexico withdrawing mineral resources. So, apparently it is no to renewable energy. It is pretty clear that it is no to conventional fuels like oil and gas. It is no to coal.

So, I guess I am just trying to figure out what in the hell the energy strategy is. President Obama said all of the above. Apparently, you all say none of the above. And all I know is that people that we represent across this country cannot afford the energy crisis that this Administration and this Democrat leadership in the House of Representatives and the U.S. Senate and the White House have thrust this nation into.

And the embarrassment of watching our President go fist bump Saudi Arabia to ask them for oil, now negotiating with Iran because we want their oil, this is like a TV show. I can't even believe this is really happening. This is the President of the United States that stood up and swore to defend the Constitution of the

United States, not to other countries, yet he is carrying out policies to enrich our opposition, our enemies, those that are killing American citizens in the Middle East such as Iran through their surrogates. I mean, this really is unbelievable.

Mr. NEGUSE. Will the gentleman yield?

Mr. GRAVES. This is actually Mr. Hice's time, and I am going to yield back to him.

Dr. HICE. I will yield.

Mr. NEGUSE. I thank the gentleman from Georgia. Gentleman from Louisiana, do you intend to vote for the bill today?

Mr. GRAVES. At this point, I don't. But let me be clear. It is not because I'm necessarily opposed to the objective. It is because there are so many questions about this bill to rush through something like this in such a short period of time—let me ask you, were you involved in negotiations for the last year?

Mr. NEGUSE. To me? Can I take the time?

Mr. GRAVES. Please.

Mr. NEGUSE. I was not. I trust the judgement of Miss González-Colón and the Chairman, and I appreciate their leadership on this initiative which is why I am proud to vote for the bill.

Mr. GRAVES. Mr. Westerman, were you involved in negotiations for the last year as Ranking Member of the Committee?

Mr. WESTERMAN. I was not.

Mr. GRAVES. How about them apples. You weren't. He wasn't. I wasn't. They weren't. So, I appreciate your——

Mr. NEGUSE. My colleague we both respect was. Miss González-Colón was and I think she did a terrific job.

Mr. GRAVES. That is right. I have a tremendous amount of respect for her, and she has been an incredible fighter. But I have an obligation to the people at home, and I don't just defer this responsibility to others.

The CHAIRMAN. Time is expired.

Anyone else wish to be recognized on the amendment?

Mr. WESTERMAN. Mr. Chairman.

The CHAIRMAN. Mr. Westerman.

Mr. WESTERMAN. Thank you, Mr. Chairman. As my friend the gentleman from Louisiana often does, he raises some thought provoking questions, and apparently I need to start reading Twitter because I didn't know that Republicans didn't have solutions. Could there be fake news on Twitter, Mr. Graves?

Mr. GRAVES. Both of Mr. Grijalva's followers commented on it.

Mr. WESTERMAN. We have never marked up a Republican bill in this Congress. How do you know we don't have solutions when we don't mark up our legislation? I understand we are in the Minority. That is part of the gig, and the Majority has been gracious to roll a few crumbs off the table and give us a UC bill. We often have to fight to get an acceptable ratio on those UC bills, and I appreciate that from the Chairman. But I do believe Republicans have solutions.

We have solutions to the problems that Americans care about actually. We even have solutions for Big Cats, but the Majority didn't want to work with us on the actual solution to put the jurisdiction to fix Big Cats under APHIS where it belongs. But that is beside the point. We shouldn't have been talking about Big Cats.

We should have been talking about big inflation, big food cost, big energy cost and the absolute abdication of responsibility by this Administration to develop our resources.

So, we have solutions. We just need an opportunity to present those solutions, and hopefully some day we will get a chance to have hearings on bills like that. Now, there must be this new progressive idea out there on what Congress is about. I heard it in the Infrastructure and Jobs Act how we had this bipartisan bill and how it was negotiated in a bipartisan way. That bill never went to a single committee in the House of Representatives.

Mr. Graves and others, Mr. Webster and I serve on the Transportation and Infrastructure Committee. You had the largest infrastructure spending bill in the history of the world that didn't even get a hearing in the House. Now, it was negotiated by Members of Congress outside of Congress, but the last time I checked Congress is a deliberative body. I appreciate the work that Representative González-Colón has done and the others who have negotiated outside of this hearing room on this topic, but you know what? Who cares? In the big picture, who cares?

This is supposed to be a transparent process. We are supposed to have those negotiations and those hearings on TV open to the public, open to the press so that the citizens of this country know what is going on. I keep hearing about it is bipartisan, and it has been negotiated, but it hasn't been debated in the open. This isn't a hearing today. This is a markup. We have not had a hearing on the language in this bill.

Mr. NEGUSE. Would the gentleman yield?

Mr. WESTERMAN. I have some other stuff to say. If I have a few minutes, I will yield to my friend from Colorado. Back to this amendment. I support this amendment because it would prevent Federal funds from being used for the plebiscite and for voter educational materials. Puerto Rico's status is a question that drives civic engagement in Puerto Rico's territorial politics and brings out passion and emotions.

Several plebiscites on political status have occurred in Puerto Rico, most recently in 2020. Because only the people of Puerto Rico would be able to vote in the plebiscite proscribed in the legislation, the Puerto Rican government is the most appropriate entity to pay for the ballots and voter educational materials. How much would it cost? We don't know because we are rushing, and this bill has been moved too quickly. And because it hasn't had a hearing, if you haven't heard that yet, there is no CBO score for this bill.

Any estimates regarding how much the plebiscite detailed in this bill could cost are a little more than a guess. The unknown cost here is yet just another reason to have a hearing on this bill, to slow down and give it some time. We need to know the full cost of the legislation along with a lot of other questions we have about the legislation. I do urge support of this amendment——

Ms. VELÁZQUEZ. Would the gentleman yield?

Mr. WESTERMAN [continuing]. And I yield to my friend from Colorado who asked for time.

Mr. NEGUSE. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. Ranking Member, I have a lot of respect for you, but I think to say that we should not pay for voter education is just

beyond any comprehension. We have subjected the people of Puerto Rico to 120 years of exploitation, colonialism. That should not have a price tag. This is not funding a program. This is the intent of Congress to once and for all resolve an issue that has kept—you are here willing to talk about Puerto Rico's——

Mr. WESTERMAN. Reclaiming my time that has expired.

The CHAIRMAN. Gentleman reclaims. Time has expired. I very quickly recognize myself. One of the reasons explicit and implicit in this discussion is as Miss González-Colón pointed out, Mr. Soto pointed out, everybody, there have been various plebiscites on the island, and the issue sometimes has come up as a means to unravel those elections that they weren't clean, that they were stacked at the beginning; i.e., rigged, that not enough people participated.

And the reason for the authorization and the election thing is also that we assure the people of Puerto Rico that this is a clean and transparent election. That is one of the rationales. It hasn't been spoken to, but it is understood. I mean, if you look at and read everything that happened in previous elections, inevitably that is a charge and that is an accusation going into that process which then taints any results that come out.

So, in order to preserve the importance and the significance of this process and vote for the Puerto Rican people that is part of the authorization to give them that assurance that nobody is going to tamper, that their opinion is going to count, and that their free will as voters——

Mr. ROSENDALE. Would the Chair yield to a question?

The CHAIRMAN. I was going to yield to my friend, Mr. Neguse. When he is done, he can yield to you if there is time. That is not a problem.

Mr. NEGUSE. I thank the Chairman. Just one quick point with much respect to my colleague and friend the Ranking Member, but I am a little bit confused about his descriptions of televised congressional negotiations. I mean, perhaps that has happened in the past. I don't remember the Ways and Means Committee engaged in televised congressional negotiations on the 2017 tax bill. Maybe it happened. Or on the criminal justice bill for that matter. I appreciate the gentleman's point, altruistic as it may be, but that certainly has not been my experience in terms of how this House has functioned under Republican and Democratic majorities for the better part of the last 30, 40 years.

I take the gentleman's point regarding the legislative hearing, but I think it is just again important. Let us not diminish the legislative hearings that this Committee did have. I recognize they were not specifically on this numbered bill, but I also recognized that there was robust, lengthy discussion about the various components that this bill now incorporates, including all the various options that would or could be available to the people of Puerto Rico.

So, again understand the gentleman's point that he would like a specific legislative hearing. He has made that all too clear. But let's also recognize that there have been numerous opportunities for the members of this Committee to educate themselves about the components of this bill because they have been debated ad nauseam for years by this Committee, including multiple times in the 117th Congress. And although I am eager to answer any question that

Mr. Rosendale might have, I know Ms. Velázquez, Mr. Chairman, I think was looking for additional time as well. So, I will yield back to the Chairman.

The CHAIRMAN. Sir.

Mr. ROSENDALE. Thank you, Mr. Chairman. Just a question. We have heard a litany of excuses for the bad debt that has been acquired by the country and the declarations of victimization of why they can't afford to pay their current bills——

The CHAIRMAN. We are on the topic of addressing the amendment.

Mr. ROSENDALE. On the amendment. And this is going directly to the amendment. We are talking about debt, and we are talking about expense. So, my question is, Mr. Chairman, as we heard about all these discussions, conflict of interest, wouldn't it be considered a conflict of interest for the United States to be paying for these elections and the education of the voters in Puerto Rico anyway? Couldn't that be construed as a conflict of interest and where those funds are actually being directed and what subjects and topics are being supported or opposed?

The CHAIRMAN. Referencing my extensive legal background having watched Perry Mason growing up, I feel that I am in a position to absolutely and assertively answer your question. I don't believe it is a conflict of interest. That would have to be a challenge, but I don't believe so. And legal counsel reviewed the legislation and thought so as well. It is in the eye of the beholder sometimes, sir, but that is as far as I can dig in my legal background. Thank you. Mr. Neguse. Ms. Velázquez, I'm sorry.

Ms. VELÁZQUEZ. I don't need time anymore. Thank you.

The CHAIRMAN. The gentlelady yields. I answered your legal question as well, I guess.

Miss GONZÁLEZ-COLÓN. Mr. Chairman.

The CHAIRMAN. Miss González-Colón, you are recognized.

Miss GONZÁLEZ-COLÓN. Thank you. I oppose this amendment, and I need to clear the record for an instance here. Saying that the past plebiscites were rigged is wrong. We held those plebiscites with general elections on the island where all political parties participated and oversee this process. Actually, because of people who lost and their belief in those elections and their choice was not the winner, many of them were challenging the result, and we know about that. When people don't like the results of an election, they call it many ways. That is not the case of the last six plebiscites in Puerto Rico.

And the reason this amendment will hurt the process is that we are trying to have here a process that is for the first time federally sponsored. That means this is not local people of Puerto Rico saying, "You know what? You will have statehood without paying taxes," or, "You know what? You will have independence with all Federal funds and all Federal U.S. citizenship," or, "You will have free association with all of the Commonwealth or all the U.S. citizens' rights and privileges without paying taxes."

This amendment would allow the Federal Government to fulfill that promise of educating the people, telling them as it is the options that are in front of them while they are voting so that there is nobody being misled in this process. And that is the reason it

is so important that it is not a political party, that is not a local government. It is the Federal Government telling the people this is what we are willing to offer. This is what we are willing to do. And this is not the first time money has been allocated to the education process.

Actually, a few years ago when the money was approved for another plebiscite, money still is in the Department of Justice. I think there is over $5 million already there that are not being used for educational purposes of another plebiscite on the island. And yet, again, we did another Federal plebiscite when the Navy went out of Vieques, and there was another educational campaign paid by Federal taxpayers' money.

So, saying that this is outrageous is wrong, and I truly believe that we need to have the facts on this issue. I think we cannot mislead the people of the island what are the options they have in front of them, what are the responsibilities that are going to be there because there are going to be consequences. There is going to be a result. After we have a vote, this is it. If you choose independence, you will have independence. If you choose statehood, you will have it, and all those options come with a consequence.

So, saying that there should be no education whatsoever will hurt the process, will hurt the transparency that this bill is creating, and for that reason I am opposing the amendment. And I yield back.

The CHAIRMAN. Anyone else?

Mr. OBERNOLTE. Mr. Chairman.

The CHAIRMAN. Sir, you are recognized.

Mr. OBERNOLTE. Thank you very much, Mr. Chairman.

I just have to say I find this hearing deeply frustrating today. For the record, I support statehood for the people of Puerto Rico. I think many of us here on the dais do. But the details matter especially if we are putting other options like being an independent state or free association on the table.

We need to talk about and define exactly what we mean for each one of those options, or else a plebiscite on those options is meaningless. It is a very complicated topic, so to suggest that we ought to accept a bill as fully baked that was negotiated behind closed doors and also to suggest that no one on this dais has meaningful contributions to make in improvement of the bill I think is very misguided, hence my frustration. I would like to yield the balance of my time to the Ranking Member.

Mr. WESTERMAN. I thank the gentleman. We keep having this discussion about hearings. I would be glad to yield some time to anybody on either side of the dais except the people who are virtual because I refuse to yield time to people who do not come to the Committee for a meeting. But if anybody would like to tell me——

The CHAIRMAN. Limits their options, doesn't it?

Mr. WESTERMAN. I open it up to anybody who can tell me when we had a hearing on the independence option as outlined in this bill.

Miss GONZÁLEZ-COLÓN. Mr. Chairman. Can I have the time?

Mr. WESTERMAN. I yield.

Miss GONZÁLEZ-COLÓN. This is not the first time this Committee has conducted hearings on independence, free association, the

current status, or statehood. We have more than a hundred in the history of this Committee dealing with the issue of Puerto Rico. We have hundreds of witnesses in that chair explaining, providing even speeches regarding those options. The options we are having in this bill are not new. They have been discussed for a hundred years, most of them.

So, saying that this bill is the result of H.R. 2017 and H.R. 1522, and those two bills had a lot of public hearings here with a lot of people who submitted for the record and others that were here as witnesses. This Committee has discussed the issue of the colonial situation of the island for many, many years. We just want to say that this bill specifically did not have a hearing that is one thing. Saying that the content of this bill has not been discussed many times, a hundred times is a different one. With that, I thank the Ranking Member. I yield back.

Mr. WESTERMAN. Again, I appreciate the gentlelady's passion and work. I just know that neither of the two bills that had hearings in this Congress had the independence option on them. I have only been here almost 8 years, and again, what happens in one Congress isn't binding for what happens in another Congress. But I know in this Congress, the hearings we have had on bills did not include the independence option. I yield back to the gentleman from California.

Mr. OBERNOLTE. I yield back, Mr. Chairman.

The CHAIRMAN. The gentleman yields. Any more——

Miss GONZÁLEZ-COLÓN. Mr. Chairman, Jenniffer here. I just want to correct one. I said that it was $5 million in balance in the Department of Justice for the educational process. I need to correct myself. It is a $2.5 million balance in the Department of Justice for the educational campaign. I yield back.

The CHAIRMAN. Thank you.

Hearing no further debate on Amendment No. 4, I ask all Members who are in favor of the amendment to please indicate by saying aye.

I will now ask all Members opposed to indicate by saying no.

In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

Mr. MCCLINTOCK. Mr. Chairman, on that question I request the yeas and nays.

The CHAIRMAN. The gentleman requests a recorded vote, and that is postponed pursuant to the prior announcement.

Representative McClintock, you have Amendment No. 74. Sir, you are recognized for 5 minutes.

Mr. MCCLINTOCK. Thank you, Mr. Chairman.

A common language is imperative in any democracy because it is the means by which citizens debate and discuss the decisions that directly affect the life of the nation. Freedom of speech is meaningless if citizens cannot talk to each other and understand each other. Seventy-six percent of Puerto Ricans, according to one recent poll, thought it would be unacceptable that English might become their official language. According to one survey, about 80 percent of Puerto Ricans cannot speak English fluently. As one nation, we have to be able to talk to each other. In addition, command of English is essential to compete and succeed in an English-

speaking country. Puerto Rican students already score several grade levels below their mainland peers. That problem would only be exacerbated if they were granted statehood without assuring that they can fully assimilate into American society.

Language is not addressed in this bill for a simple reason. A crucial part of the statehood movement is to assure that Spanish would continue as the predominant language of government under statehood. Statehood is incompatible with separatism. We are either one nation or we are not. The admission of Oklahoma, New Mexico, Arizona, and Louisiana all came with conditions that schools and government functions be conducted in English. Those states were able to deal with that perfectly well. Puerto Rico's Federal Representative, the Resident Commissioner, is required to be able to read and write in English. Why is that? It is because without this requirement, she would be entirely isolated from the national debate. The same is true of every citizen, which is why we require English proficiency as a condition of citizenship.

With that, I would ask for adoption of the amendment.

The CHAIRMAN. The gentleman yields. Anyone else wish to be recognized?

Mr. Soto.

Mr. SOTO. Thank you, Mr. Chairman. I would like to give a vision of what the future of Puerto Rico will look like should they choose statehood, and you can see it right in my hometown in Orlando and Kissimmee in Central Florida where our students, regardless of race or background, are learning both English and Spanish. They are really being trained to be superior to do business and to be professionals throughout the northern and southern hemisphere. They are going to be able to do business in Northern Canada, across the United States, in Central America, in the Caribbean, in South America. So, when we see Puerto Rico going forward, you are going to see more and more people being able to be speak great English and great Spanish, just like Jenniffer González-Colón, whose English is far better than my Spanish, by the way.

Although *yo trato cada día*.

So, I think as we are looking at this issue, looking to Europe, looking to other areas, we want to embrace not only English, but encourage Americans to learn more than one language. This will give them economic opportunities throughout the world. When people train in the military and in the CIA and all these other opportunities, we do everything we can to train them in other languages.

So, I don't view this as Puerto Rico being condemned just to speak Spanish. I view this as a future where you are going to have bilingual populations just like in Central Florida that are going to improve the economic prosperity of our nation and finally get more folks to learn several languages for economic prosperity and for our ability to maintain our leadership across the global stage. And I oppose this amendment.

The CHAIRMAN. Anyone else?

Miss GONZÁLEZ-COLÓN. Mr. Chairman?

The CHAIRMAN. Miss González-Colón?

Miss GONZÁLEZ-COLÓN. Thank you, Mr. Chairman.

I oppose this amendment. First, I think this amendment is unnecessary. Under current law, English currently is already one of Puerto Rico's two official languages, just to make that for the record, along with Spanish. And this has been the case ever since 1993. This wouldn't change under statehood.

Moreover, the United States does not have, and has never had, an official language at the Federal level. Neither the Constitution nor current Federal law designate or mandate an official language; nor does the Constitution say that English would be the primary language for a territory to become a state. Instead, the adoption of an official language, if any, is a power reserved to the states under the 10th Amendment.

In 1978, for instance, Hawaii amended their state constitution to recognize both English and Hawaiian as official languages. In 2014, Alaska adopted legislation designating 20 Alaskan Native languages as official languages with English. And most recently in 2019, South Dakota recognized an official Indigenous language alongside with English.

Moreover, even though in past Congresses, some tried to impose certain language requirements as a condition for statehood, it is likely these actions were unconstitutional, violating the Equal Footing Doctrine and infringing on state sovereignty. And even then, the new states used their powers under the 10th Amendment to reject these impositions.

That was the case with New Mexico. Despite congressional attempts to mandate that public education be conducted solely in English, the territory of New Mexico drafted a state constitution that included provisions protecting the rights of the Spanish-speaking population and essentially making Spanish an official language equal to English. Those provisions were not rejected by Congress and did not prevent New Mexico from becoming a state in 1912. Therefore, if each state has the power to adopt its official language under the 10th Amendment, why should it be any different for Puerto Rico?

As a Republican, I truly believe in state rights. I truly believe that the Federal Government should not be imposing or regulating the state's lives. Language is an issue that the states need to speak and conduct their business in. In our case, since 1993, Spanish and English are the official languages of the territory.

This proposed amendment also fails to recognize that the United States is a linguistic diverse nation. Approximately 380 languages are spoken by U.S. residents, including Spanish, which as a matter of fact, is spoken by 41 million people in our country. That means that the United States has the second largest population of Spanish speakers in the world. According to the Census data, 21 percent of the U.S. population speak a language different than English at home. And this number is significantly higher in a state like California where it stands at 43.9 percent, Texas at 35.1 percent, and Florida at 29.4 percent.

Of course, I strongly believe that we should improve the teaching of the English language. I agree with you on that. And in the case of Puerto Rico and across the rest of the nation, not just for the island. In fact, I can attest that English proficiency has increased among younger generations of the island, not because of the

Department of Education, but particularly thanks to social media. And we must do a better job of spreading bilingual education, and I stand ready to work with my colleagues on ideas to achieve better English in all our states. However, this amendment imposes conditions in Puerto Rico that have not been imposed to any other state. Interfering with the state's powers under the 10th Amendment is not the way to do it.

Let me conclude by saying that being an American is not about where you come from or what language you speak. Each state and each community across our country has their own identity and culture, but they have shared a set of ideals, love, liberty, equality, and justice, that make us all Americans. And Puerto Ricans have been proud American citizens since 1917. We have been contributing to every facet of American life and have stood side by side with our fellow citizens in building this country. More than 200 people from the island have honorably served our U.S. military and fought for their great nation, speaking Spanish in Korea, speaking Spanish in Vietnam, speaking Spanish in Iraq, and in any other theater of war. Nobody asked them in what language they were fighting, because they were fighting for our nation.

With that, I yield back.

The CHAIRMAN. Anyone else wish to be recognized?

Ms. LEGER FERNÁNDEZ. Mr. Chair?

The CHAIRMAN. Who seeks recognition?

Ms. LEGER FERNÁNDEZ. Representative Leger Fernández.

The CHAIRMAN. Representative, you are recognized.

Ms. LEGER FERNÁNDEZ. Thank you, Mr. Chair.

I rise in strong opposition to this amendment, and I thank Representative Colón for raising the fact that in New Mexico we do have in our constitution the protection of the teaching of Spanish as a language. And indeed, in New Mexico we were very early on promoting the importance of multiple languages to both enhance identity as well as enhance the ability to work in the future, and enhance one's identity and cultural affiliation, which is a good thing, not a bad thing.

New Mexico, in 1973, passed the Multicultural Bilingual Education Act requiring that home languages, whether it be Tewa, Towa, Tiwa, Keres, Apache, Diné Navajo, or Spanish be taught in our schools if those languages are spoken at home. In New Mexico, we have multiple languages that are spoken by our tribes, by our pueblos, by the Navajo Nation, by the Apache Nation, as well as the Spanish speakers who have lived in New Mexico for 300 to 400 years. And we were not denied statehood because of our ability to master more than one language. Indeed, we were allowed in.

I will say that there were many years where we could have been allowed in and were not, partially because we did speak Spanish here and there was bigotry. But that bigotry eventually gave way and we were allowed in in statehood in the 1900s as we just heard.

So, I think that today is—you know, a hundred years ago that bigotry existed that prevented New Mexico from entering into a statehood because of the fact that we did speak multiple languages. And I hope that now a hundred years later that bigotry is still in the rearview mirror because this should not be a requirement for Puerto Rico to make its own decision about what it wants to be.

And in the end, this is all about self-determination, and that is why I am in such favor of this bill and opposed to this amendment.

Thank you, Mr. Chair. I yield back.

The CHAIRMAN. Is there anymore debate on——

Mr. ROSENDALE. Mr. Chair?

The CHAIRMAN. Sir, you are recognized.

Mr. ROSENDALE. Thank you, Mr. Chair.

I support this amendment. While serving in the State Legislature in Montana, I supported funding to teach and retain Native American languages to make sure that they were preserved. But that is not what we are discussing here. Throughout the morning, we have heard the cries to treat Puerto Rico admission the same as we have other states. Why is it when it comes to one of the most important elements which provides clearer communication amongst a population and participation in this very body that we are going to disregard it? The proponents of this legislation continue to pick and choose previous provisions for statehood like a menu to accommodate their own goals. And that is not what is going to be consistent, and that is not what I can return to the people of Montana and share with them and show that there has been some type of special provision that is put in place. So, again, I would like to say that I do support this amendment and I think it would work toward making admission, if in fact it was accomplished, consistent.

I yield back. Thank you, Mr. Chair.

The CHAIRMAN. The gentleman yields. Anyone else?

Ms. MCCOLLUM. Mr. Chair? This is McCollum.

The CHAIRMAN. Ms. McCollum, you are recognized.

Ms. MCCOLLUM. I am fully informed and prepared to vote on this issue, and I think all of us are. I just want to add two caveats to this.

In Minnesota, when we had people who were refugees that came and we knew they were applying for citizenship and passing the test and excited about participating, most of our counties that knew that we had people who maybe spoke Vietnamese, Laos, Somali, Ethiopian, I mean at any one of my schools at any time or in the ERs in the Twin Cities, depending upon the day, 7 to 46 different languages could be spoken. We included voter information because we welcomed, we embraced people. We wanted to make sure everybody could participate once they were a citizen.

And then the Congress, the U.S. Congress, after the brave service of many of the Hmong people helping our servicemen and women during the Vietnam War who were refugees over here, because there had been no written language originally in Hmong, we made accommodations for them to be able to take the citizenship test.

So, folks, we do make accommodations. We do do things. And if we want everybody to participate, we should give everybody the toolbox to make them fully participate.

And Mr. Chair, I am going to take back the time, because as I said, I am fully informed, and I am prepared to vote. I think everyone is.

I yield back.

The CHAIRMAN. The gentlelady yields. Anyone else?

I will now ask all Members in favor of the McClintock Amendment No. 74, if so to please indicate by saying aye.

All those Members opposed to the amendment, please indicate by saying no.

In the opinion of the Chair, the noes have it. The noes have it.

The gentleman has requested a recorded vote and it is postponed as per prior instructions.

Representative McClintock, you now are recognized for Amendment No. 72.

Mr. MCCLINTOCK. Thank you.

Mr. Chairman, this amendment requires that the plebiscite be decided by a two-thirds vote with respect to the state status option. We have to understand something. Statehood is forever. It is irrevocable. And it shouldn't be decided on a slender majority that could shift at any time.

Here is the record of plebiscites in Puerto Rico. In 1967, 60.4 percent voted for the commonwealth option, an option that is not even allowed to the voters under this bill.

In 1991, it was proposed, in essence, free association. That was defeated 45 to 53.

In 1993, again, the commonwealth option that has specifically denied the people of Puerto Rico under this bill received the plurality of the vote at 48.6.

In 1998, as I mentioned earlier, none of the above, another option, not allowed to the people of Puerto Rico under this bill. None of the above took 50.3 percent of the vote.

In 2012, 61.2 percent voted for statehood, but 500,000 blank ballots were simply ignored by the state government.

In 2017, 97 percent voted for statehood, but that was only because of a boycott by the non-statehood parties, and as I said earlier, only a 23 percent turnout in that election.

And most recently in 2020, with a 53 percent turnout, statehood was voted by a slender majority, 52½ to 47½ percent. That is the record of votes in Puerto Rico.

Now compare that to the votes in Alaska and Hawaii. In 1958, 84 percent of the voters in Alaska voted in favor of admission to the Union. Eighty-four percent.

In 1959, 94 percent of the voters in Hawaii did the same thing. And turnout was exceptionally high in both elections.

So, admitting a state for all eternity on a slender majority sets the stage for civil unrest and even secession if a small percentage of the population change their minds.

The supporters of statehood say there is a mandate, but perhaps Senate Democrat Leader Chuck Schumer said it best. Asked about the results of the 2020 plebiscites, Schumer said, there is no consensus, there is division. That is correct, which is precisely why we can't let a simple majority of the electorate dictate Puerto Rico's future in a structured vote that denies them the options that in the past they have supported.

I yield back.

The CHAIRMAN. The gentleman yields.

Anyone wish to be recognized on the amendment?

Miss GONZÁLEZ-COLÓN. Mr. Chairman?

The CHAIRMAN. Miss González-Colón?

Miss GONZÁLEZ-COLÓN. Thank you.

I strongly oppose this amendment. The Puerto Rico Status Act already established that the winning status option must obtain the majority of the ballot vote cast in the referendum. If no option received a majority, the bill requires a run-off plebiscite between the two top options. And actually this is one of the amendments that we have a lot of differences, Ms. Velázquez and I, because I truly understand that we should have just a plurality of the vote. They convinced me that in order to have a proper plebiscite, we should at least have a majority of the vote and that was the provision that was included there. And this bill ensures the winning status option is supported by a majority of the voters and not just of the plurality.

In fact, I will argue that the bill already imposes a higher electoral threshold to address Puerto Rico's political status than most elections throughout the United States, including on the island, which typically only requires a plurality of the vote to win.

A super majority vote requirement on the other hand would allow a minority to block the will of the majority of the voters, no matter how clear or solid that majority may be. It also defeats the whole purpose behind this bill, which is to resolve once and for all Puerto Rico's political status dilemma among constitutionally viable non-territorial options. As a statehood supporter, I can also say that imposing a super majority vote requirement will also go against precedent and lacks both legal and historical basis.

Article IV, Section 3 of the Constitution which empowers Congress to admit new states does not require any kind of majority support prior to admission. And Congress has never mandated a jurisdiction meet a specific level of electoral support to trigger the admission process. So, additionally, all that has been needed is a majority of the electorate which favors statehood, not a super majority.

However, of the 37 states that have been admitted into the Union, only 17 held any kind of statehood referendum, plebiscite, or poll. Of these 17, 10 of those states only held one referendum, whereas the remaining 7 held multiple votes.

In five of those seven states, Maine, Iowa, Wisconsin, Oregon, and Washington, statehood was supported by a minority of the votes up until the very last election in which a majority of the vote was finally obtained.

And in the cases of Wisconsin, Nebraska, and Colorado, Congress even enacted statehood legislation without an electoral majority mandate. In these three territories, Congress acted even though the results of the last status referendum showed that at least more than 50 percent of the citizens in those areas voted against admission.

So, you get facts here about admitting states. And this all goes to show that a super majority has never been a requirement for statehood. Why should it be any different in the case of Puerto Rico?

Without speaking for any of the other bill sponsors, I can say that I am confident that once this bill is enacted, the people of Puerto Rico would overwhelmingly ratify their desire for full equality with our fellow Americans in the 50 states. As we pre-

viously expressed in 2012, 2017, and 2020, and of course people who lost those plebiscites are going to be speaking against it. And that is a reality. The last plebiscite was held in conjunction with general elections on the island, and it was not a 55 percent participation. It was more than 65 percent of participation in that poll, because, if you are not aware, in the case of Puerto Rico our main sport is politics. And that means the people love to participate in the debates on the island and they go to the primaries in a higher percent than any other state.

Having said that, and we previously expressed in those referendums and the level of support, statehood is increasing dramatically, as it happened in Hawaii, as it happened in Alaska, after Congress enacted their admission act. By imposing a super majority vote requirement would be unfair and unprecedented as I just explained it, and that is the reason I oppose this amendment.

I will say thank you, and I yield back.

The CHAIRMAN. The gentlelady yields back.

Are the Members prepared to vote? Any further debate? Because they have called votes and after this voice vote on Mr. McClintock's amendment, I will recess to deal with the vote series and then reconvene immediately thereafter.

If there is no further debate, the question is on McClintock Amendment No. 72.

All those in favor, please indicate by saying aye.

All those opposed, no.

In the opinion of the Chair, the noes have it.

The gentleman has requested a recorded vote, and that is postponed pursuant to prior announcement.

With that, we will be in recess and the staff will provide your offices with an update about timing. So, the Committee is now in recess subject to the call of the Chair.

[Recess.]

The CHAIRMAN. Let me now turn to the Ranking Member, Mr. Westerman, you have an Amendment No. 7, sir. You are recognized.

Mr. WESTERMAN. Thank you, Mr. Chairman. Several provisions in Titles I and II of this bill would place requirements on what would be the new sovereign nation of Puerto Rico. This amendment would strike these provisions as they would not be enforceable. There is no U.S. court that would or could ever enforce provisions in this bill that propose to dictate to a new nation how it should structure its new government. The U.S. Congress cannot demand that a foreign government hold a Constitutional Convention or dictate that they should have a Constitution, let alone that would be included in it, or what would be included in it, or even require a new nation to join a joint transition committee.

Those are decisions for the people of the new sovereign nation to make, not the U.S. Congress. If Puerto Rico voters choose independence, that is saying they do not want to be a part of the U.S. Federal system, or have the U.S. Congress determining what they should be doing as a sovereign nation moving forward. The voters of Puerto Rico should understand that forging a new nation is not something that can be legislated from Congress, it is the work of the nation's people. These provisions have no enforce-

ability, and should be stricken from the bill. I urge support of my amendment, and I yield back.

The CHAIRMAN. Thank you. The gentleman yields. Anyone else wish to be recognized on Mr. Westerman's amendment?

Ms. VELÁZQUEZ. Mr. Chairman?

The CHAIRMAN. Ms. Velázquez, you are recognized.

Ms. VELÁZQUEZ. Thank you, Mr. Chairman. What this amendment is trying to achieve is denying Puerto Rico's inalienable right to form its own constitutional government if the people were to choose independence as an option. The United States cannot deny this right to any country. We cannot call ourselves the beacon of democracy while at the same time denying Puerto Rico's right to be an independent nation under international law. This amendment intends to set up for failure the option of independence, and I will never agree to that. I oppose this amendment, and I yield back.

The CHAIRMAN. The gentlelady yields. Anyone else wish to be recognized? Hearing no further debate, the question is on Mr. Westerman Amendment No. 7.

All those Members in favor of the amendment, please indicate by saying aye.

All those Members opposed to the amendment, indicate by saying no.

In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

Mr. WESTERMAN. Mr. Chairman, I request the yeas and nays.

The CHAIRMAN. Mr. Westerman having requested a recorded vote, that is postponed pursuant to prior announcement. Mr. Westerman, you have an amendment designated No. 2, and again, you are recognized for 5 minutes.

Mr. WESTERMAN. Thank you, Mr. Chairman. This amendment would strike provisions of the bill that require continued U.S. payments to the newly created foreign government of Puerto Rico if the voters choose either independence or free association.

If the people of Puerto Rico vote for independence, that means they are rejecting access to the U.S. Federal system, our laws, and our resources. Any foreign aid provided from the United States to Puerto Rico following its establishment as a sovereign nation is a question of international diplomacy to be negotiated between the governments of the United States and Puerto Rico, and then approved by Congress.

U.S. taxpayers should not be responsible for sustaining the benefits of U.S. programs to Puerto Rico if the people of Puerto Rico choose to separate themselves from the United States. I'll note that foreign aid is not in the jurisdiction of this Committee, which is essentially what these block grant payments would be.

Any foreign aid to a new nation should be negotiated with the United States, recommended by the Federal agencies charged with this task, such as the Department of State, and the U.S. Agency for International Development, and considered by the congressional committees with the jurisdiction and expertise to effectively analyze the issue. If the people of Puerto Rico vote for sovereignty in free association, that is still a vote for separating from the United

States. The United States has always negotiated compacts with nations in free association.

The terms of those compacts for economic payments, common defense provisions, and travel and work authorizations, have always resulted from a bilateral process between the United States and the freely associated state. We cannot bind the outcomes of international negotiations and agreements with a sovereign state before such agreements have been negotiated. And we certainly cannot bind a new foreign government through U.S. legislation. This is definitely putting the cart before the horse. I urge support of my amendment, and I yield back.

The CHAIRMAN. The gentleman yields. Anyone else?

Ms. VELÁZQUEZ. Mr. Chairman?

The CHAIRMAN. The gentlelady is recognized.

Ms. VELÁZQUEZ. Thank you. In the 1950s, low-income Puerto Rican women were used as guinea pigs to test the now widely used birth control pill. As Professor Gabriela Soto Laveaga from Harvard once said, because of its semi-colonial status with the United States, the ability to test on these women's bodies seemed like these territories are an extension of us. And from 1956 to 1957 and from 1966 to 1968, Puerto Rico was home to the storage and testing of the Agent Orange. Military practices in the island of Vieques and Culebra that have destroyed part of the ecosystem, and what about the Ponce Massacre in 1937?

I could go on and on throughout the decades citing the abuse and neglect that the United States has inflicted upon the island, but let's focus on recent memory. In 2017, the failure and indifference of the Federal Government resulted in more than 5,000 Puerto Ricans dying in the aftermath of Hurricane Maria, ensuring a transfer of block grants and other Federal allocations under the independence and free association options is quite literally the bare minimum. If we want to get serious about righting the wrongs of colonial rule, we would openly be discussing reparations.

What this bill aims to accomplish, or this amendment, is to give Puerto Ricans, if they choose independence or free association, the tools and timetable to transition to international sovereignty by standing on their own two feet. I strongly oppose this amendment, and I urge Members to vote no. I yield back.

The CHAIRMAN. The gentlelady yields. Anyone else? Hearing no further no debate, the question is now on the Westerman Amendment No. 2.

Again, all those Members in favor of the amendment, please indicate by saying aye.

All those Members opposed, please indicate by saying no.

In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

Mr. WESTERMAN. I request the yeas and nays.

The CHAIRMAN. The gentleman has requested a recorded vote, postponed as per previous announcement. Representative Tiffany, you have an amendment designated No. 10, sir, and you are recognized.

Mr. TIFFANY. OK. This is Amendment No. 10?

The CHAIRMAN. Yes.

Mr. TIFFANY. OK. Thank you, Mr. Chairman. My amendment would remove the travel and work authorization provisions should Puerto Rico choose to implement either the status of independence or sovereignty in free association. From what I read in the bill, citizens of a new nation of Puerto Rico will be able to travel and work in the United States for either a set period of 25 years under the independence option, or for the duration of the first articles of free association under the free association status option.

That seems like special terms for a foreign nation that should go through a vetting process with the State Department, and maybe the Department of Homeland Security. At the very least, this Committee and other committees with jurisdiction over immigration and work authorization should be given the option to understand the provisions and figure out what the implications would be. From where I sit, if the people of Puerto Rico want to be independent, then that means there is no special treatment and no special benefits from the U.S. Federal system. That includes for travel and work authorizations.

And if a new nation of Puerto Rico chooses to be a freely associated state, then travel and work authorizations would presumably be able to be negotiated through a bilateral process, as the other freely associated states have done. Any choice by the people of Puerto Rico for independence or sovereignty in free association should start them on the same playing field as a foreign nation, and then they get to negotiate with the United States.

We should not be hampering possible future negotiations the United States may have to engage in with a possibly new foreign country, even with one that has a historical connection to the United States. The people of Puerto Rico should know that choosing to be their own sovereign nation means there are changes in how people can travel between the United States and Puerto Rico. I urge my colleagues to support my amendment, and I yield back, Mr. Chair.

The CHAIRMAN. The gentleman yields. Any other Member wish to be recognized on Mr. Tiffany's Amendment No. 10?

Ms. VELÁZQUEZ. Mr. Chairman?

The CHAIRMAN. The gentlelady is recognized.

Ms. VELÁZQUEZ. Thank you. The provision that Mr. Tiffany intends to strike was heavily negotiated in a bipartisan fashion. Allowing Puerto Rican citizens to work and travel freely between Puerto Rico and the United States is an agreement that the United States already has in place with places like Palau, which as this Committee knows, currently has a compact of free association with the United States.

With this provision, we will not be reinventing the wheel, and as I have previously stated throughout this markup, this is one of the many provisions to right the wrongs that Puerto Rico has been subjected to. Thank you, Mr. Chairman. I yield back.

The CHAIRMAN. The gentlelady yields. Anyone else? Hearing no further debate, the question is on Tiffany Amendment No. 10.

All those Members in favor of the amendment, please indicate by saying aye.

Thank you. All those Members opposed, please indicate by saying no.

In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

Mr. TIFFANY. Mr. Chairman, may we have a recorded vote?

The CHAIRMAN. The gentleman has requested a recorded vote, and that is postponed pursuant to the prior announcement made. Representative Tiffany, you have Amendment No. 9, and once again, you are recognized for 5 minutes.

Mr. TIFFANY. Thank you. This amendment would strike the citizenship transition period should the residents of Puerto Rico choose the free association option through the plebiscite authorized by this bill.

From what I understand, this section creates an exception to the previous subsection that stops the extension of U.S. citizenship to children born in Puerto Rico to at least one parent who was made a U.S. citizen under Section 302 of the Immigration and Nationality Act after independence is declared.

During a transition period thats only limit is the duration of the first articles of free association, U.S. citizenship is extended to some children born in a new nation of Puerto Rico, but only if they have two parents who are both U.S. citizens as long as one of which has had the required residency in the United States under Section 301, Subsection C of the Immigration and Nationality Act. Is that not already the case in our immigration law? And if this bill changes that, why does only this status option have a "transition period"? Why isn't there also a transition period in Title I? Perhaps the Chair could explain this in the bill.

I would like these questions answered. I think this further reinforces why this bill should have a hearing in this Committee, and I'd like to see other committees with jurisdiction over immigration, tax policy, and entitlements, to name a few to have input on this bill. As a member of the Judiciary Committee, I think it is critical for their analysis as well. It is a messy proposition for a U.S. territory where all persons are born U.S. citizens under Section 302 of the Immigration and Nationality Act to achieve independence, and then figure out the mechanics of what happens with the granting of U.S. citizenship. We should know what the effect of these sections will be before we vote on this bill.

From where I sit, if the people of Puerto Rico want to be independent, then that means there is no special treatment and no special benefits from the U.S. Federal system, and Puerto Rico should not get a special transition time just because they may choose sovereignty in free association with the United States rather than just independence.

All the other freely associated states went through bilateral negotiations with the United States to determine what economic benefits, defense provisions, and travel and work authorizations they would have, and none of them were granted the U.S. citizen status to their residence. We need to make sure that it isn't happening here without full vetting from the committee of jurisdiction. I urge my colleagues to support the amendment, and I yield back.

The CHAIRMAN. The gentleman yields. Anyone wish to have further discussion on Mr. Tiffany's amendment?

Ms. VELÁZQUEZ. Mr. Chairman?

The CHAIRMAN. Ms. Velázquez.

Ms. VELÁZQUEZ. Thank you. May I remind this Committee and the gentleman, Mr. Tiffany, that in the Supreme Court case of *Afroyim v. Rusk*, a U.S. citizen cannot lose his or her citizenship unless they are willing to surrender it. So, it means we cannot take it away. Puerto Rico currently has 3.5 million citizens who will retain their citizenship under the articles of free association. More importantly, ensuring that citizenship rights can be transferrable for deliberation of the articles of free association was an integral part of this negotiation.

After 123 years of colonialism, the bare minimum the United States can do for Puerto Ricans is to ensure citizenship is guaranteed if Puerto Rico chooses to vote for free association. In that event, it will be the first time in history that the United States enters a relationship with a territory where all its inhabitants are currently U.S. citizens. I cannot support this amendment, and I ask the members of the Committee to vote no.

I yield back.

The CHAIRMAN. The gentlelady yields. Anyone else wish to be recognized?

Mr. WESTERMAN. Mr. Chairman?

The CHAIRMAN. Mr. Westerman.

Mr. WESTERMAN. Mr. Chairman, the option in here for independence is unprecedented. If it were to be chosen, it would be the first time in history where American citizens have voted to form a country that is not part of America anymore. And nobody—I don't think—Mr. Tiffany, I don't want to put words in his mouth, but I don't think he said we are taking citizenship away from anybody. The way the language is written is it allows a transition period where people who are born in Puerto Rico become U.S. citizens, and they wouldn't even have to have U.S. citizen parents for that to happen.

So, I support Mr. Tiffany's amendment because in the event that the U.S. citizens of Puerto Rico were to choose sovereignty in free association, this amendment would remove the provision contained in the bill that would provide a transition period. That is what we are talking about. The transition period for those born in the new nation of Puerto Rico under certain circumstances. The United States has laws that determine how citizenship is granted. Extending U.S. citizenship to those born in a sovereign-foreign nation to non-U.S. citizens is, like I said, unprecedented.

If free association is chosen, there should be no transition period that allows for U.S. citizenship to be extended to individuals born to non-U.S. citizens. This is consistent with the other freely associated states where U.S. citizenship is not granted to residents and benefits are negotiated through compact. The people of Puerto Rico should understand what choosing independence or sovereignty entails. That is separation from the U.S. Federal systems and their related benefits. I support this amendment, and I yield my remaining time to the gentleman from Wisconsin.

Mr. TIFFANY. I thank the Ranking Member for the time. First of all, I'd like to associate myself with his remarks, and I would just also add the process question here. I sit on the Judiciary Committee. There needed to be a better vetting in regards to this

bill, a more comprehensive vetting in regards to this issue to make sure that everything is sorted out, and I think that is part of the reason these questions are coming up here, is once again, the bill being pushed through that has not had that complete vetting, and that is unfortunate, and I yield back my time to the gentleman from Arkansas.

Mr. WESTERMAN. I yield back the balance of my time.

The CHAIRMAN. Thank you. The gentleman yields. Anyone else wish to have any comments on Mr. Tiffany's No. 9? Ms. Stansbury? Thank you.

Ms. STANSBURY. Thank you, Mr. Chairman. I stand this morning in strong opposition to this amendment, and this entire debate about citizenship. It is clear the Puerto Rican people are citizens of the United States, and I've been actually shocked by much of the discussion this morning. As a New Mexican, I want to say unequivocally that I stand with Puerto Rico and the Puerto Rican people in their right for statehood, self-determination, and their ability to determine their own future, their economy, and their political status. Puerto Ricans have fought for our military and died. They pay their Federal taxes but do not have the ability to have their voices heard.

This is not democracy, and this is unjust. Our Congress, this Committee, have a responsibility to act now to join the Puerto Rican people in supporting their efforts to choose their own future, and this bill will create the pathway to make that happen, and this amendment is, I believe, antagonistic to that effort.

As a New Mexican, I stand in full support of this bill. Our own state faced the same struggle for over 60 years after the treaty of Guadalupe Hidalgo was signed between the United States and Mexico in 1848, New Mexicans sought statehood for over six decades, and the same debates that are being had in this Committee this morning on citizenship, on language, on culture, on history, were heard in the U.S. House of Representatives for 60 years before New Mexico was granted the ability to become a U.S. state. So, I am shocked to sit here today and hear this debate. Our people were left in limbo for generations relegated to territorial status as their lands, their waters, and their resources were open for development, and our communities were unable to have their voices heard.

So, I stand in strong support and strong solidarity. This bill is long overdue. I want to thank the Chairman and congratulate Representatives Velázquez, Soto, and Resident Commissioner González-Colón for your incredible leadership and congratulate you on coming together to create this bill, and I want the Puerto Rican people to know that as a New Mexican, I stand in solidarity with your fight and will be here to the end.

The CHAIRMAN. The gentlelady yields. Anyone else wish to be recognized?

Mr. ROSENDALE. Mr. Chair?

The CHAIRMAN. Sir, you are recognized.

Mr. ROSENDALE. Thank you, Mr. Chair. Again, I think that every one of these amendments goes to the simple fact that this piece of legislation was not vetted before it was brought before this Committee for markup today, and that is why so many of these

Members on our side of the aisle are bringing these amendments up, because there are all these outstanding questions, and we don't have the answers to them, and we are not getting those answers today.

Again, I hear a bunch of explanations about why we should ignore the process with which a state is considered or brought into the Union, but I'm not hearing a lot of good, solid reasons why we should be ignoring this. With that, I would like to yield the balance of my time to my good friend from Wisconsin, Mr. Tiffany.

Mr. TIFFANY. Mr. Chairman, it is disappointing that the gentlelady from New Mexico left, because I was going to yield time to her for her to share with us what was the process that New Mexico went through? How many committees of jurisdiction reviewed this? What was that process? Because it is the first that I realized that New Mexico took 60 years, and perhaps you know that answer, and I would certainly yield time to you, Mr. Chairman, or anyone else on the Committee if they know the answer to that, what was the process in New Mexico? How many committees? Did the Judiciary Committee hear this? Did various other committees review this through the process of creating the state of New Mexico?

It is not easy to become a state of the United States of America, but it is also not impossible, and there have to be strong processes put in place. There are good people in Puerto Rico, but you have to go through the processes in order to be able to make that happen and be able to answer the questions. So, I'll yield back to the gentleman from Montana.

Mr. ROSENDALE. Thank you, Representative Tiffany, and again, Mr. Chair, while you do not like the word of just eliminating or forgiving the debt, I know a lot of the people in this room would like to call the restructuring of that debt something different, but when I look at the taxpayers across the United States, and more specifically, the ones in Montana, when we start talking about absorbing in some form or fashion that debt, I just was directed to come up here and oppose that. So, with those final words, I would yield the balance of my time.

The CHAIRMAN. The gentleman yields. Anyone else wish to be recognized?

Ms. MCCOLLUM. Mr. Chair?

The CHAIRMAN. Ms. McCollum, you are recognized.

Ms. MCCOLLUM. I just want to make one comment. After the hurricane swept through in Puerto Rico, I went down there with a delegation to do some oversight. We would never have allowed the devastation and the continued lack of support that Puerto Rico received, that I and my constituents saw firsthand, in any of our states. We wouldn't have allowed it. There's still repair work that needs to be done. This is a big factor into why Puerto Rico is still struggling to get right. We had hearings, we did all kinds of issues on restructuring the Puerto Rican debt and everything that was going on down there, and we didn't do it in a way that solved the problem.

That is why Puerto Rico needs to be having this opportunity to vote, having this opportunity to get out from underneath the U.S. Congress not being supportive of Puerto Rico in the way that we

should with our fellow citizens, and continuing Puerto Rico not to be able to be sufficient enough with what we should be doing in Puerto Rico with our fellow citizens so that they can get out from underneath this debt.

So, we've been talking about debt all day. We've been talking about second languages and everything all day. Mr. Chair, I won't speak again on this, because we've heard all these arguments since this morning, and once again, I am fully informed, and I am prepared to vote, Mr. Chair. I hope we can be moving on. Thank you.

The CHAIRMAN. The gentlelady yields. Anyone else wish to be recognized on the Amendment No. 9?

If not, I will ask all those Members in favor of the amendment to indicate that by saying aye.

All those Members opposed to the amendment, please indicate by saying no.

In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

Mr. TIFFANY. Mr. Chairman, may we have a recorded vote on Amendment No. 9?

The CHAIRMAN. The gentleman requests a recorded vote on his amendment, and it will be postponed as per prior announcement. Representative Hice, you have an amendment designated No. 45, and you are recognized for 5 minutes.

Dr. HICE. Thank you very much, Mr. Chairman, and I apologize for not being able to be there this afternoon in person. I have multiple plates that we are spinning here. But listen, I want to reiterate what was just stated yet again, that we've spent a lot of time today talking about the process of this bill, but that is important because the process matters. It matters a great deal. We have had zero hearings about this bill, and as Mr. Tiffany just brought up so eloquently, becoming a state of the United States should be and is a process.

It is not something that happens when a bill is dropped on Friday, and we are supposed to vote on it on Wednesday. That is not the process. This is the only committee that this bill has been assigned to at this point, and we have not even had a hearing on it, and there are just a great deal of concerns, and I'm sure you are aware of those at this point, but this bill does not even give an option for those in Puerto Rico who support remaining a territory.

This bill does not have the support of the Speaker of the House of Puerto Rico. It does not have the support of the President of the Senate in Puerto Rico, and why we are coming here behind this with such a rush and with such vigor is a bit concerning to me. Regarding specifically the amendment—my first amendment here—it would require that the government of Puerto Rico does not accept any funds from China if Puerto Rico chooses independence or free association. The thinking here in the bottom line is just to try to make sure that the United States keeps China out of our sphere of influence.

At this particular time, I believe that is extremely critical to our nation's national security, and we need to do everything we can to ensure that Chinese influence does not gain greater traction. So,

this bill just basically would prevent China from paying off the debts of Puerto Rico, and thereby getting a foot in the door, and I would urge my colleagues on both sides to support this amendment. I yield back.

Ms. VELÁZQUEZ. Will the gentleman yield?

Dr. HICE. Sure. Yes, I do yield, but if the Chairman will allow.

The CHAIRMAN. You have 2 minutes, sir. Do you yield? That is fine.

Ms. VELÁZQUEZ. I just have a question, an inquiry. Why just China and not adding Russia?

Dr. HICE. That is a good point, and I would agree with you on that. This is something that I believe we need to debate and discuss. Certainly, China right now is having a huge movement globally, and that is why I specifically mentioned China, but I fully agree with you, Russia's involvement here, likewise, I believe needs to be considered and prevented. I would be happy to work with the gentlewoman to include Russia.

The CHAIRMAN. Any other Member wish to address the amendment?

Mr. ROSENDALE. Mr. Chair?

The CHAIRMAN. The gentleman is recognized.

Mr. ROSENDALE. Thank you, Mr. Chair. Mr. Chair, I rise in support of the amendment. The United States should not allow the territory to hastily vanquish its current status and assume autonomy only to see it venture from a U.S. friendly territory to a sovereign that is financially beholden to an economic and military threat like China, and I would be more than glad to work with the amendment sponsor, Representative Hice, and the other side of the aisle, Ms. Velázquez to make sure that we do add Russia so that we can accomplish that.

To be beholden to an economic and military threat is quite problematic. The United States must have assurances that this isn't going to take place. Furthermore, this would send a clear message to Latin America that the United States remains vigilant to the threat of China and communism. The recent election of Leftist Gustavo Pedro in Colombia adds another country to China's influence in Latin America. China has been investing heavily in Central and South America for years with offers on economic trade, infrastructure programs, and loans from its banks, and we do not need to see them spread their tentacles into other areas. Thank you, Mr. Chair. I yield back.

The CHAIRMAN. Does anyone else wish to be recognized? Hearing no further discussion on the amendment, the question is on the amendment.

All Members in favor, please indicate by saying aye.

All Members opposed, please indicate by saying no.

In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

Dr. HICE. Mr. Chairman, request the yeas and nays please, sir.

The CHAIRMAN. A recorded vote has been requested, and that is postponed pursuant to the prior announcement. Representative Hice, you have Amendment No. 46 now, and you are recognized for 5 minutes.

Dr. HICE. OK. Can you hear me?

The CHAIRMAN. Yes.

Dr. HICE. Thank you, Mr. Chairman. This second amendment also deals with our national security and would require all of the United States national security assets to be maintained in Puerto Rico if it votes for independence. We have a number of bases in Puerto Rico. We have Fort Buchanan; Camp Santiago, an Army Base; we have Fort Allen, an Army Base; Coast Guard Air Station Borinquen; we have Coast Guard Station San Juan; and any other assets that the Secretary of Defense or Homeland Security believes is necessary. We just need to make sure that these remain U.S. bases and that we maintain them.

So, this amendment would protect our military investments that we have in Puerto Rico. The bases in question offer important strategic advantages for our armed services. The Coast Guard bases are key for timely responses to incidents that happen throughout the area, and obviously these bases provide strategic needs for the area of protection from others abroad. So, it is important that we address our military assets in Puerto Rico, and I would encourage, again, my colleagues on both sides of the aisle to support this amendment.

The CHAIRMAN. The gentleman yields back. Anybody wish to be recognized? Let me recognize myself on this one. I oppose the amendment and urge a no vote. The underlining bill already protects U.S. national interests, including national security through the Commission, which will resolve these issues.

If the voters of Puerto Rico choose independence, U.S. military assets such as equipment would continue to belong to the United States. Now, to the extent that this amendment requires that the United States gets to maintain military infrastructure or bases in an independent Puerto Rico, I believe that is inappropriate. It should be up to the nation of Puerto Rico whether they want to, if they chose to be—whether they want to let the United States continue operating military bases on their land, just like many of our allies do. This amendment is punitive.

This requirement should not be preconditioned to Puerto Rico if their voters choose independence. And like I said, there are three options in front of the Puerto Rican voters, but this one effectively punishes one of those options by making it a requirement that cuts at the very heart of what independent and self-determination would mean if that was the choice. I urge my colleagues to vote no and reject Amendment No. 46.

Anyone else want to enter into a discussion on this amendment? Hearing no further debate——

Mr. ROSENDALE. Mr. Chair, I will, if no one else is going to speak.

The CHAIRMAN. You are recognized.

Mr. ROSENDALE. Thank you very much. I think this, again, goes directly to the heart of this entire conversation, and that is we are going to be put in a position where we could be forced to have negotiations with a country after they have voted for their own independence.

And with your newly acquired legal experience that you were proclaiming earlier today, I would say that while I appreciate it, I

don't know that I want to place our nation's security in jeopardy because of it.

I mean, Puerto Rico could literally vote, because it is one of the options, to claim their own independence, complete independence from the United States, and then we would be put in a position where we would have to start negotiating about the terms and conditions of bases and the ownership thereof, instead of addressing that right now. And that could be very, very problematic.

I have negotiated many, many contracts over my years, and I can tell you, if the deal has already been struck prior to beginning those negotiations, it is problematic. That is like entering into a contract, signing it, and then going back to your legal counsel and asking them what they think about it.

Legal counsel can no longer modify that contract once it has been signed, once it has been entered into, once all of the parties have executed it. And by signing off on this legislation without making the determination about how those properties and those possessions will be handled, then we very easily could be turning those over to an independent state.

I yield back.

Dr. HICE. Would the gentleman yield?

The CHAIRMAN. The gentleman yielded back. Who seeks recognition?

Dr. HICE. This is Mr. Hice.

Mr. ROSENDALE. I would yield to Mr. Hice, if the Chair would allow.

The CHAIRMAN. But you already yielded back, sir. I am sorry.

Mr. ROSENDALE. OK. Thank you.

The CHAIRMAN. You are welcome.

Any further discussion on Amendment No. 46, Mr. Hice's amendment?

All Members in support of the amendment, please indicate by saying aye.

All those Members opposed to the Hice amendment, please indicate by saying no.

In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

Dr. HICE. Request yeas and nays, please.

The CHAIRMAN. Mr. Hice would request a recorded vote, I am assuming?

Dr. HICE. That is correct. Yes, sir.

The CHAIRMAN. OK. That is postponed based on prior notice.

Now we go to—Representative Hice, you have an amendment designated No. 47, and you are recognized for 5 minutes.

Dr. HICE. Thank you. Yes. There has been a lot of discussion today about paying back the debts, and that is what this amendment would do specifically. Look, we need to make sure that we are taking steps to ensure that we are fiscally responsible in this country, and that would include if we are bringing in another state into the Union. It would be totally irresponsible to admit a state into the Union with the current financial status that Puerto Rico has.

And I just believe that before any action is taken on behalf of Puerto Rico, the government there needs to prove that it has solved

these issues and dealt with the debt that they are carrying. No other state—in my research—ever that became a state of this great country was in such poor financial condition before being admitted into this Union.

And, look, I was there years ago when we were dealing with PROMESA as well, and there is no question in my mind that Puerto Rico has made some steps toward trying to become financially sound. But there are still many steps left to be taken. And the Commonwealth there, the government, quite frankly has a long record of problems that have negatively impacted Puerto Ricans and their future successes.

So, look, PROMESA we got through in 2016, but we have to make sure that debts are dealt with and that Puerto Rico is financially sound. After 6 years now of PROMESA, they still have not completed the debt restructuring. It is still an incomplete process. There is a lot of work yet to be done in this regard, and I believe it is not only fiscally responsible but our duty in protecting the entrusted taxpayer funds of this nation to make sure that Puerto Rico's debts are paid in full before statehood is ever allowed.

And with that, I will yield back.

The CHAIRMAN. Anyone want to speak to the amendment?

Mr. BENTZ. Yes, Mr. Chair.

The CHAIRMAN. The gentleman is recognized.

Mr. BENTZ. Mr. Chair, as I listened with great interest to the debate today, and as an attorney who has worked on any number of complex litigation and complex commercial transactions, I view that which I am looking at with a great deal of skepticism.

This is not to understate the significant efforts taken by those who have testified in support of the bill. I appreciate the need to do something clear and final when it comes to Puerto Rico. I get it. But as a lawyer who has spent huge amounts of time on matters dramatically smaller than this one, I am astounded at the lack of clarity as to many of the issues that we see on the face of the bill and the literally hundreds of others that do not appear here. And some of them are being raised, as with Mr. Hice's Amendment No. 47—a good amendment and one that certainly needs attention, not unlike the one we just finished discussing—a good amendment and one that needs attention.

In my law practice, we have checklists. I don't really have one for creating a state out of a territory, but I am going to guess it is pages long. And I wonder what was used to put this particular document together.

It is shocking to me that we would be looking at something so important and so incredibly challenging on such short notice. It is a slap in the face to the people of Puerto Rico, and I mean it. And I am not a person of Puerto Rican descent.

I have every inclination to try to help the folks there reach a solution, but when I hear constant references to reparations as kind of a threat to make us support this bill, I ask, where do reparations appear? Are they addressed here? Or are they merely to be held out there as something that could be brought into play when the time serves, or something to justify that which is not already in the bill because, well, reparation.

This is not to say that there were not things bad that happened. There were. There are. But the question is, why aren't they addressed here as opposed to merely vague references?

If you are going to do this, you should be doing it right. And I am not saying that you shouldn't be doing it. Of course, this issue deserves attention, but it deserves the type and quality of attention that a transfer of 3 million people and an incredible history that goes with it—we have heard bits and pieces of it throughout the last several hours.

What I am trying to say here is, as I have said about many other things since I joined this august group of Congressfolk a year and some half ago, let's do it right. And I do not want to understate the work that you folks have already done. I appreciate it. But it reminds me of when people came into my law office with a document that they had put together, and I would say, "This is a great start."

But if we are serious about doing something that is going to stick, then it needs to be done with a great deal more attention, not just to the amendment that I initiated regarding that I urge support of the amendment.

And I yield my time, to the extent there is any left, back.

The CHAIRMAN. The gentleman yields back. Is there any further discussion on the amendment?

Miss GONZÁLEZ-COLÓN. Mr. Chairman?

The CHAIRMAN. The gentlelady is recognized.

Miss GONZÁLEZ-COLÓN. Thank you. I strongly oppose this amendment. This is proposing to impose Puerto Rico a burdensome hurdle that has not been required for any other territory, and it also delays the implementation of this legislation. Requiring the payment in full of all debt on the date of enactment, before any action can be taken, not even a vote, is a condition that has never been imposed on any territory. Why should Puerto Rico be different to that?

If the people of Puerto Rico choose statehood, the legislation already provides that all debts and obligations of the territory, and any judgments and settlements to which the territory is part, will become those of the new state. There is clearly that language in the bill.

Puerto Rico is already paying the debt. In the plan of adjustment approved before the Court earlier this year, bondholders and the territory have settled already on a reduction of outstanding debt from $70 billion to $34 billion. And this includes general obligation debt, public building debt, retirement system bond, sales tax obligation, and water authority bonds.

Power authority and highway authority bonds are now in negotiation as we speak, and debt service has gone down from 25 percent of yearly revenues to 6 percent of yearly revenues as well. And for the second consecutive year, Puerto Rico has passed a fully balanced budget, and the government of Puerto Rico has enacted legislation that enables the plan of adjustment.

A few minutes ago—I think it was another amendment—some people were saying that this bill does not reflect the views of the Speaker of the House in Puerto Rico or the President of the Senate. Let's make some data clear for the people that are here in the

committee room. Statehood—let's say the Speaker of the House in Puerto Rico was selected in the last election by 12,000 votes—and, actually, the Speaker of the House is the Biden campaign chair, just to let that be known on the island. And the Senate President of Puerto Rico was elected by 71,000 votes: 71,000 people in Puerto Rico voted for the Senate President and 12,000 people voted for the Speaker of the House.

A total of 427,000 people voted for the Governor of Puerto Rico, who is supporting this bill, and 512,000 people voted for me, and I do represent the people of Puerto Rico in this Congress, and I have been elected twice now because of this same issue of status.

But let's forget about the persons. Let's forget about the Governor, Speaker of the House, me. Statehood got 655,000 votes, and yet some people here want to say that 12,000 votes from Speaker of the House are more important than the will and the direct vote of the people of the island? I assure you, nobody in your district is going to believe that a person who got less votes than you is going to have more power than you.

Having said that, the territory's current obligations will continue to be those on the new state or new nation of Puerto Rico, if we let the people choose. None will be charged to a U.S. taxpayer. All states have long-term debts, and actually 20- to 30-year bond outstanding even today. Many states have underfunded pensions. Many have subdivisions and municipalities that have gone into bankruptcy.

Are we going to declare Detroit is no longer part of the United States because of that? Why demand that Puerto Rico be free and clear before we are even getting in? Why treat Puerto Rico differently?

And for years, I have heard some of my colleagues say that any discussion of the issue of Puerto Rico self-determination should be put on hold until the island's economic and fiscal crisis is resolved. At least, you know, this is one of those amendments.

And I think this amendment is completely wrong and misguided, and I will tell you why. Puerto Rico mayor's economic problems are rooted precisely on the long-standing unequal treatment that the island receives as a territory, and this should come as no surprise as any political or economic model funded on the basis of perpetual civic disenfranchisement and equality is not sustainable.

And, again, we can talk about FMAP, how Puerto Rico has funded just 55 percent. With the rest of the states, it is 89. And then we have half of the population living under the poverty level line. And I am certain that no single one of my colleagues in this Committee will accept a territory established like Puerto Rico for their own constituents. Yet, I am here representing my people, looking to have a final solution on our status.

I know none of you will change the status of Puerto Rico for your district. I know that by a fact. Then why not respecting the long history of 124 years under the U.S. flag of American citizens on the island that are not willing to accept such a relationship either.

I yield back.

The CHAIRMAN. The gentlelady yields. Anyone else?

Mr. ROSENDALE. Just one comment, Mr. Chair, if I could.

The CHAIRMAN. The gentleman is recognized.

Mr. ROSENDALE. Thank you. By the end of 2021, the Financial Oversight Board established by PROMESA had completed assisting Puerto Rico in restructuring $33 billion in debt down to $7 billion, serving as the largest municipal debt restructuring in the history of the United States.

One more time. By the end of 2021, the Financial Oversight Board established by PROMESA had completed assisting Puerto Rico in restructuring—in my words that is forgiving, I know that you don't like to say that, but it is forgiving—$33 billion in debt down to $7 billion, serving as the largest municipal debt restructuring in the history of the United States.

I think this amendment is very necessary.

I yield back.

The CHAIRMAN. The gentleman yields. Anyone else?

Mr. WESTERMAN. Mr. Chairman?

The CHAIRMAN. Mr. Westerman.

Mr. WESTERMAN. Mr. Chairman, I would like to revisit some comments that were made earlier. I think it was the gentlelady from Minnesota on the Zoom who seemed to be in a bit of outrage about the way Puerto Rico has been treated, and specifically talked about how they were treated after the hurricane. And maybe I can give her an opportunity to clarify that.

I wish Mr. Graves from Louisiana was here. But I did a little checking on the numbers, and according to FEMA, since 2017, Puerto Rico has received about $68 billion in relief aid. I am not saying they didn't need it. I am just saying that is what they have received. I believe Mr. Graves' state of Louisiana has received about $12 billion.

There are Members from Florida here. You have had some hurricanes and disasters. I wonder if anybody has information on how much better the states have been treated in that regard than Puerto Rico. And if anybody would like to clarify what they mean about the way we have treated Puerto Rico after a hurricane.

Ms. VELÁZQUEZ. I could.

Mr. WESTERMAN. I will yield to the gentlelady.

Ms. VELÁZQUEZ. It has been demonstrated, especially throughout some of the research and investigations, that President Trump withheld money appropriated by this Congress to Puerto Rico, just because he didn't believe that Puerto Ricans deserve all that money.

So, because of that, people died. Those are the facts. It is not about the amount of money that was appropriated or allocated. It is about how the President—and I challenged the Secretary of HUD in one of the hearings—and the OIG also concluded that money was withheld.

Mr. WESTERMAN. I believe we also——

Ms. VELÁZQUEZ. Thank you for yielding.

The CHAIRMAN. Does the gentlelady yield back?

Mr. WESTERMAN. Reclaiming my time, I believe we also in Congress changed the Medicaid laws to allow more Medicaid funding to flow to Puerto Rico without imposing the Federal income tax. And I still find it hard to believe how you can say somebody has been treated unfairly when they have received way more

funding than any state has received on disaster aid. I believe New York got $12 billion from Sandy.

So, I just take exception to the fact that Congress, that the Federal Government, has played favorites with states and that Puerto Rico has been mistreated with disaster funding when the amount of funding is way, way out of proportion to what has gone to Puerto Rico versus what has gone to states who have had similar disasters. I yield back.

The CHAIRMAN. Any other comments?

You know, Mr. Westerman—I am recognizing myself—the Medicaid adjustment was a parity. It was about merely reaching a level where citizens of Puerto Rico were receiving a level of parity with every other State in the Union. So, that was one.

And the response to the disasters—and there were compiled disasters—and the money that was done toward disaster relief, and the oversight that was provided here, without a doubt it was money needed. It was money late, but it was money needed.

So, in responding to a disaster, this is not a gift to the people of Puerto Rico—"Oh, by the way, a hurricane destroyed almost everything that you know, but we are going to be charitable to you and help you out a little bit." This is a response that we make to American citizens, to territories, and to states every time there is a natural disaster of which none of us have any control. And it was a response. It was needed. We all visited afterwards—this Committee delegation—and every penny that was spent in Puerto Rico was deserved.

If money was misused, it was a consequence of other kinds of corruption. But no, the money that I saw, the delays that I saw, and the effect that it had on the people there was tremendous, it was profound, and it has affected every recovery effort since then, including the economic ones.

So, no, I don't think there is anything to compare to. You know, New York gets X amount; Louisiana gets that amount, good. If they deserved more, they should have gotten more. But let's not make those comparisons, and let's not forget that this was a natural disaster over which Congress had no control, other than to assure that the response happened. And I am not going to relitigate what the previous administration did or did not do. That is history, it is fact.

But I do think this amendment is not needed, and it creates a double standard for Puerto Rico that doesn't exist anywhere else.

Mr. WESTERMAN. Will the gentleman yield?

The CHAIRMAN. I was just going to yield to Mr. Soto.

Mr. SOTO. I will take my own time soon.

The CHAIRMAN. Of course.

Mr. WESTERMAN. Well, I think you made my point, Mr. Chairman. It wasn't our side that said that somebody was treated unfairly. It was your side of the dais that said Puerto Rico was treated unfairly. And we never said Puerto Rico didn't need that relief funding. Congress actually voted on the funds that went to all these disasters.

But I think it is unfair to make the argument that they were treated unfairly as compared to states, when I think they were

treated very generously, and Congress stepped up and met the needs with funding for the disasters that were there.

I yield back.

The CHAIRMAN. Mr. Soto?

Mr. SOTO. Thank you, Chairman, for the edification of the committee, a brief history on the economics of Puerto Rico.

When Teddy Roosevelt was charging up San Juan Hill, Puerto Rico was mostly a small farm economy, where most people had land, they had their family farms, they were very resilient, and the peso was about of equal value to the dollar around 1898.

And then they were conquered by our nation; 2 to 3 years later, after taxes were imposed on the island that didn't exist before the conquest by the United States, there was a huge consolidation. Hundreds of thousands of families lost their land to taxes they couldn't pay, and it was consolidated among corporations from the mainland. And it basically became a sugar plantation for U.S. interests. And for many, many years, people lived very poorly there because of that.

Finally, there is the 936 exemption that was an Act of Congress. And it all goes back to what Representative San Nicolas said, which is that, with plenary power, the fingerprint of Congress is all over the history and rise and fall economically of Puerto Rico. So, with the 936 exemption that allowed American companies to pay just Puerto Rico corporate taxes in lieu of Federal taxes—again, a bill passed by the Congress—huge amounts of manufacturing were brought to the island as a result of that. And Congress giveth, Congress taketh away.

The 936 exemption was eventually pulled back. By then, Puerto Rico had—over 3.4, 3.5 million people had been prosperous, had a broad corporate and manufacturing economy. And overnight, after that 936 exemption was taken away, half the manufacturing left for places like Ireland and other places. So, Congress again taketh away.

And what are we left with? An island of 3.5, 3.6 million people that has had half their manufacturing, half their jobs, high-paying jobs, disappear. I know, because that is why my family from Puerto Rico moved to central Florida around 1996.

And then from there, all these programs that they were funding for years collapsed, from SNAP, which they call NAP down there, to the Medicaid program they have down there, to the hospital systems. Mass exodus has happened. There were 3.6 million people there. There are now 3.2 million people.

So, when we are talking about—and then the debt accumulated from there as a result of the 936 exemption being taken away, which was a patch in itself. The debt accumulated to try to maintain the same standard of living they had during that time period. But that is not what happened. Debt accumulated. Bad decisions by the Congress and by leaders on the island accumulated debt just to keep the same benefits and lifestyle that they had down there.

Instead of just addressing the debt through a bankruptcy, the Congress—again, with their plenary power—before I got here decided to intervene once again with PROMESA and really squeezed the island.

So, when I am talking about all these debts, note that this just didn't come from nowhere. This is a result of many time periods from taxes that crushed family farms to a 936 exemption that gave Puerto Rico an economic sugar high, to a collapse, and then people just trying to keep the same programs they had going after Congress took it away. A debt is accumulated. So, the Congress has as much fingerprint over this as leaders on the island.

We all have to keep that in mind, and it goes back again to San Nicolas' point: under the plenary power we have an obligation to these territories. This Committee specifically does.

I know a lot of you haven't had to dig too deep into it, but it is important to know that history as you are looking at that debt, and you are looking at PROMESA and all these other things, the role that it has taken over the years.

And all this gets back to the main point. It is a messy status for it to be a territory. This is the main problem, which is why we are here today. If they are a state, they will be paying income taxes. They will have two Senators, four Members of Congress. They will get treated just like many other states. And, by the way, this is a state that would have triple to double the number of constituents of many states that already exist. And if it went independent, it would no longer be our financial obligation.

So, if you really, really care about the long-term fiscal interest of the United States, this bill addresses them by getting rid of this plenary power quagmire that exists with it being a territory. And let's either Puerto Rico decide to break from the Union or become a state and be fully participating both in its revenue and in its benefits.

With that, I yield back.

The CHAIRMAN. Does anyone wish to add to the amendment discussion on No. 47?

If not, let me ask my colleagues, all those Members in favor of the Amendment No. 47, please indicate by saying aye.

All those opposed, indicate by saying no, please.

In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

Dr. HICE. I ask for the yeas and nays.

The CHAIRMAN. The gentleman requested a recorded vote, and that is postponed, pursuant to previous notice.

Representative Hice, you now have an amendment designated No. 48, and you are recognized, sir, for 5 minutes.

Dr. HICE. Thank you, Mr. Chairman. This amendment goes just a little bit, a step further from the one that we just had discussion on.

The bill at hand does not clarify what would happen to the debt in Puerto Rico, should they vote for independence. So, this amendment would offer clarification to that issue. It would ensure that, no matter how the people of Puerto Rico voted, that the debts to the United States would be repaid.

This bill, as there have been so many comments today, this bill overall still needs a lot of work. I believe it needs to go back to the drawing board. Once again, I am deeply concerned, as are many of my colleagues, with the lack of transparency in this process, and the whole process is very frustrating.

How in the world do we not even allow the people of Puerto Rico to vote to remain a territory? That is head scratching to me. I don't understand how we can come to this.

But this amendment would bring clarification and require that, regardless of the outcome of whatever vote Puerto Rico holds, the debts owed to the United States would be paid back.

And I yield.

The CHAIRMAN. The gentleman yields. Any further discussion on the amendment?

Sir. You are recognized.

Mr. ROSENDALE. Mr. Chair, the contracts are in place now. We cannot ignore the debt that has been acquired right now.

I was absolutely thrilled to just hear my colleague from across the aisle, Representative Soto, recognize that crushing taxes are bad for anyone's economy. And I hope, as we move through the balance of this year, that he will embrace that concept as his colleagues potentially try to bring some additional taxation to the United States.

Mr. SOTO. Will the gentleman yield?

Mr. ROSENDALE. In one moment.

But the agreements that are in place now have not been properly acknowledged and recognized. And if this vote was to take place, and Puerto Rico was to declare and claim their independence, there are still a lot of outstanding issues.

And, again, this has not gone through Judiciary, it has not gone through the proper channels to make sure that they have been addressed. So, I would support this amendment.

With that, I will yield to Mr. Soto.

Mr. SOTO. I think I may speak in a bipartisan fashion for Mr. Webster and I. We believe in low taxes in the great state of Florida.

Mr. ROSENDALE. Amen. Thank you for that input.

With that, I will yield back, Mr. Chair.

The CHAIRMAN. Thank you very much.

I happen to believe that some people that don't pay their fair taxes should be part of the crowd that does pay taxes. But that is another subject, I guess, for another committee.

Mr. SOTO. We are still a donor state every now and again to the Federal Government.

The CHAIRMAN. Is there any further debate on Mr. Hice's amendment No. 48?

Miss GONZÁLEZ-COLÓN. Mr. Chairman?

The CHAIRMAN. Who seeks recognition?

Miss GONZÁLEZ-COLÓN. Jenniffer——

The CHAIRMAN. You are recognized.

Miss GONZÁLEZ-COLÓN. Yes, just to make and add important data here.

Puerto Rico paid $4 billion in Federal taxes last year, just to make that clear. And all the provisions included in the bill handles how taxation is going to be in all of the alternatives, including independence, including free association, and including statehood. All of those provisions included taxes, because the Joint Committee on Taxation actually recommended some of those provisions when we were in the talks and negotiations of this bill. So, I just wanted

to add that. I think this amendment is kind of like the same one that was just considered by the Committee.

But I need to add to something that Mr. Grijalva and Mr. Soto just said about the inequalities on the island. When we see the bankruptcy on the island for the last years, it is not because Puerto Rico decided to go into bankruptcy. It was because, in order to provide Federal mandates like Medicare and Medicaid, Puerto Rico was underfunded by the Federal Government to attain and manage those provisions. We just are receiving 55 percent per dollars, 55 percent FMAP of Medicare and Medicaid because, for the case of the territories, we don't use the same formula as the states.

So, that means that the Federal Government and the Federal agencies can actually choose and select what is the percentage of funding that they are going to provide to the U.S. citizens living on the island.

Ms. VELÁZQUEZ. Will the gentlelady yield for just 1 second?

Miss GONZÁLEZ-COLÓN. Right——

Ms. VELÁZQUEZ. It would be good to remind the Members again the plenary powers of this Congress that gives and take away, because that was not always the case when it came to Medicare and Medicaid.

Miss GONZÁLEZ-COLÓN. And reclaiming my time, what Congresswoman Velázquez is just saying is that—let's give you an example: Prior to Hurricanes Irma and Maria, the FMAP for Puerto Rico was 55 percent. And I am grateful, during the House and the Senate, we approved to go to 100 percent, and even President Trump signed a 100 percent FMAP for 2 years because of the situation on the island. But we went back again to 75 because of the COVID provisions.

What that means is that tomorrow Congress can change that and go back to 55 percent. And what are the people of Puerto Rico going to do when they don't have insurance for the low-income families that are living on the island, not even that number is the same of low income that you use in Mississippi, or use in Hawaii, because low income in Hawaii could be $30,000 to $40,000, but to qualify in Puerto Rico for those programs, it could be less than $15,000. Even teachers are included in this program when you go to Mississippi or Hawaii. The teachers in Puerto Rico cannot even be in Medicaid.

What I am saying by this is that, in order to manage 10 of the 17 Federal programs on the island, the government of Puerto Rico had a lot of debt, and issued a lot of bonds to pay for those services. I am not saying this is all. What I am saying is our problems are deeply rooted in the lack of provisions for equal footing like the rest of the state and many Federal programs that we need to comply with Federal mandates.

Mr. ROSENDALE. Will the gentlewoman yield for just a moment?

Miss GONZÁLEZ-COLÓN. Yes, let me finish.

And that is a reality, and that is the reason you see me here every time asking for a provision in Energy and Commerce, asking in Ways and Means to have provision for Puerto Rico. Because in the case of states, it has automatically been approved. In the case of the territories, we need to have those amendments approved every 2 years.

So, imagine having a state like Puerto Rico, with 3.2 million American citizens. I do the job of four Members of the House for Puerto Rico. You just represent 750,000 of your constituents. I represent 3.2 million without their resources, without two Senators. And then we try to impose the people of the island the responsibility to fulfill all Federal programs without the money. And if we are not complying to do that, then we are incurring in debt.

I agree with you in terms of the $33 billion and cutting to $7 billion. We know that we need to manage and continue to work on our debt. And I believe in low taxes, as well. And I do believe in paying Federal taxes, as well. And that is the reason I urge everybody to see this bill as the only one provision actually allowing Puerto Rico to have all taxation laws like many other states.

And I will yield to you.

Mr. ROSENDALE. Thank you. I thank the gentlewoman.

I would just like to say that there is no other state that has the provision that allows them to file bankruptcy. The states do not have that provision. So, you have already taken advantage—Puerto Rico has already taken advantage of a debt removal relief that no other state has the ability to.

And every state does have the problems with Medicaid payments and the share that they have to make as far as a matching amount. And they have these same provisions.

So, all you are doing is making an argument, from my standpoint, on why it is going to be a very large incentive for the government, the existing government for Puerto Rico, to push their population to vote to support statehood, because it is going to be a financial windfall to make sure that their debt is removed, that they get full Social Security benefits, and that it helps them more financially.

So, with that, I would yield back.

The CHAIRMAN. The gentleman yields.

Does anyone else wish to comment on Mr. Hice's Amendment No. 48?

If not, all those Members in favor of the amendment, please indicate by saying aye.

All those Members opposed, indicate by saying no.

In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

Dr. HICE. I ask for the yeas and nays, please.

The CHAIRMAN. A recorded vote has been asked for and postponed, as per the instructions.

Mr. Hice, Representative, you are recognized for 5 minutes for amendment designated No. 49.

Dr. HICE. Thank you, Mr. Chairman. We have had a lot of discussion about debts and amendments in that regard. I would like to change directions a little bit and talk about an important issue regarding extradition.

If Puerto Rico votes for independence, I believe the United States must ensure that it keeps close legal ties with Puerto Rico. One part in that relationship is an extradition treaty.

And look, we don't need criminals hiding in a safe haven in Puerto Rico. We still need to have that relationship with Puerto

Rico to extradite individuals who commit crimes here in the United States, and vice versa. This amendment addresses that issue, again, an issue that is not dealt with in the bill. This amendment would ensure that the United States and Puerto Rico remain close moving forward, and this is just one step in that direction.

Again, I believe this amendment yet again illustrates the multiple issues that this bill does not address. And I think we must slow down and deal with a multitude of issues that are neglected in this. And an extradition treaty, I believe, is one of those, so I would ask my colleagues to support this.

And I yield back.

The CHAIRMAN. The gentleman yields back. Any further discussion on the amendment?

If there is no further discussion and no debate, the question is on the Hice amendment No. 49.

All those in favor, indicate by saying aye.

All those Members opposed, indicate by saying no.

In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

Representative Hice, you now have amendment designated No. 50. You are recognized, sir, for 5 minutes.

Dr. HICE. Thank you, Mr. Chairman. This particular amendment here would say that any debts that are related to FEMA should be paid back, and I believe that is very, very important.

We have heard a lot about the issues with the hurricane that came through, with Hurricane Maria. I believe this is an important amendment, Mr. Chairman. I believe it is something that—look, it is the American taxpayer that is on the hook with this. We understand natural disasters, and we are a compassionate people in the United States. But I believe we need to be responsible, as well, and I believe Puerto Rico needs to be responsible to pay this back.

But given the discussions of the day, I am willing to withdraw this amendment at this time. But I do believe it is an important issue that needs further discussion in the future. But I will withdraw this amendment.

The CHAIRMAN. The gentleman withdraws. So ordered.

If there is no further comment on this one, we will move on to the next one.

And it appears that is it for amendments. We have a series of rolled votes.

Mr. Westerman, I am going to call about, so that your staff and our staff can collectively notify all the Members that we are going to begin the rolled votes and the final passage, and make sure that everybody that can and should be here is here. And I don't want anybody saying that they weren't notified that we had started our roll and our votes.

So, with your indulgence, we are in recess, subject to the call, which should be in about 10 minutes. And I apologize for that, but last time I got complaints from both sides that they were not notified, and I thought we did, but now we are going to make sure.

So, thank you.

[Recess.]

The CHAIRMAN. The Committee comes to order. We now return to the previously requested recorded votes.

As a reminder, under House regulation, Members who are joining us remotely must be visible in order to vote. There will be no exceptions for technical issues if voting remotely.

Members attending virtually should also answer the Clerk by saying your name first, and then your vote. This allows the camera enough time to switch to you, and it allows us to help reduce confusion, and to actually expedite the votes that are needed to finish up this particular piece of legislation. Everybody's cooperation is more than welcome, and let's see how it goes.

The item is H.R. 8393, and the question is on the unfinished business, the amendment to the ANS, the amendment designated McClintock No. 70. A recorded vote has been requested.

The Clerk will read the names—the Clerk shall now call the roll.

Ms. LOCKE. Mr. Grijalva?

The CHAIRMAN. No.

Ms. LOCKE. Mr. Grijalva votes no.

Mr. Westerman?

Mr. WESTERMAN. Aye.

Ms. LOCKE. Mr. Westerman votes aye.

Mrs. Napolitano?

Mrs. NAPOLITANO. No.

Ms. LOCKE. Mrs. Napolitano votes no.

Mr. Gohmert?

[No response.]

Ms. LOCKE. Mr. Costa?

[No response.]

Ms. LOCKE. Mr. Lamborn?

Mr. LAMBORN. Aye.

Ms. LOCKE. Mr. Lamborn votes aye.

Mr. Sablan?

Mr. SABLAN. No.

Ms. LOCKE. Mr. Sablan votes no.

Mr. Wittman?

Dr. WITTMAN. Wittman votes aye.

Ms. LOCKE. Mr. Wittman votes aye.

Mr. Huffman?

Mr. HUFFMAN. No.

Ms. LOCKE. Mr. Huffman votes no.

Mr. McClintock?

Mr. MCCLINTOCK. Aye.

Ms. LOCKE. Mr. McClintock votes aye.

Mr. Lowenthal?

Dr. LOWENTHAL. Lowenthal votes no.

Ms. LOCKE. Mr. Lowenthal votes no.

Mr. Graves?

[No response.]

Ms. LOCKE. Mr. Gallego?

[No response.]

Ms. LOCKE. Mr. Hice?

Dr. HICE. Hice votes yes.

Ms. LOCKE. Mr. Hice votes aye.

Mr. Neguse?

Mr. NEGUSE. No.

Ms. LOCKE. Mr. Neguse votes no.

Mrs. Radewagen?
[No response.]
Ms. LOCKE. Mr. Levin?
Mr. LEVIN. No.
Ms. LOCKE. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yea.
Ms. LOCKE. Mr. Webster votes aye.
Ms. Porter?
[No response.]
Ms. LOCKE. Miss González-Colón?
Miss GONZÁLEZ-COLÓN. No.
Ms. LOCKE. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. Leger Fernández votes no.
Ms. LOCKE. Ms. Leger Fernández votes no.
Mr. Fulcher?
[No response.]
Ms. LOCKE. Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LOCKE. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. Stauber votes no.
Ms. LOCKE. Mr. Stauber votes no.
Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez votes no.
Ms. LOCKE. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Aye.
Ms. LOCKE. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LOCKE. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Carl, no.
Ms. LOCKE. Mr. Carl votes no.
Ms. Brownley?
[No response.]
Ms. LOCKE. Mr. Rosendale?
Mr. ROSENDALE. Rosendale, yes.
Ms. LOCKE. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell votes no.
Ms. LOCKE. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. No.
Ms. LOCKE. Mr. Moore votes no.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LOCKE. Mr. McEachin votes no.
Mr. Herrell?
[No response.]
Ms. LOCKE. Mr. Soto?
Ms. HERRELL. Herrell votes yes.

Ms. LOCKE. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LOCKE. Mr. Soto votes no.
Mrs. Boebert?
[No response.]
Ms. LOCKE. Mr. San Nicolas?
Mrs. BOEBERT. Boebert votes aye.
Ms. LOCKE. Mrs. Boebert votes aye.
Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LOCKE. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. Aye.
Ms. LOCKE. Mr. Obernolte votes aye.
Mr. García?
Mr. GARCÍA. García votes no.
Ms. LOCKE. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Yes.
Ms. LOCKE. Mr. Bentz votes aye.
Mr. Case?
[No response.]
Ms. LOCKE. Ms. Conway?
Ms. CONWAY. Ms. Conway votes aye.
Ms. LOCKE. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LOCKE. Ms. McCollum votes no.
Mr. Cohen?
Mr. COHEN. No.
Ms. LOCKE. Mr. Cohen votes no.
Mr. Tonko?
Mr. TONKO. Tonko votes no.
Ms. LOCKE. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB Tlaib votes no.
Ms. LOCKE. Ms. Tlaib votes no.
Mrs. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LOCKE. Mrs. Trahan votes no.
The CHAIRMAN. Are there any Members not recorded, Clerk?
Ms. BROWNLEY. Mr. Chairman, Ms. Brownley votes no.
The CHAIRMAN. How is Ms. Brownley recorded?
Ms. LOCKE. Ms. Brownley votes no.
Ms. PORTER Mr. Chair, this is Representative Porter. How am I recorded?
Ms. LOCKE. Ms. Porter is not recorded.
Ms. PORTER. Ms. Porter votes no.
Ms. LOCKE. Ms. Porter votes no.
Dr. HICE. How is Mr. Hice recorded?
The CHAIRMAN. How is Mr. Hice reported?
Ms. LOCKE. Mr. Hice is recorded as a yes.
Mr. FULCHER. Mr. Chairman, Fulcher is aye.

Ms. LOCKE. Mr. Fulcher votes aye.
Ms. HERRELL. How is Representative Herrell recorded?
The CHAIRMAN. Recorded as a yes?
Ms. LOCKE. Ms. Herrell is recorded as a yes. I do not have a visual.
Mr. GOHMERT. Gohmert votes aye.
Ms. LOCKE. Mr. Gohmert votes aye.
The CHAIRMAN. Any Members wish to change their vote or record their vote?
With that, the vote is closed and the Clerk shall report.
[Pause.]
Ms. LOCKE. Mr. Chair, on this vote the yeas are 15 and the nays are 27.
The CHAIRMAN. The amendment fails.
We move to the amendment designated McClintock No. 71, and the Clerk shall call the roll.
Ms. LOCKE. Mr. Grijalva?
The CHAIRMAN. No.
Ms. LOCKE. Mr. Grijalva votes no.
Mr. Westerman?
Mr. WESTERMAN. Aye.
Ms. LOCKE. Mr. Westerman votes aye.
Mrs. Napolitano?
Mrs. NAPOLITANO. Napolitano, no.
Ms. LOCKE. Mrs. Napolitano votes no.
Mr. Gohmert?
[No response.]
Ms. LOCKE. Mr. Costa?
[No response.]
Ms. LOCKE. Mr. Lamborn?
Mr. LAMBORN. Aye.
Ms. LOCKE. Mr. Lamborn votes aye.
Mr. Sablan?
Mr. SABLAN. Sablan votes no.
Ms. LOCKE. Mr. Sablan votes no.
Mr. Wittman?
Dr. WITTMAN. Wittman votes aye.
Ms. LOCKE. Mr. Wittman votes aye.
Mr. Huffman?
Mr. HUFFMAN. No.
Ms. LOCKE. Mr. Huffman votes no.
Mr. McClintock?
Mr. MCCLINTOCK. Aye.
Ms. LOCKE. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes no.
Ms. LOCKE. Mr. Lowenthal votes no.
Mr. Graves?
[No response.]
Ms. LOCKE. Mr. Gallego?
[No response.]
Ms. LOCKE. Mr. Hice?
Dr. HICE. Hice, yes.
Ms. LOCKE. Mr. Hice votes aye.

Mr. Neguse?
[No response.]
Ms. LOCKE. Mrs. Radewagen?
[No response.]
Ms. LOCKE. Mr. Levin?
Mr. LEVIN. No.
Ms. LOCKE. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yea.
Ms. LOCKE. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LOCKE. Ms. Porter votes no.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. No.
Ms. LOCKE. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. No.
Ms. LOCKE. Ms. Leger Fernández votes no.
Mr. Fulcher?
Mr. FULCHER. Fulcher is aye.
Ms. LOCKE. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LOCKE. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. Stauber, no.
Ms. LOCKE. Mr. Stauber votes no.
Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez, no.
Ms. LOCKE. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Aye.
Ms. LOCKE. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LOCKE. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. No.
Ms. LOCKE. Mr. Carl votes no.
Ms. Brownley?
Ms. BROWNLEY. Ms. Brownley votes no.
Ms. LOCKE. Ms. Brownley votes no.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, aye.
Ms. LOCKE. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell votes no.
Ms. LOCKE. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Moore votes no.
Ms. LOCKE. Mr. Moore votes no.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.

Ms. LOCKE. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Ms. Herrell votes yes.
Ms. LOCKE. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LOCKE. Mr. Soto votes no.
Mrs. Boebert?
[No response.]
Mr. COSTA. Costa votes no.
Ms. LOCKE. Mr. Costa votes no.
Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LOCKE. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. Aye.
Ms. LOCKE. Mr. Obernolte votes aye.
Mr. García?
Mr. GARCÍA. García is a no.
Ms. LOCKE. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LOCKE. Mr. Bentz votes aye.
Mr. Case?
[No response.]
Ms. LOCKE. Ms. Conway?
Ms. CONWAY. Ms. Conway votes aye.
Ms. LOCKE. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum, no.
Ms. LOCKE. Ms. McCollum votes no.
Mr. Cohen?
Mr. COHEN. No.
Ms. LOCKE. Mr. Cohen votes no.
Mr. Tonko?
Mr. NEGUSE. Mr. Chair? How is Mr. Neguse recorded?
The CHAIRMAN. Mr. Neguse?
Ms. LOCKE. Mr. Neguse is not recorded.
Mr. NEGUSE. Neguse votes no.
Ms. LOCKE. Mr. Neguse votes no.
Mr. Tonko?
Mr. TONKO. Tonko—Mr. Tonko from New York votes no.
Ms. LOCKE. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB. Votes no.
Ms. LOCKE. Ms. Tlaib votes no.
Mrs. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LOCKE. Mrs. Trahan votes no.
Mr. GOHMERT. Gohmert votes aye.
The CHAIRMAN. Any Member wish to record their vote?
Mr. GOHMERT. Gohmert votes aye.
The CHAIRMAN. How is Mr. Gohmert recorded?
Ms. LOCKE. Mr. Gohmert is not recorded.

Mr. GOHMERT. Gohmert votes aye.
Ms. LOCKE. Mr. Gohmert votes aye.
The CHAIRMAN. Any other Member?
Mrs. BOEBERT. Boebert votes aye.
The CHAIRMAN. How is Mrs. Boebert recorded?
Ms. LOCKE. Mrs. Boebert is not recorded.
Mrs. BOEBERT. Boebert votes aye.
Ms. LOCKE. Mrs. Boebert votes aye.
The CHAIRMAN. If there is no one else who wishes to record their vote, the vote is closed, and the Clerk shall report.
Ms. LOCKE. Mr. Chair, on this vote the yeas are 14 and the nays are 28.
The CHAIRMAN. The amendment fails, and we move to amendment designated Westerman No. 12, and the Clerk shall call the roll.
Ms. LOCKE. Mr. Grijalva?
The CHAIRMAN. No.
Ms. LOCKE. Mr. Grijalva votes no.
Mr. Westerman?
Mr. WESTERMAN. Aye.
Ms. LOCKE. Mr. Westerman votes aye.
Mrs. Napolitano?
Mrs. NAPOLITANO. Napolitano, no.
Ms. LOCKE. Mrs. Napolitano votes no.
Mr. Gohmert?
[No response.]
Ms. LOCKE. Mr. Costa?
Mr. COSTA. No.
Ms. LOCKE. Mr. Costa votes no.
Mr. Lamborn?
Mr. LAMBORN. Aye.
Ms. LOCKE. Mr. Lamborn votes aye.
Mr. Sablan?
Mr. SABLAN. No.
Ms. LOCKE. Mr. Sablan votes no.
Mr. Wittman?
Dr. WITTMAN. Wittman votes aye.
Ms. LOCKE. Mr. Wittman votes aye.
Mr. Huffman?
Mr. HUFFMAN. No.
Ms. LOCKE. Mr. Huffman votes no.
Mr. McClintock?
Mr. MCCLINTOCK. Aye.
Ms. LOCKE. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes no.
Ms. LOCKE. Mr. Lowenthal votes no.
Mr. Graves?
Mr. GRAVES. Graves, yes.
Ms. LOCKE. Mr. Graves votes aye.
Mr. Gallego?
[No response.]
Ms. LOCKE. Mr. Hice?
Dr. HICE. Hice, yes.

Ms. LOCKE. Mr. Hice votes aye.
Mr. Neguse?
Mr. NEGUSE. No.
Ms. LOCKE. Mr. Neguse votes no.
Mrs. Radewagen?
[No response.]
Ms. LOCKE. Mr. Levin?
Mr. LEVIN. No.
Ms. LOCKE. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yes.
Ms. LOCKE. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LOCKE. Ms. Porter votes no.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. No.
Ms. LOCKE. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. No.
Ms. LOCKE. Ms. Leger Fernández votes no.
Mr. Fulcher?
Mr. FULCHER. Fulcher is aye.
Ms. LOCKE. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LOCKE. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. Stauber, yes.
Ms. LOCKE. Mr. Stauber votes aye.
Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez votes no.
Ms. LOCKE. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Yes.
Ms. LOCKE. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LOCKE. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Yes.
Ms. LOCKE. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Ms. Brownley votes no.
Ms. LOCKE. Ms. Brownley votes no.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, aye.
Ms. LOCKE. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell votes no.
Ms. LOCKE. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Moore votes aye.
Ms. LOCKE. Mr. Moore votes aye.

Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LOCKE. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Ms. Herrell votes aye.
Ms. LOCKE. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LOCKE. Mr. Soto votes no.
Mrs. Boebert?
[No response.]
Ms. LOCKE. Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LOCKE. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. Aye.
Ms. LOCKE. Mr. Obernolte votes aye.
Mr. García?
Mr. GARCÍA. García votes no.
Ms. LOCKE. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LOCKE. Mr. Bentz votes aye.
Mr. Case?
[No response.]
Ms. LOCKE. Ms. Conway?
Ms. CONWAY. Conway votes aye.
Ms. LOCKE. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LOCKE. Ms. McCollum votes no.
Mr. Cohen?
Mr. COHEN. No.
Ms. LOCKE. Mr. Cohen votes no.
Mr. Tonko?
Mr. TONKO. Tonko votes no.
Ms. LOCKE. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB. Tlaib votes no.
Ms. LOCKE. Ms. Tlaib votes no.
Mrs. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LOCKE. Mrs. Trahan votes no.
The CHAIRMAN. Any Members that wish to be recorded or change their vote?
Mrs. BOEBERT. Boebert votes aye.
Ms. LOCKE. Mrs. Boebert? Mrs. Boebert votes aye.
Mrs. BOEBERT. Yes, Boebert votes aye.
The CHAIRMAN. Any other Member? If not, the vote is closed, the Clerk shall report.
Ms. LOCKE. Mr. Chair, on this vote the yeas are 18 and the nays are 25.
The CHAIRMAN. The amendment fails, and we move to McClintock Amendment No. 75. The Clerk shall call the roll.

Ms. LOCKE. Mr. Grijalva?
The CHAIRMAN. No.
Ms. LOCKE. Mr. Grijalva votes no.
Mr. Westerman?
Mr. WESTERMAN. Aye.
Ms. LOCKE. Mr. Westerman votes aye.
Mrs. Napolitano?
Mrs. NAPOLITANO. Napolitano, no.
Ms. LOCKE. Mrs. Napolitano votes no.
Mr. Gohmert?
[No response.]
Ms. LOCKE. Mr. Costa?
Mr. COSTA. No.
Ms. LOCKE. Mr. Costa votes no.
Mr. Lamborn?
[No response.]
Ms. LOCKE. Mr. Sablan?
Mr. SABLAN. No.
Ms. LOCKE. Mr. Sablan votes no.
Mr. Wittman?
Dr. WITTMAN. Wittman votes aye.
Ms. LOCKE. Mr. Wittman votes aye.
Mr. Huffman?
Mr. HUFFMAN. No.
Ms. LOCKE. Mr. Huffman votes no.
Mr. McClintock?
Mr. MCCLINTOCK. Aye.
Ms. LOCKE. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes no.
Ms. LOCKE. Mr. Lowenthal votes no.
Mr. Graves?
Mr. GRAVES. Graves, yes. Graves, yes.
Ms. LOCKE. Mr. Graves votes aye.
Mr. Gallego?
[No response.]
Ms. LOCKE. Mr. Hice?
Dr. HICE. Hice, yes.
Ms. LOCKE. Mr. Hice votes aye.
Mr. Neguse?
Mr. NEGUSE. No.
Ms. LOCKE. Mr. Neguse votes no.
Mrs. Radewagen?
[No response.]
Ms. LOCKE. Mr. Levin?
Mr. LEVIN. No.
Ms. LOCKE. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yes.
Ms. LOCKE. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LOCKE. Ms. Porter votes no.
Miss González-Colón?

Miss GONZÁLEZ-COLÓN. No.
Ms. LOCKE. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. No.
Ms. LOCKE. Ms. Leger Fernández votes no.
Mr. Fulcher?
Mr. FULCHER. Fulcher is aye.
Ms. LOCKE. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LOCKE. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. No.
Ms. LOCKE. Mr. Stauber votes no.
Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez votes no.
Ms. LOCKE. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Yes.
Ms. LOCKE. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LOCKE. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Yes.
Ms. LOCKE. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Ms. Brownley votes no.
Ms. LOCKE. Ms. Brownley votes no.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, aye.
Ms. LOCKE. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell votes no.
Ms. LOCKE. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Yes.
Ms. LOCKE. Mr. Moore votes aye.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LOCKE. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Ms. Herrell votes aye.
Ms. LOCKE. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LOCKE. Mr. Soto votes no.
Mrs. Boebert?
Mrs. BOEBERT. Boebert votes aye.
Ms. LOCKE. Mrs. Boebert votes aye.
Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LOCKE. Mr. San Nicolas votes no.
Mr. Obernolte?

Mr. OBERNOLTE. Aye.
Ms. LOCKE. Mr. Obernolte votes aye.
Mr. García?
Mr. GARCÍA. García votes no.
Ms. LOCKE. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LOCKE. Mr. Bentz votes aye.
Mr. Case?
[No response.]
Ms. LOCKE. Ms. Conway?
Ms. CONWAY. Aye.
Ms. LOCKE. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LOCKE. Ms. McCollum votes no.
Mr. Cohen?
[No response.]
Ms. LOCKE. Mr. Tonko?
Mr. TONKO. Tonko votes no.
Ms. LOCKE. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB. Tlaib votes no.
Ms. LOCKE. Ms. Tlaib votes no.
Mrs. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LOCKE. Mrs. Trahan votes no.
Mr. COHEN. Cohen votes no.
Ms. LOCKE. Mr. Cohen votes no.
Mr. COHEN. Thank you.
The CHAIRMAN. Any Member not recorded wish to record their vote or change their vote?
Mr. LAMBORN. I vote aye.
Ms. LOCKE. Mr. Lamborn votes aye.
Mr. LAMBORN. Thank you.
The CHAIRMAN. Anyone else?
If not, the vote is closed, the Clerk shall report.
Ms. LOCKE. Mr. Chair, on this vote the yeas are 17 and the nays are 26.
The CHAIRMAN. The amendment fails.
Now we go to Boebert Amendment No. 4. The Clerk shall call the roll, please.
Ms. LOCKE. Mr. Grijalva?
The CHAIRMAN. No.
Ms. LOCKE. Mr. Grijalva votes no.
Mr. Westerman?
Mr. WESTERMAN. Aye.
Ms. LOCKE. Mr. Westerman votes aye.
Mrs. Napolitano?
Mrs. NAPOLITANO. No.
Ms. LOCKE. Mrs. Napolitano votes no.
Mr. Gohmert?
[No response.]
Ms. LOCKE. Mr. Costa?

[No response.]
Ms. LOCKE. Mr. Lamborn?
[No response.]
Ms. LOCKE. Mr. Sablan?
Mr. SABLAN. Sablan votes no.
Ms. LOCKE. Mr. Sablan votes no.
Mr. Wittman?
Dr. WITTMAN. Wittman votes aye.
Ms. LOCKE. Mr. Wittman votes aye.
Mr. Huffman?
Mr. HUFFMAN. No.
Ms. LOCKE. Mr. Huffman votes no.
Mr. McClintock?
Mr. MCCLINTOCK. Aye.
Ms. LOCKE. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes aye.
Ms. LOCKE. Mr. Lowenthal votes——
Dr. LOWENTHAL. No, Lowenthal votes no. Lowenthal votes no.
[Laughter.]
Ms. LOCKE. Mr. Lowenthal votes no.
Mr. Graves?
[No response.]
Ms. LOCKE. Mr. Gallego?
[No response.]
Ms. LOCKE. Mr. Graves?
The CHAIRMAN. How is Mr. Graves recorded?
Ms. LOCKE. Mr. Graves is not recorded.
Mr. Gallego?
[No response.]
Ms. LOCKE. Mr. Hice?
Dr. HICE. Yes.
Ms. LOCKE. Mr. Hice votes aye.
Mr. Neguse?
Mr. NEGUSE. No.
Ms. LOCKE. Mr. Neguse votes no.
Mrs. Radewagen?
[No response.]
Ms. LOCKE. Mr. Levin?
Mr. LEVIN. No.
Ms. LOCKE. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yea.
Ms. LOCKE. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LOCKE. Ms. Porter votes no.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. No.
Ms. LOCKE. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. No.
Ms. LOCKE. Ms. Leger Fernández votes no.
Mr. Fulcher?

Mr. FULCHER. Fulcher is aye.
Ms. LOCKE. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LOCKE. Ms. Stansbury votes no.
Mr. Stauber?
[No response.]
Ms. LOCKE. Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez votes no.
Ms. LOCKE. Ms. Velázquez votes no.
Mr. Tiffany?
[No response.]
Ms. LOCKE. Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LOCKE. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Yes.
Ms. LOCKE. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Ms. Brownley votes no.
Ms. LOCKE. Ms. Brownley votes no.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, aye.
Ms. LOCKE. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell votes no.
Ms. LOCKE. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Aye.
Ms. LOCKE. Mr. Moore votes aye.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LOCKE. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Aye.
Ms. LOCKE. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LOCKE. Mr. Soto votes no.
Mrs. Boebert?
Mrs. BOEBERT. Boebert votes aye.
Ms. LOCKE. Mrs. Boebert votes aye.
Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LOCKE. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. Aye.
Ms. LOCKE. Mr. Obernolte votes aye.
Mr. García?
Mr. GARCÍA. García votes no.
Ms. LOCKE. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LOCKE. Mr. Bentz votes aye.

Mr. Case?
Mr. CASE. No.
Ms. LOCKE. Mr. Case votes no.
Ms. Conway?
Ms. CONWAY. Conway votes aye.
Ms. LOCKE. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LOCKE. Ms. McCollum votes no.
Mr. Cohen?
Mr. COHEN. No, no, no.
[Laughter.]
Ms. LOCKE. OK, Mr. Cohen votes no. We did not have a visual, sorry.
The CHAIRMAN. An emphatic no.
Ms. LOCKE. Mr. Tonko?
Mr. TONKO. A kind and gentle no from Tonko.
[Laughter.]
Ms. LOCKE. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB. No, Madam Clerk, thank you.
Ms. LOCKE. Ms. Tlaib votes no.
Mrs. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LOCKE. Mrs. Trahan votes no.
The CHAIRMAN. Any Member wish to record their vote or change their vote?
Mr. GRAVES. Graves is yes.
Mr. STAUBER. Mr. Chair, Stauber votes yes.
The CHAIRMAN. Mr. Stauber votes yes.
Ms. LOCKE. OK, Mr. Stauber votes aye.
Mr. Graves votes aye.
Mr. SABLAN. Mr. Chair, how——
Ms. LOCKE [continuing].
Mr. SABLAN. Mr. Chair, how did Sablan vote?
The CHAIRMAN. How is Mr. Sablan recorded?
Ms. LOCKE. Mr. Sablan is recorded as a no.
Mr. TIFFANY. Mr. Chairman, how is Tiffany recorded?
Ms. LOCKE. Mr. Tiffany is not recorded.
Mr. TIFFANY. Aye.
Ms. LOCKE. Mr. Tiffany votes aye.
Mr. LAMBORN. How is my vote recorded?
Ms. LOCKE. Mr. Lamborn is not recorded.
Mr. LAMBORN. Aye.
Ms. LOCKE. Mr. Lamborn votes aye.
The CHAIRMAN. Anyone else? Any other Member wish to record their vote?
If not, the Clerk will close the vote and report. Thank you.
[Pause.]
Mr. SABLAN. Getting too old for this.
[Laughter.]
The CHAIRMAN. It is getting late?
Mr. SABLAN. Almost there.
[Laughter.]

The CHAIRMAN. I know, brother.

VOICE. They told us they were going to be originally fully in-person, and they just pushed it back to hybrid. My guess——

Ms. LOCKE. Mr. Chair, on this vote——

The CHAIRMAN. If whoever—I hate to break up the conversation, but we are trying to report a vote here. If my colleagues wouldn't mind muting themselves—not permanently, just for now.

[Laughter.]

The CHAIRMAN. If the Clerk will report, please.

Ms. LOCKE. Mr. Chairman, on this vote the yeas are 18 and the nays are 25.

The CHAIRMAN. The amendment fails, and we move to McClintock Amendment No. 74.

The Clerk will call the roll.

Dr. HICE. Mr. Chairman.

The CHAIRMAN. Who seeks recognition?

Dr. HICE. This is Mr. Hice.

The CHAIRMAN. We already recorded that vote.

Dr. HICE. Mr. Chairman, I have another issue I want to bring up, Mr. Chairman.

The CHAIRMAN. The Clerk will call the roll on McClintock No. 74.

Ms. LOCKE. Mr. Grijalva?

The CHAIRMAN. No.

Ms. LOCKE. Mr. Grijalva votes no.

Mr. Westerman?

Mr. WESTERMAN. Aye.

Ms. LOCKE. Mr. Westerman votes aye.

Mrs. Napolitano?

Mrs. NAPOLITANO. No.

Ms. LOCKE. Mrs. Napolitano votes no.

Mr. Gohmert?

[No response.]

Ms. LOCKE. Mr. Costa?

[No response.]

Ms. LOCKE. Mr. Lamborn?

Mr. LAMBORN. Aye.

Ms. LOCKE. Mr. Lamborn votes aye.

Mr. Sablan?

Mr. SABLAN. No.

Ms. LOCKE. Mr. Sablan votes no.

Mr. Wittman?

Dr. WITTMAN. Wittman votes aye.

Ms. LOCKE. Mr. Wittman votes aye.

Mr. Huffman?

Mr. HUFFMAN. No.

Ms. LOCKE. Mr. Huffman votes no.

Mr. McClintock?

Mr. MCCLINTOCK. Aye.

Ms. LOCKE. Mr. McClintock votes aye.

Mr. Lowenthal?

Dr. LOWENTHAL. Lowenthal votes no.

Ms. LOCKE. Mr. Lowenthal votes no.

Mr. Graves?

[No response.]

Ms. LOCKE. Mr. Gallego?
[No response.]
Ms. LOCKE. Mr. Hice?
Dr. HICE. Yes.
Ms. LOCKE. Mr. Hice votes aye.
Mr. Neguse?
Mr. NEGUSE. No.
Ms. LOCKE. Mr. Neguse votes no.
Mrs. Radewagen?
[No response.]
Ms. LOCKE. Mr. Levin?
Mr. LEVIN. No.
Ms. LOCKE. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yes.
Ms. LOCKE. Mr. Webster votes no? Yes, Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LOCKE. Ms. Porter votes no.
Miss González-Colón?
Mr. WEBSTER. Webster votes nay.
Ms. LOCKE. Mr. Webster votes nay. Sorry.
Miss GONZÁLEZ-COLÓN. González-Colón votes no.
Ms. LOCKE. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. Leger Fernández votes no.
Ms. LOCKE. Ms. Leger Fernández votes no.
Mr. Fulcher?
MR. Fulcher. Fulcher is aye.
Ms. LOCKE. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LOCKE. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. Stauber, aye.
Ms. LOCKE. Mr. Stauber votes aye.
Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez votes no.
Ms. LOCKE. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Aye.
Ms. LOCKE. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LOCKE. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Yes.
Ms. LOCKE. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Brownley votes no.
Ms. LOCKE. Ms. Brownley votes no.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, aye.
Ms. LOCKE. Mr. Rosendale votes aye.

Mrs. Dingell?
Mrs. DINGELL. Dingell is no.
Ms. LOCKE. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Moore, no.
Ms. LOCKE. Mr. Moore votes no.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LOCKE. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Herrell, aye.
Ms. LOCKE. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LOCKE. Mr. Soto votes no.
Mrs. Boebert?
Mrs. BOEBERT. Boebert votes aye.
The CHAIRMAN. Mrs. Boebert votes aye.
Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LOCKE. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. No.
Ms. LOCKE. Mr. Obernolte votes no.
Mr. García?
Mr. GARCÍA. García is a no.
Ms. LOCKE. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. No.
Ms. LOCKE. Mr. Bentz votes no.
Mr. Case?
Mr. CASE. No.
Ms. LOCKE. Mr. Case votes no.
Ms. Conway?
Ms. CONWAY. Conway votes aye.
Ms. LOCKE. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LOCKE. Ms. McCollum votes no.
Mr. Cohen?
Mr. COHEN. No.
Ms. LOCKE. Mr. Cohen votes no.
Mr. Tonko?
Mr. TONKO. Tonko votes no.
Ms. LOCKE. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB. Tlaib votes no.
Ms. LOCKE. Ms. Tlaib votes no.
Ms. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LOCKE. Ms. Trahan votes no.
Mr. COSTA. Costa votes no.
Ms. LOCKE. Mr. Costa votes no.

The CHAIRMAN. Do any Members wish to change their vote or record their vote?
Mr. GOHMERT. Gohmert votes aye.
Ms. LOCKE. Mr. Gohmert votes aye.
The CHAIRMAN. Anyone else?
[No response.]
The CHAIRMAN. If not, the vote is closed, and the Clerk shall report.
Ms. LOCKE. Mr. Chair, on this vote the ayes are 14 and the nays are 30.
The CHAIRMAN. The amendment fails.
And we move to——
Dr. HICE. Mr. Chairman, this is Mr. Hice requesting to be recognized please.
The CHAIRMAN. We are moving on to another vote, Mr. Hice.
Dr. HICE. Mr. Chairman, I have a privilege motion.
The CHAIRMAN. The gentleman is recognized.
Dr. HICE. Thank you, Mr. Chairman.
I just move to reconsider Hice Amendment No. 49. I had intended to request a recorded vote on that. With technical problems on this end, we have made official request to the Clerk, and I would just ask your permission for us to have a vote on Amendment No. 49.
VOICE. Mr. Chairman, I object to the motion.
The CHAIRMAN. Yes, but what is recorded is that the amendment failed on voice, Mr. Hice, because there was no request, and——
Dr. HICE. That is what I am asking, Mr. Chairman. This is a privilege motion to reconsider that because I was trying and was unable to do so. So, I just ask your permission for this to be added to our votes——
The CHAIRMAN. Well, I do not think it is going to slow us down particularly, but that decision was already made, sir, and I am going to move on to Amendment No. 72, which is Mr. McClintock's.
Dr. HICE. Mr. Chairman, this is a privilege motion. It can't just be——
The CHAIRMAN. At this point there is no considering it, sir.
Dr. HICE. This is a motion to reconsider.
The CHAIRMAN. There is no such motion, and we are moving to a recorded vote on Amendment No. 72.
The Clerk will call the roll please.
Ms. LOCKE. Mr. Grijalva?
The CHAIRMAN. No.
Ms. LOCKE. Mr. Grijalva votes no.
Mr. Westerman?
Mr. WESTERMAN. Aye.
Ms. LOCKE. Mr. Westerman votes aye.
Mrs. Napolitano?
Mrs. NAPOLITANO. No.
Ms. LOCKE. Mrs. Napolitano votes no.
Mr. Gohmert?
[No response.]
Ms. LOCKE. Mr. Costa?
[No response.]
Ms. LOCKE. Mr. Lamborn?

Mr. LAMBORN. Aye.
Ms. LOCKE. Mr. Lamborn votes aye.
Mr. Sablan?
Mr. SABLAN. No.
Ms. LOCKE. Mr. Sablan votes no.
Mr. Wittman?
Dr. WITTMAN. Wittman votes aye.
Ms. LOCKE. Mr. Wittman votes aye.
Mr. Huffman?
Mr. HUFFMAN. No.
Ms. LOCKE. Mr. Huffman votes no.
Mr. McClintock?
Mr. MCCLINTOCK. Aye.
Ms. LOCKE. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes no.
Ms. LOCKE. Mr. Lowenthal votes no.
Mr. Graves?
[No response.]
Ms. LOCKE. Mr. Gallego?
[No response.]
Ms. LOCKE. Mr. Hice?
Dr. HICE. Hice is a yes, but Mr. Chairman, I have a privilege motion. We cannot go on for additional business until that privilege motion is resolved.
The CHAIRMAN. We are going to finish this particular vote, and the Clerk will continue please.
Ms. LOCKE. Mr. Hice votes aye.
Mr. Neguse?
[No response.]
Ms. LOCKE. Mrs. Radewagen?
[No response.]
Mr. NEGUSE. Neguse votes no.
Ms. LOCKE. Mr. Neguse votes no.
Mr. Levin?
Mr. LEVIN. No.
Ms. LOCKE. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yes.
Ms. LOCKE. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LOCKE. Ms. Porter votes no.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. No.
Ms. LOCKE. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. Leger Fernández votes no.
Ms. LOCKE. Leger Fernández votes no.
Mr. Fulcher?
MR. Fulcher. Fulcher is aye.
Ms. LOCKE. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.

Ms. LOCKE. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. No.
Ms. LOCKE. Mr. Stauber votes no.
Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez votes no.
Ms. LOCKE. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Aye.
Ms. LOCKE. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LOCKE. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Yes.
Ms. LOCKE. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Brownley votes no.
Ms. LOCKE. Ms. Brownley votes no.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, aye.
Ms. LOCKE. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell votes no.
Ms. LOCKE. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Aye.
Ms. LOCKE. Mr. Moore votes aye.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LOCKE. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Ms. Herrell votes aye.
Ms. LOCKE. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LOCKE. Mr. Soto votes no.
Mrs. Boebert?
[No response.]
Ms. LOCKE. Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LOCKE. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. Aye.
Ms. LOCKE. Mr. Obernolte votes aye.
Mr. García?
Mr. GARCÍA. García votes no.
Ms. LOCKE. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LOCKE. Mr. Bentz votes aye.
Mr. Case?
Mr. CASE. No.
Ms. LOCKE. Mr. Case votes no.

Ms. Conway?
Ms. CONWAY. Conway votes aye.
Ms. LOCKE. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LOCKE. Ms. McCollum votes no.
Mr. Cohen?
Mr. COHEN. No.
Ms. LOCKE. Mr. Cohen votes no.
Mr. Tonko?
Mr. TONKO. Tonko votes no.
Ms. LOCKE. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB. Tlaib votes no.
Ms. LOCKE. Ms. Tlaib votes no.
Ms. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LOCKE. Ms. Trahan votes no.
The CHAIRMAN. Any Member who has not recorded their vote or wishes to change their vote?
Mrs. BOEBERT. Boebert votes aye.
Ms. LOCKE. Mrs. Boebert votes aye.
Mr. GOHMERT. Gohmert votes aye.
Ms. LOCKE. Mr. Gohmert votes aye.
The CHAIRMAN. Any other Members wish to be recorded?
Mr. GRAVES. Mr. Chairman, how am I recorded? Graves of Louisiana.
Ms. LOCKE. Mr. Graves is not recorded.
Mr. GRAVES. Graves, yes.
Ms. LOCKE. Mr. Graves votes aye.
Mr. GRAVES. Thank you.
Mr. COSTA. Costa votes no.
Ms. LOCKE. Mr. Costa votes no.
The CHAIRMAN. The vote is closed.
The Clerk shall report.
Ms. LOCKE. Mr. Chair, on this vote the yeas are 18 and the nays are 27.
The CHAIRMAN. The amendment fails and we move to Mr. McClintock Amendment No. 72—I mean Westerman No. 7.
And the Clerk shall call the roll.
Ms. LOCKE. Mr. Grijalva?
The CHAIRMAN. No.
Ms. LOCKE. Mr. Grijalva votes no.
Mr. Westerman?
Mr. WESTERMAN. Aye.
Ms. LOCKE. Mr. Westerman votes aye.
Mrs. Napolitano?
Mrs. NAPOLITANO. No.
Ms. LOCKE. Mrs. Napolitano votes no.
Mr. Gohmert?
Mr. GOHMERT. Aye.
Ms. LOCKE. Mr. Gohmert votes aye.
Mr. Costa?
Mr. COSTA. Costa votes no.

Ms. LOCKE. Mr. Costa votes no.
Mr. Lamborn?
Mr. LAMBORN. Aye.
Ms. LOCKE. Mr. Lamborn votes aye.
Mr. Sablan?
Mr. SABLAN. Sablan votes no.
Ms. LOCKE. Mr. Sablan votes no.
Mr. Wittman?
Dr. WITTMAN. Wittman votes aye.
Ms. LOCKE. Mr. Wittman votes aye.
Mr. Huffman?
Mr. HUFFMAN. No.
Ms. LOCKE. Mr. Huffman votes no.
Mr. McClintock?
Mr. MCCLINTOCK. Aye.
Ms. LOCKE. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes no.
Ms. LOCKE. Mr. Lowenthal votes no.
Mr. Graves?
[No response.]
Ms. LOCKE. Mr. Gallego?
[No response.]
Ms. LOCKE. Mr. Hice?
Dr. HICE. Yes.
Ms. LOCKE. Mr. Hice votes aye.
Mr. Neguse?
[No response.]
Ms. LOCKE. Mrs. Radewagen?
[No response.]
Mr. NEGUSE. No. Neguse votes no.
Ms. LOCKE. Mr. Neguse votes no.
Mr. Levin?
Mr. LEVIN. No.
Ms. LOCKE. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Aye.
Ms. LOCKE. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LOCKE. Ms. Porter votes no.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. No.
Ms. LOCKE. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. Leger Fernández votes no.
Ms. LOCKE. Ms. Leger Fernández votes no.
Mr. Fulcher?
MR. Fulcher. Fulcher is aye.
Ms. LOCKE. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LOCKE. Ms. Stansbury votes no.
Mr. Stauber?

Mr. STAUBER. Aye.
Ms. LOCKE. Mr. Stauber votes aye.
Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez votes no.
Ms. LOCKE. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Aye.
Ms. LOCKE. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LOCKE. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Yes.
Ms. LOCKE. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Brownley votes no.
Ms. LOCKE. Ms. Brownley votes no.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, aye.
Ms. LOCKE. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell votes no.
Ms. LOCKE. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Aye.
Ms. LOCKE. Mr. Moore votes aye.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LOCKE. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Ms. Herrell votes aye.
Ms. LOCKE. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto is no.
Ms. LOCKE. Mr. Soto votes no.
Mrs. Boebert?
[No response.]
Ms. LOCKE. Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LOCKE. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. Aye.
Ms. LOCKE. Mr. Obernolte votes aye.
Mr. García?
Mr. GARCÍA. García is a no.
Ms. LOCKE. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LOCKE. Mr. Bentz votes aye.
Mr. Case?
Mr. CASE. No.
Ms. LOCKE. Mr. Case votes no.
Ms. Conway?
Ms. CONWAY. Conway votes aye.

Ms. LOCKE. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LOCKE. Ms. McCollum votes no.
Mr. Cohen?
Mr. COHEN. No.
Ms. LOCKE. Mr. Cohen votes no.
Mr. Tonko?
Mr. TONKO. Tonko votes no.
Ms. LOCKE. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB. Tlaib votes no.
Ms. LOCKE. Ms. Tlaib votes no.
Ms. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LOCKE. Ms. Trahan votes no.
The CHAIRMAN. Any Members not recorded who wish to be recorded or change their vote?
Ms. LOCKE. Mrs. Boebert?
Mrs. BOEBERT. Votes aye.
Ms. LOCKE. Mrs. Boebert votes aye.
Mr. GRAVES. Mr. Chairman, how am I recorded?
The CHAIRMAN. How is the gentleman recorded?
Ms. LOCKE. Mr. Graves is not recorded.
Mr. GRAVES. Graves, yes.
Ms. LOCKE. Mr. Graves votes aye.
The CHAIRMAN. Anyone else?
[No response.]
The CHAIRMAN. If not, the vote is closed.
The Clerk shall report.
Ms. LOCKE. Mr. Chair, on this vote, the yeas are 19 and the nays are 26.
The CHAIRMAN. The amendment fails.
Now we move to the amendment designated Westerman No. 2. And the Clerk shall call the roll.
Ms. LOCKE. Mr. Grijalva?
The CHAIRMAN. No.
Ms. LOCKE. Mr. Grijalva votes no.
Mr. Westerman?
Mr. WESTERMAN. Aye.
Ms. LOCKE. Mr. Westerman votes aye.
Mrs. Napolitano?
Mrs. NAPOLITANO. No.
Ms. LOCKE. Mrs. Napolitano votes no.
Mr. Gohmert?
[No response.]
Ms. LOCKE. Mr. Costa?
Mr. COSTA. Costa votes no.
Ms. LOCKE. Mr. Costa votes no.
Mr. Lamborn?
Mr. LAMBORN. Aye.
Ms. LOCKE. Mr. Lamborn votes aye.
Mr. Sablan?
Mr. SABLAN. No.

Ms. LOCKE. Mr. Sablan votes no.
Mr. Wittman?
Dr. WITTMAN. Wittman votes aye.
Ms. LOCKE. Mr. Wittman votes aye.
Mr. Huffman?
Mr. HUFFMAN. No.
Ms. LOCKE. Mr. Huffman votes no.
Mr. McClintock?
Mr. MCCLINTOCK. Aye.
Ms. LOCKE. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes no.
Ms. LOCKE. Mr. Lowenthal votes no.
Mr. Graves?
[No response.]
Ms. LOCKE. Mr. Gallego?
[No response.]
Ms. LOCKE. Mr. Hice?
Dr. HICE. Yes.
Ms. LOCKE. Mr. Hice votes aye.
Mr. Neguse?
Mr. NEGUSE. No.
Ms. LOCKE. Mr. Neguse votes no.
Mrs. Radewagen?
[No response.]
Ms. LOCKE. Mr. Levin?
Mr. LEVIN. No.
Ms. LOCKE. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yes.
Ms. LOCKE. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LOCKE. Ms. Porter votes no.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. No.
Ms. LOCKE. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. Leger Fernández votes no.
Ms. LOCKE. Ms. Leger Fernández votes no.
Mr. Fulcher?
MR. Fulcher. Fulcher votes aye.
Ms. LOCKE. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LOCKE. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. Stauber votes aye.
Ms. LOCKE. Mr. Stauber votes aye.
Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez votes no.
Ms. LOCKE. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Aye.

Ms. LOCKE. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LOCKE. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Aye.
Ms. LOCKE. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Ms. Brownley votes no.
Ms. LOCKE. Ms. Brownley votes no.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, aye.
Ms. LOCKE. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell votes no.
Ms. LOCKE. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Aye.
Ms. LOCKE. Mr. Moore votes aye.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LOCKE. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Ms. Herrell votes aye.
Ms. LOCKE. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LOCKE. Mr. Soto votes no.
Mrs. Boebert?
[No response.]
Mr. San Nicolas?
Mrs. BOEBERT. Boebert votes aye.
Ms. LOCKE. Mrs. Boebert votes aye.
Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LOCKE. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. Aye.
Ms. LOCKE. Mr. Obernolte votes aye.
Mr. García?
Mr. GARCÍA. García is a no.
Ms. LOCKE. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LOCKE. Mr. Bentz votes aye.
Mr. Case?
Mr. CASE. No.
Ms. LOCKE. Mr. Case votes no.
Ms. Conway?
Ms. CONWAY. Ms. Conway votes aye.
Ms. LOCKE. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LOCKE. Ms. McCollum votes no.

Mr. Cohen?
Mr. COHEN. No.
Ms. LOCKE. Mr. Cohen votes no.
Mr. Tonko?
Mr. TONKO. Tonko votes no.
Ms. LOCKE. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB. No.
Ms. LOCKE. Ms. Tlaib votes no.
Ms. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LOCKE. Ms. Trahan votes no.
The CHAIRMAN. Is there any Member not recorded who wishes to do so or change their vote?
[No response.]
The CHAIRMAN. If not, the vote is closed, and the Clerk shall report.
Mr. GRAVES. Mr. Chairman, Graves of Louisiana, yes.
The CHAIRMAN. Mr. Graves is recorded as?
Ms. LOCKE. Mr. Graves is recorded—votes aye.
The CHAIRMAN. OK. The vote is closed again.
And the Clerk will report.
Ms. LOCKE. Mr. Chair, on this vote the yeas are 18 and the nays are 26.
The CHAIRMAN. The amendment fails.
We now move to Tiffany Amendment No. 10.
The Clerk shall call the roll.
Ms. LOCKE. Mr. Grijalva?
The CHAIRMAN. No.
Ms. LOCKE. Mr. Grijalva votes no.
Mr. Westerman?
Mr. WESTERMAN. Aye.
Ms. LOCKE. Mr. Westerman votes aye.
Mrs. Napolitano?
[No response.]
Ms. LOCKE. Mr. Gohmert?
[No response.]
Ms. LOCKE. Mr. Costa?
Mr. COSTA. Costa votes no.
Ms. LOCKE. Mr. Costa votes no.
Mr. Lamborn?
Mr. LAMBORN. Aye.
Ms. LOCKE. Mr. Lamborn votes aye.
Mr. Sablan?
Mr. SABLAN. No.
Ms. LOCKE. Mr. Sablan votes no.
Mr. Wittman?
Dr. WITTMAN. Wittman votes aye.
Ms. LOCKE. Mr. Wittman votes aye.
Mr. Huffman?
Mr. HUFFMAN. No.
Ms. LOCKE. Mr. Huffman votes no.
Mr. McClintock?
Mr. MCCLINTOCK. Aye.

Ms. LOCKE. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes no.
Ms. LOCKE. Mr. Lowenthal votes no.
Mr. Graves?
[No response.]
Ms. LOCKE. Mr. Gallego?
[No response.]
Ms. LOCKE. Mr. Hice?
Dr. HICE. Yes.
Ms. LOCKE. Mr. Hice votes aye.
Mr. Neguse?
Mr. NEGUSE. No.
Ms. LOCKE. Mr. Neguse votes no.
Mrs. Radewagen?
[No response.]
Ms. LOCKE. Mr. Levin?
Mr. LEVIN. No.
Ms. LOCKE. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yes.
Ms. LOCKE. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LOCKE. Ms. Porter votes no.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. Miss González-Colón votes no.
Ms. LOCKE. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. Leger Fernández votes no.
Ms. LOCKE. Ms. Leger Fernández votes no.
Mr. Fulcher?
MR. Fulcher. Fulcher is aye.
Ms. LOCKE. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LOCKE. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. Stauber, aye.
Ms. LOCKE. Mr. Stauber votes aye.
Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez votes no.
Ms. LOCKE. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Aye.
Ms. LOCKE. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LOCKE. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Aye.
Ms. LOCKE. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Ms. Brownley votes no.

Ms. LOCKE. Ms. Brownley votes no.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, aye.
Ms. LOCKE. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell votes no.
Ms. LOCKE. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Moore, aye.
Ms. LOCKE. Mr. Moore votes aye.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LOCKE. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Herrell votes aye.
Ms. LOCKE. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LOCKE. Mr. Soto votes no.
Mrs. Boebert?
Mrs. BOEBERT. Boebert votes aye.
Ms. LOCKE. Mrs. Boebert votes aye.
Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LOCKE. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. Aye.
Ms. LOCKE. Mr. Obernolte votes aye.
Mr. García?
Mr. GARCÍA. García votes no.
Ms. LOCKE. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LOCKE. Mr. Bentz votes aye.
Mr. Case?
Mr. CASE. No.
Ms. LOCKE. Mr. Case votes no.
Ms. Conway?
Ms. CONWAY. Conway, aye.
Ms. LOCKE. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LOCKE. Ms. McCollum votes no.
Mr. Cohen?
Mr. COHEN. No. No.
Ms. LOCKE. Mr. Cohen, I do not have a visual, sir.
Mr. COHEN. Yes, I think this video just does not like me. It is supposed to be on. I do not want to push stop my video. So, that means my video must be on.
Ms. LOCKE. Mr. Cohen votes no.
Mr. COHEN. You look great.
Ms. LOCKE. Mr. Tonko?
Mr. TONKO. Tonko votes no.
Ms. LOCKE. Mr. Tonko votes no.

Ms. Tlaib?
Ms. TLAIB. Tlaib votes no.
Ms. LOCKE. Ms. Tlaib votes no.
Ms. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LOCKE. Ms. Trahan votes no.
The CHAIRMAN. Do any Members wish to record their vote or change their vote?
[No response.]
Mrs. NAPOLITANO. How is Napolitano recorded?
The CHAIRMAN. How is Mrs. Napolitano recorded?
Ms. LOCKE. Mrs. Napolitano is not recorded.
Mrs. NAPOLITANO. No.
Ms. LOCKE. Mrs. Napolitano votes no.
The CHAIRMAN. Anyone else?
[No response.]
The CHAIRMAN. If not, the vote is closed.
And the Clerk will report.
Ms. LOCKE. Mr. Chair, on this vote the yeas are 17 and the nays are 26.
The CHAIRMAN. The amendment fails.
The amendment now is designated Tiffany No. 9.
And the Clerk will call the roll.
Ms. LOCKE. Mr. Grijalva?
The CHAIRMAN. No.
Ms. LOCKE. Mr. Grijalva votes no.
Mr. Westerman?
Mr. WESTERMAN. Aye.
Ms. LOCKE. Mr. Westerman votes aye.
Mrs. Napolitano?
Mrs. NAPOLITANO. No.
Ms. LOCKE. Mrs. Napolitano votes no.
Mr. Gohmert?
[No response.]
Ms. LOCKE. Mr. Costa?
Mr. COSTA. Costa votes no.
Ms. LOCKE. Mr. Costa votes no.
Mr. Lamborn?
Mr. LAMBORN. Aye.
Ms. LOCKE. Mr. Lamborn votes aye.
Mr. Sablan?
Mr. SABLAN. No.
Ms. LOCKE. Mr. Sablan votes no.
Mr. Wittman?
Dr. WITTMAN. Wittman votes aye.
Ms. LOCKE. Mr. Wittman votes aye.
Mr. Huffman?
Mr. HUFFMAN. No.
Ms. LOCKE. Mr. Huffman votes no.
Mr. McClintock?
Mr. MCCLINTOCK. Aye.
Ms. LOCKE. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes no.

Ms. LOCKE. Mr. Lowenthal votes no.
Mr. Graves?
[No response.]
Ms. LOCKE. Mr. Gallego?
[No response.]
Ms. LOCKE. Mr. Hice?
Dr. HICE. Yes.
Ms. LOCKE. Mr. Hice votes aye.
Mr. Neguse?
[No response.]
Ms. LOCKE. Mrs. Radewagen?
[No response.]
Mr. NEGUSE. Neguse votes no.
Ms. LOCKE. Mr. Neguse votes no.
Mr. Levin?
Mr. LEVIN. No.
Ms. LOCKE. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yes.
Ms. LOCKE. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LOCKE. Ms. Porter votes no.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. No.
Ms. LOCKE. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. Leger Fernández votes no.
Ms. LOCKE. Ms. Leger Fernández votes no.
Mr. Fulcher?
MR. Fulcher. Fulcher is aye.
Ms. LOCKE. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LOCKE. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. Stauber, aye.
Ms. LOCKE. Mr. Stauber votes aye.
Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez votes no.
Ms. LOCKE. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Aye.
Ms. LOCKE. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LOCKE. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Aye.
Ms. LOCKE. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Ms. Brownley votes no.
Ms. LOCKE. Ms. Brownley votes no.
Mr. Rosendale?

Mr. ROSENDALE. Rosendale, aye.
Ms. LOCKE. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell is no.
Ms. LOCKE. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Moore, aye.
Ms. LOCKE. Mr. Moore votes aye.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LOCKE. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Herrell, aye.
Ms. LOCKE. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LOCKE. Mr. Soto votes no.
Mrs. Boebert?
Mrs. BOEBERT. Boebert votes aye.
Ms. LOCKE. Mrs. Boebert votes aye.
Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LOCKE. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. Aye.
Ms. LOCKE. Mr. Obernolte votes aye.
Mr. García?
Mr. GARCÍA. García votes no.
Ms. LOCKE. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LOCKE. Mr. Bentz votes aye.
Mr. Case?
Mr. CASE. No.
Ms. LOCKE. Mr. Case votes no.
Ms. Conway?
Ms. CONWAY. Conway votes aye.
Ms. LOCKE. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LOCKE. Ms. McCollum votes no.
Mr. Cohen?
Mr. COHEN. No.
Ms. LOCKE. Mr. Cohen, I don't have a visual.
Mr. COHEN. How do we——
Ms. LOCKE. Mr. Cohen votes no.
Mr. Tonko?
Mr. TONKO. Tonko votes no.
Ms. LOCKE. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB. Tlaib votes no.
Ms. LOCKE. Ms. Tlaib votes no.
Ms. Trahan?
Mrs. TRAHAN. Trahan votes no.

Ms. LOCKE. Ms. Trahan votes no.

The CHAIRMAN. Does any Member wish to change their vote or record their vote?

[No response.]

The CHAIRMAN. If not, the vote is closed.

And the Clerk shall report.

Ms. LOCKE. Mr. Chair, on this vote the yeas are 17 and the nays are 26.

The CHAIRMAN. The amendment fails.

We now go to Mr. Hice, Amendment——Mr. Hice, before we get into a parliamentary debate and which rules rule, this piece of legislation is pretty important to everyone, and I don't want to bog it down in a discussion. The benefit of the doubt is extended and the courtesy. That is not a precedent or a practice, but I believe you when you say your inability technically to get on is correct, and by unanimous consent if there is no objection, we will consider Hice No. 49 after, obviously, No. 48.

Dr. HICE. Thank you very much, Mr. Chairman.

The CHAIRMAN. You are quite welcome, sir, but let me reiterate that it is a courtesy to a colleague, but not a precedent or a practice because once the vote is closed, it is closed and your motion to reconsider was out of order. We could have voted on that as well, but that just takes us into another time zone. And I don't want to do that and neither do any of the Members.

With that, Mr. Hice, you now have Amendment No. 45 that is up for a vote.

The Clerk shall call the roll.

Mr. SABLAN. Good call, Mr. Chairman. Good call.

Ms. LEGRANT. Mr. Grijalva?

The CHAIRMAN. No.

Ms. LEGRANT. Mr. Grijalva votes no.

Mr. Westerman?

Mr. WESTERMAN. Aye.

Ms. LEGRANT. Mr. Westerman votes aye.

Mrs. Napolitano?

Mrs. NAPOLITANO. No.

Ms. LEGRANT. Mrs. Napolitano votes no.

Mr. Gohmert?

[No response.]

Ms. LEGRANT. Mr. Costa?

Mr. COSTA. Costa votes no.

Ms. LEGRANT. Mr. Costa votes no.

Mr. Lamborn?

Mr. LAMBORN. Aye.

Ms. LEGRANT. Mr. Lamborn votes aye.

Mr. Sablan?

Mr. SABLAN. No.

Ms. LEGRANT. Mr. Sablan votes no.

Mr. Wittman?

Dr. WITTMAN. Wittman votes aye.

Ms. LEGRANT. Mr. Wittman votes aye.

Mr. Huffman?

Mr. HUFFMAN. No.

Ms. LEGRANT. Mr. Huffman votes no.

Mr. McClintock?
Mr. MCCLINTOCK. Aye.
Ms. LEGRANT. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes no.
Ms. LEGRANT. Mr. Lowenthal votes no.
Mr. Graves?
[No response.]
Ms. LEGRANT. Mr. Gallego?
[No response.]
Ms. LEGRANT. Mr. Hice?
Mr. GALLEGO. Gallego is no.
Dr. HICE. Yes.
Ms. LEGRANT. Mr. Hice votes?
Dr. HICE. Yes.
Ms. LEGRANT. No—yes. Excuse me.
Mr. Neguse?
Mr. NEGUSE. No.
Ms. LEGRANT. Mr. Neguse votes no.
Mrs. Radewagen?
[No response.]
Ms. LEGRANT. Mr. Levin?
Mr. LEVIN. No.
Ms. LEGRANT. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yes.
Ms. LEGRANT. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LEGRANT. Ms. Porter votes no.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. No.
Ms. LEGRANT. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. Leger Fernández votes no.
Ms. LEGRANT. Leger Fernández votes no.
Mr. Fulcher?
MR. Fulcher. Fulcher is aye.
Ms. LEGRANT. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LEGRANT. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. Stauber, aye.
Ms. LEGRANT. Mr. Stauber votes aye.
Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez votes no.
Ms. LEGRANT. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Aye.
Ms. LEGRANT. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LEGRANT. Ms. DeGette votes no.

Mr. Carl?
Mr. CARL. Aye.
Ms. LEGRANT. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Ms. Brownley votes no.
Ms. LEGRANT. Ms. Brownley votes no.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, aye.
Ms. LEGRANT. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell is no.
Ms. LEGRANT. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Aye.
Ms. LEGRANT. Mr. Moore votes aye.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LEGRANT. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Herrell votes aye.
Ms. LEGRANT. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LEGRANT. Mr. Soto votes no.
Mrs. Boebert?
Mrs. BOEBERT. Boebert votes aye.
Ms. LEGRANT. Mrs. Boebert votes aye.
Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LEGRANT. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. Aye.
Ms. LEGRANT. Mr. Obernolte votes aye.
Mr. García?
Mr. GARCÍA. García votes no.
Ms. LEGRANT. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LEGRANT. Mr. Bentz votes aye.
Mr. Case?
Mr. CASE. No.
Ms. LEGRANT. Mr. Case votes no.
Ms. Conway?
Ms. CONWAY. Conway votes aye.
Ms. LEGRANT. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LEGRANT. Ms. McCollum votes no.
Mr. Cohen?
Mr. COHEN. No.
Ms. LEGRANT. Mr. Cohen votes no.
Mr. Tonko?
[No response.]
Ms. LEGRANT. Ms. Tlaib?

Ms. TLAIB. Tlaib votes no.
Ms. LEGRANT. Ms. Tlaib votes no.
Ms. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LEGRANT. Ms. Trahan votes no.
The CHAIRMAN. Does any Member wish to be recorded or change their vote?
[No response.]
Mr. GOHMERT. Gohmert votes aye.
Ms. LEGRANT. Mr. Gohmert votes aye.
The CHAIRMAN. Mr. Gohmert votes aye.
Any other Member?
How is Mr. Tonko recorded?
Ms. LEGRANT. Mr. Tonko is not recorded.
Mr. TONKO. Tonko votes no.
Ms. LEGRANT. Mr. Tonko votes no.
The CHAIRMAN. The vote is closed.
The Clerk shall report.
Ms. LEGRANT. Mr. Chair, on this vote the yeas are 18 and the nays are 26.
The CHAIRMAN. The amendment fails.
We move to Hice No. 46.
The Clerk shall call the roll.
Ms. LEGRANT. Mr. Grijalva?
The CHAIRMAN. No.
Ms. LEGRANT. Mr. Grijalva votes no.
Mr. Westerman?
Mr. WESTERMAN. Aye.
Ms. LEGRANT. Mr. Westerman votes aye.
Mrs. Napolitano?
Mrs. NAPOLITANO. No.
Ms. LEGRANT. Mrs. Napolitano votes no.
Mr. Gohmert?
[No response.]
Ms. LEGRANT. Mr. Costa?
Mr. COSTA. Costa votes no.
Ms. LEGRANT. Mr. Costa votes no.
Mr. Lamborn?
Mr. LAMBORN. Aye.
Ms. LEGRANT. Mr. Lamborn votes aye.
Mr. Sablan?
Mr. SABLAN. No.
Ms. LEGRANT. Mr. Sablan votes no.
Mr. Wittman?
Dr. WITTMAN. Wittman votes aye.
Ms. LEGRANT. Mr. Wittman votes aye.
Mr. Huffman?
Mr. HUFFMAN. No.
Ms. LEGRANT. Mr. Huffman votes no.
Mr. McClintock?
Mr. MCCLINTOCK. Aye.
Ms. LEGRANT. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes no.

Ms. LEGRANT. Mr. Lowenthal votes no.
Mr. Graves?
[No response.]
Ms. LEGRANT. Mr. Gallego?
Mr. GALLEGO. Gallego votes no.
Ms. LEGRANT. Mr. Gallego votes no.
Mr. Hice?
Dr. HICE. Hice, yes.
Ms. LEGRANT. Mr. Hice votes yes.
Mr. Neguse?
[No response.]
Ms. LEGRANT. Mrs. Radewagen?
[No response.]
Ms. LEGRANT. Mr. Levin?
Mr. LEVIN. No.
Ms. LEGRANT. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yes.
Ms. LEGRANT. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LEGRANT. Ms. Porter votes no.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. No.
Ms. LEGRANT. Miss González-Colón votes no.
Ms. Leger Fernández?
[No response.]
Ms. LEGRANT. Mr. Fulcher?
MR. Fulcher. Fulcher is aye.
Ms. LEGRANT. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LEGRANT. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. Stauber is aye.
Ms. LEGRANT. Mr. Stauber votes aye.
Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez votes no.
Ms. LEGRANT. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Aye.
Ms. LEGRANT. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LEGRANT. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Aye.
Ms. LEGRANT. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Ms. Brownley votes no.
Mr. NEGUSE. Neguse votes no as well.
Ms. LEGRANT. Ms. Brownley votes no, and Mr. Neguse votes no.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, aye.

Ms. LEGRANT. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell votes no.
Ms. LEGRANT. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Moore, aye.
Ms. LEGRANT. Mr. Moore votes aye
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LEGRANT. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Herrell, aye.
Ms. LEGRANT. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LEGRANT. Mr. Soto votes no.
Mrs. Boebert?
Mrs. BOEBERT. Boebert votes aye.
Ms. LEGRANT. Mrs. Boebert votes aye.
Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LEGRANT. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. Aye
Ms. LEGRANT. Mr. Obernolte votes aye.
Mr. García?
Mr. GARCÍA. García votes no.
Ms. LEGRANT. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LEGRANT. Mr. Bentz votes aye.
Mr. Case?
Mr. CASE. No.
Ms. LEGRANT. Mr. Case votes no.
Ms. Conway?
Ms. CONWAY. Conway votes aye.
Ms. LEGRANT. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LEGRANT. Ms. McCollum votes no.
Mr. Cohen?
Mr. COHEN. No.
Ms. LEGRANT. I am sorry, Mr. Cohen. I don't have a visual.
Mr. COHEN. Yes, I hit something that was wrong. Are we OK now? You are sending me video.
Ms. LEGRANT. There we are. Thank you, sir.
Mr. COHEN. No.
Ms. LEGRANT. Mr. Cohen votes no.
Mr. Tonko?
Mr. TONKO. Tonko votes no.
Ms. LEGRANT. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB. Tlaib votes no.
Ms. LEGRANT. Ms. Tlaib votes no.

Ms. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LEGRANT. Ms. Trahan votes no.
Ms. LEGER FERNÁNDEZ. Leger Fernández votes no.
Ms. LEGRANT. Ms. Leger Fernández votes no.
The CHAIRMAN. Does anyone else wish to record their vote or change their vote?
[No response.]
The CHAIRMAN. If not, the vote——
MR. Gohmert. Gohmert votes aye. Sorry.
The CHAIRMAN. Except for Mr. Gohmert, who just squeezed under the line.
How is Mr. Gohmert recorded?
Ms. LEGRANT. Mr. Gohmert is recorded as an aye.
The CHAIRMAN. I will repeat. The vote is closed.
And the Clerk shall report.
Ms. LEGRANT. Mr. Chair, on this vote the yeas are 18 and the nays are 27.
The CHAIRMAN. The amendment fails.
We now have Hice Amendment No. 47.
And the Clerk shall call the roll.
Ms. LEGRANT. Mr. Grijalva?
The CHAIRMAN. No.
Ms. LEGRANT. Mr. Grijalva votes no.
Mr. Westerman?
Mr. WESTERMAN. Aye.
Ms. LEGRANT. Mr. Westerman votes aye.
Mrs. Napolitano?
Mrs. NAPOLITANO. No.
Ms. LEGRANT. Mrs. Napolitano votes no.
Mr. Gohmert?
Mr. GOHMERT. Aye.
Ms. LEGRANT. Mr. Gohmert votes aye.
Mr. Costa?
Mr. COSTA. Votes no.
Ms. LEGRANT. Mr. Costa votes no.
Mr. Lamborn?
Mr. LAMBORN. Aye.
Ms. LEGRANT. Mr. Lamborn votes aye.
Mr. Sablan?
Mr. SABLAN. No.
Ms. LEGRANT. Mr. Sablan votes no.
Mr. Wittman?
Dr. WITTMAN. Wittman votes aye.
Ms. LEGRANT. Mr. Wittman votes aye.
Mr. Huffman?
Mr. HUFFMAN. Huffman is no.
Ms. LEGRANT. Mr. Huffman votes no.
Mr. McClintock?
Mr. MCCLINTOCK. Aye.
Ms. LEGRANT. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes no.
Ms. LEGRANT. Mr. Lowenthal votes no.

Mr. Graves?
Mr. GRAVES. Graves, yes.
Ms. LEGRANT. Mr. Graves votes yes.
Mr. Gallego?
Mr. GALLEGO. No.
Ms. LEGRANT. Mr. Gallego votes no.
Mr. Hice?
Dr. HICE. Hice, yes.
Ms. LEGRANT. Mr. Hice votes yes.
Mr. Neguse?
Mr. NEGUSE. No.
Ms. LEGRANT. Mr. Neguse votes no.
Mrs. Radewagen?
[No response.]
Ms. LEGRANT. Mr. Levin?
Mr. LEVIN. No.
Ms. LEGRANT. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yes.
Ms. LEGRANT. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter, no.
Ms. LEGRANT. Ms. Porter votes no.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. No.
Ms. LEGRANT. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. No.
Ms. LEGRANT. Ms. Leger Fernández votes no.
Mr. Fulcher?
MR. Fulcher. Fulcher is aye.
Ms. LEGRANT. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LEGRANT. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. Stauber, aye.
Ms. LEGRANT. Mr. Stauber votes aye.
Ms. Velázquez?
Ms. VELÁZQUEZ. Velázquez votes no.
Ms. LEGRANT. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Aye.
Ms. LEGRANT. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LEGRANT. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Aye.
Ms. LEGRANT. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Brownley votes no.
Ms. LEGRANT. Ms. Brownley votes no.
Mr. Rosendale?

Mr. ROSENDALE. Rosendale, aye.
Ms. LEGRANT. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell votes no.
Ms. LEGRANT. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Aye.
Ms. LEGRANT. Mr. Moore votes aye.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LEGRANT. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Herrell votes aye.
Ms. LEGRANT. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LEGRANT. Mr. Soto votes no.
Mrs. Boebert?
Mrs. BOEBERT. Boebert votes aye.
Ms. LEGRANT. Mrs. Boebert votes aye.
Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LEGRANT. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. No.
Ms. LEGRANT. Mr. Obernolte votes no.
Mr. García?
Mr. GARCÍA. García votes no.
Ms. LEGRANT. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LEGRANT. Mr. Bentz votes aye.
Mr. Case?
Mr. CASE. No.
Ms. LEGRANT. Mr. Case votes no.
Ms. Conway?
Ms. CONWAY. Conway votes aye.
Ms. LEGRANT. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LEGRANT. Ms. McCollum votes no.
Mr. Cohen?
Mr. COHEN. Cohen votes no.
Ms. LEGRANT. Mr. Cohen votes no.
Mr. Tonko?
Mr. TONKO. Tonko votes no.
Ms. LEGRANT. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB. Tlaib votes no.
Ms. LEGRANT. Ms. Tlaib votes no.
Ms. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LEGRANT. Ms. Trahan votes no.

The CHAIRMAN. Any Member not recorded that wishes to be recorded?
[No response.]
The CHAIRMAN. Hearing none, the vote is closed.
And the Clerk shall report.
Ms. LEGRANT. Mr. Chair, on this vote, the years are 18 and the nays are 28.
The CHAIRMAN. The amendment fails.
And we move to amendment designated Hice No. 48.
The Clerk shall call the roll please.
Ms. LEGRANT. Mr. Grijalva?
The CHAIRMAN. No.
Ms. LEGRANT. Mr. Grijalva votes no.
Mr. Westerman?
Mr. WESTERMAN. Aye.
Ms. LEGRANT. Mr. Westerman votes aye.
Mrs. Napolitano?
Mrs. NAPOLITANO. No.
Ms. LEGRANT. Mrs. Napolitano votes no.
Mr. Gohmert?
[No response.]
Ms. LEGRANT. Mr. Costa?
Mr. COSTA. Costa votes no.
Ms. LEGRANT. Mr. Costa votes no.
Mr. Lamborn?
Mr. LAMBORN. Aye.
Ms. LEGRANT. Mr. Lamborn votes aye.
Mr. Sablan?
Mr. SABLAN. No.
Ms. LEGRANT. Mr. Sablan votes no.
Mr. Wittman?
Dr. WITTMAN. Wittman votes aye.
Ms. LEGRANT. Mr. Wittman votes aye.
Mr. Huffman?
Mr. HUFFMAN. No.
Ms. LEGRANT. Mr. Huffman votes no.
Mr. McClintock?
Mr. MCCLINTOCK. Aye.
Ms. LEGRANT. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes no.
Ms. LEGRANT. Mr. Lowenthal votes no.
Mr. Graves?
[No response.]
Ms. LEGRANT. Mr. Gallego?
Mr. GALLEGO. No.
Ms. LEGRANT. Mr. Gallego votes no.
Mr. Hice?
Dr. HICE. Hice votes yes.
Ms. LEGRANT. Mr. Hice votes aye.
Mr. Neguse?
Mr. NEGUSE. No.
Ms. LEGRANT. Mr. Neguse votes no.
Mrs. Radewagen?

[No response.]
Ms. LEGRANT. Mr. Levin?
Mr. LEVIN. No.
Ms. LEGRANT. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Aye.
Ms. LEGRANT. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LEGRANT. Ms. Porter votes no.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. No.
Ms. LEGRANT. Miss González-Colón votes no.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. Leger Fernández votes no.
Ms. LEGRANT. Ms. Leger Fernández votes no.
Mr. Fulcher?
MR. Fulcher. Fulcher is aye.
Ms. LEGRANT. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LEGRANT. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. Aye.
Ms. LEGRANT. Mr. Stauber votes aye.
Ms. Velázquez?
Ms. VELÁZQUEZ. No.
Ms. LEGRANT. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Aye.
Ms. LEGRANT. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LEGRANT. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Aye.
Ms. LEGRANT. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Ms. Brownley votes no.
Ms. LEGRANT. Ms. Brownley votes no.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, aye.
Ms. LEGRANT. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell is no.
Ms. LEGRANT. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Aye.
Ms. LEGRANT. Mr. Moore votes aye.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LEGRANT. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Herrell is aye.

Ms. LEGRANT. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LEGRANT. Mr. Soto votes no.
Mrs. Boebert?
[No response.]
Ms. LEGRANT. Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LEGRANT. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. Aye.
Ms. LEGRANT. Mr. Obernolte votes aye.
Mr. García?
Mr. GARCÍA. García votes no.
Ms. LEGRANT. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LEGRANT. Mr. Bentz votes aye.
Mr. Case?
Mr. CASE. No.
Ms. LEGRANT. Mr. Case votes no.
Ms. Conway?
Ms. CONWAY. Conway votes aye.
Ms. LEGRANT. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LEGRANT. Ms. McCollum votes no.
Mr. COHEN. Cohen votes no.
Ms. LEGRANT. Mr. Cohen votes no.
Mr. Tonko?
Mr. TONKO. Tonko votes no.
Ms. LEGRANT. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB. Tlaib votes no.
Ms. LEGRANT. Ms. Tlaib votes no.
Ms. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LEGRANT. Ms. Trahan votes no.
The CHAIRMAN. Does any Member wish to be recorded or change their vote?
Mrs. BOEBERT. Mr. Chairman, Boebert votes aye.
Ms. LEGRANT. Mrs. Boebert votes aye.
The CHAIRMAN. Thank you.
Anyone else?
[No response.]
The CHAIRMAN. If not, the vote is closed.
And the Clerk shall report.
Ms. LEGRANT. Mr. Chair, on this vote the yeas are 17 and the nays are 27.
The CHAIRMAN. The amendment fails.
And we move to Hice Amendment No. 49.
And the Clerk shall call the roll.
Ms. LEGRANT. Mr. Grijalva?
The CHAIRMAN. No.

Ms. LEGRANT. Mr. Grijalva votes no.
Mr. Westerman?
Mr. WESTERMAN. Aye.
Ms. LEGRANT. Mr. Westerman votes aye.
Mrs. Napolitano?
Mrs. NAPOLITANO. No.
Ms. LEGRANT. Mrs. Napolitano votes no.
Mr. Gohmert?
[No response.]
Ms. LEGRANT. Mr. Costa?
[No response.]
Ms. LEGRANT. Mr. Lamborn?
Mr. LAMBORN. Aye.
Ms. LEGRANT. Mr. Lamborn votes aye.
Mr. Sablan?
Mr. SABLAN. No.
Ms. LEGRANT. Mr. Sablan votes no.
Mr. Wittman?
Dr. WITTMAN. Wittman votes aye.
Ms. LEGRANT. Mr. Wittman votes aye.
Mr. Huffman?
Mr. HUFFMAN. No.
Ms. LEGRANT. Mr. Huffman votes no.
Mr. McClintock?
Mr. MCCLINTOCK. Aye.
Ms. LEGRANT. Mr. McClintock votes aye.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes no.
Ms. LEGRANT. Mr. Lowenthal votes no.
Mr. Graves?
[No response.]
Ms. LEGRANT. Mr. Gallego?
Mr. GALLEGO. Gallego votes no.
Ms. LEGRANT. Mr. Gallego votes no.
Mr. Hice?
Dr. HICE. Hice votes yes.
Ms. LEGRANT. Mr. Hice votes yes.
Mr. Neguse?
Mr. NEGUSE. No.
Ms. LEGRANT. Mr. Neguse votes no.
Mrs. Radewagen?
[No response.]
Ms. LEGRANT. Mr. Levin?
Mr. LEVIN. No.
Ms. LEGRANT. Mr. Levin votes no.
Mr. Webster?
Mr. WEBSTER. Yes.
Ms. LEGRANT. Mr. Webster votes aye.
Ms. Porter?
Ms. PORTER. Porter votes no.
Ms. LEGRANT. Ms. Porter votes no.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. No.
Ms. LEGRANT. Miss González-Colón votes no.

Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. Leger Fernández votes no.
Ms. LEGRANT. Ms. Leger Fernández votes no.
Mr. Fulcher?
Mr. FULCHER. Fulcher is aye.
Ms. LEGRANT. Mr. Fulcher votes aye.
Ms. Stansbury?
Ms. STANSBURY. No.
Ms. LEGRANT. Ms. Stansbury votes no.
Mr. Stauber?
Mr. STAUBER. Aye.
Ms. LEGRANT. Mr. Stauber votes aye.
Ms. Velázquez?
Ms. VELÁZQUEZ. No.
Ms. LEGRANT. Ms. Velázquez votes no.
Mr. Tiffany?
Mr. TIFFANY. Aye.
Ms. LEGRANT. Mr. Tiffany votes aye.
Ms. DeGette?
Ms. DEGETTE. DeGette votes no.
Ms. LEGRANT. Ms. DeGette votes no.
Mr. Carl?
Mr. CARL. Aye.
Ms. LEGRANT. Mr. Carl votes aye.
Ms. Brownley?
Ms. BROWNLEY. Ms. Brownley votes no.
Ms. LEGRANT. Ms. Brownley votes no.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, aye.
Ms. LEGRANT. Mr. Rosendale votes aye.
Mrs. Dingell?
Mrs. DINGELL. Dingell votes no.
Ms. LEGRANT. Mrs. Dingell votes no.
Mr. Moore?
Mr. MOORE. Aye.
Ms. LEGRANT. Mr. Moore votes aye.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes no.
Ms. LEGRANT. Mr. McEachin votes no.
Ms. Herrell?
Ms. HERRELL. Herrell is an aye.
Ms. LEGRANT. Ms. Herrell votes aye.
Mr. Soto?
Mr. SOTO. Soto votes no.
Ms. LEGRANT. Mr. Soto votes no.
Mrs. Boebert?
Mrs. BOEBERT. Boebert votes aye.
Ms. LEGRANT. Mrs. Boebert votes aye.
Mr. San Nicolas?
Mr. SAN NICOLAS. San Nicolas votes no.
Ms. LEGRANT. Mr. San Nicolas votes no.
Mr. Obernolte?
Mr. OBERNOLTE. Aye.
Ms. LEGRANT. Mr. Obernolte votes aye.

Mr. García?
Mr. GARCÍA. García votes no.
Ms. LEGRANT. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. Aye.
Ms. LEGRANT. Mr. Bentz votes aye.
Mr. Case?
Mr. CASE. No.
Ms. LEGRANT. Mr. Case votes no.
Ms. Conway?
Ms. CONWAY. Conway votes aye.
Ms. LEGRANT. Ms. Conway votes aye.
Ms. McCollum?
Ms. MCCOLLUM. McCollum votes no.
Ms. LEGRANT. Ms. McCollum votes no.
Mr. Cohen?
Mr. COHEN. No.
Ms. LEGRANT. Mr. Cohen votes no.
Mr. Tonko?
Mr. TONKO. Tonko votes no.
Ms. LEGRANT. Mr. Tonko votes no.
Ms. Tlaib?
Ms. TLAIB. Tlaib votes no.
Ms. LEGRANT. Ms. Tlaib votes no.
Ms. Trahan?
Mrs. TRAHAN. Trahan votes no.
Ms. LEGRANT. Ms. Trahan votes no.
The CHAIRMAN. Any Member wish to be recorded or change their vote?
Mr. GRAVES. Graves, yes.
Ms. LEGRANT. Mr. Graves votes yes
Mr. COSTA. Costa, no.
Ms. LEGRANT. And Mr. Costa votes no.
The CHAIRMAN. Anyone else?
[No response.]
The CHAIRMAN. If not, the vote is closed and the Clerk shall report.
Ms. LEGRANT. Mr. Chair, on this vote the yeas are 18 and the nays are 27.
The CHAIRMAN. The amendment fails.
And now the question is on the Grijalva ANS to H.R. 8393.
All those in favor of the amendment indicate by saying aye.
All those opposed indicate by saying no.
In the opinion of the Chair, the ayes have it, and the ANS is agreed to.
Now we have the final passage. The question is on adopting H.R. 8393, as amended, and order it favorably reported to the House.
A recorded vote will be requested. So, we will skip that voice vote and go directly to the recorded vote.
And the Clerk will call the—sir?
Mr. WEBSTER. I just want to speak for a minute.
I am not for adding another state. It does not matter who they are or what they are, and the reason is because when the 13

colonies came in, the difference between the largest and the smallest was in the hundreds of thousands of votes or people.

And we began to grow and add states. When we did, the disparity of all the states that have two Senators became greater, and now it is so great that it really does not even matter, and it is sad that that is.

So, if you take the top states, the top four states, California, Texas, Florida, and——

The CHAIRMAN. Sir, the period for debate kind of expired on this piece of legislation early on. If you would close, I am extending the courtesy, but we have the final passage and that roll call vote, and I am pressed by my colleagues, as I should be, that they have other commitments beyond this room starting at 6 o'clock.

So, with all due respect, sir.

Mr. WEBSTER. I will be done in 45 seconds.

The CHAIRMAN. I appreciate it.

Mr. WEBSTER. So, California, Texas, Florida, and New York are the top four states. Their total population is over 110 million people.

The bottom four, their total population is under 3 million, so the disparity between someone who has a Senator in one of the larger states and the one that has one in the small is huge, and that does not change.

You get two, and if we add this state, we will add two more, and it will dilute the people in Florida, or California, or Texas, and so forth. You are going to dilute them down.

So, to me that is like 400 times the amount of people that they have to service and represent as opposed to somebody in the smaller state.

So, for that, I do not care where the state is, I just do not think it is right. The disparity is getting bigger and bigger, and they are not represented. And it is sad.

And that is probably why people who talk about how bad the 60-vote rule is, that helps actually bridge the gap and make it closer by just saying you have to get 60.

The CHAIRMAN. Thank you.

Mr. WEBSTER. So, anyway, there is my deal.

The CHAIRMAN. Thank you very much.

The question is on adopting H.R. 8393, as amended, and ordering it favorably reported to the House.

A recorded vote will be requested, so we will just skip to that, and the Clerk shall call the roll.

Ms. LEGRANT. Mr. Grijalva?

The CHAIRMAN. Yes.

Ms. LEGRANT. Mr. Grijalva votes yes.

Mr. Westerman?

Mr. WESTERMAN. No.

Ms. LEGRANT. Mr. Westerman votes no.

Mrs. Napolitano?

Mrs. NAPOLITANO. Yes.

Ms. LEGRANT. Mrs. Napolitano votes yes.

Mr. Gohmert?

[No response.]

Ms. LEGRANT. Mr. Costa?

Mr. COSTA. Costa votes yes.
Ms. LEGRANT. Mr. Costa votes yes.
Mr. Lamborn?
Mr. LAMBORN. Nay.
Ms. LEGRANT. Mr. Lamborn votes no.
Mr. Sablan?
Mr. SABLAN. Yes.
Ms. LEGRANT. Mr. Sablan votes yes.
Mr. Wittman?
Dr. WITTMAN. Wittman votes no.
Ms. LEGRANT. Mr. Wittman votes no.
Mr. Huffman?
Mr. HUFFMAN. Yes.
Ms. LEGRANT. Mr. Huffman votes yes.
MR. McClintock?
Mr. MCCLINTOCK. No.
Ms. LEGRANT. Mr. McClintock votes no.
Mr. Lowenthal?
Dr. LOWENTHAL. Lowenthal votes yes.
Ms. LEGRANT. Mr. Lowenthal votes yes.
Mr. Graves?
Mr. GRAVES. No.
Ms. LEGRANT. Mr. Graves votes no.
Mr. Gallego?
Mr. GALLEGO. An emphatic yes.
Ms. LEGRANT. Mr. Gallego votes yes.
Mr. Hice?
Dr. HICE. No.
Ms. LEGRANT. Mr. Hice votes no.
Mr. Neguse?
Mr. NEGUSE. Yes.
Ms. LEGRANT. Mr. Neguse votes yes.
Mrs. Radewagen?
[No response.]
Mr. Levin?
Mr. LEVIN. Yes.
Ms. LEGRANT. Mr. Levin votes yes.
Mr. Webster?
Mr. WEBSTER. Nay.
Ms. LEGRANT. Mr. Webster votes no.
Ms. Porter?
Ms. PORTER. Porter votes yes.
Ms. LEGRANT. Ms. Porter votes aye.
Miss González-Colón?
Miss GONZÁLEZ-COLÓN. González-Colón *voto sí*, yes.
Ms. LEGRANT. Ms. González-Colón votes yes.
Ms. Leger Fernández?
Ms. LEGER FERNÁNDEZ. *Claro que sí*. Leger Fernández votes yes.
Ms. LEGRANT. Ms. Leger Fernández votes yes.
Mr. Fulcher?
Mr. FULCHER. Fulcher is no.
Ms. LEGRANT. Mr. Fulcher votes no.
Ms. Stansbury?
Ms. STANSBURY. Another emphatic yes.

Ms. LEGRANT. Ms. Stansbury votes yes.
Mr. Stauber?
Mr. STAUBER. No.
Ms. LEGRANT. Mr. Stauber votes no.
Ms. Velázquez?
Ms. VELÁZQUEZ. Yes.
Ms. LEGRANT. Ms. Velázquez votes yes.
Mr. Tiffany?
Mr. TIFFANY. No.
Ms. LEGRANT. Mr. Tiffany votes no.
Ms. DeGette?
Ms. DEGETTE. DeGette votes yes.
Ms. LEGRANT. Ms. DeGette votes yes.
Mr. Carl?
Mr. CARL. No.
Ms. LEGRANT. Mr. Carl votes no.
Ms. Brownley?
Ms. BROWNLEY. Ms. Brownley votes yes.
Ms. LEGRANT. Ms. Brownley votes yes.
Mr. Rosendale?
Mr. ROSENDALE. Rosendale, no.
Ms. LEGRANT. Mr. Rosendale votes no.
Mrs. Dingell?
Mrs. DINGELL. Dingell, yes.
Ms. LEGRANT. Mrs. Dingell votes yes.
Mr. Moore?
Mr. MOORE. Moore, no.
Ms. LEGRANT. Mr. Moore votes no.
Mr. McEachin?
Mr. MCEACHIN. McEachin votes yes.
Ms. LEGRANT. Mr. McEachin votes yes.
Ms. Herrell?
Ms. HERRELL. Herrell votes no.
Ms. LEGRANT. Ms. Herrell votes no.
Mr. Soto?
Mr. SOTO. After 120-plus years, yes.
Ms. LEGRANT. Mr. Soto votes yes.
Mrs. Boebert?
Mrs. BOEBERT. Boebert votes no.
Ms. LEGRANT. Mrs. Boebert votes no.
Mr. San Nicolas?
Mr. SAN NICOLAS. Guam votes yes.
Ms. LEGRANT. Mr. San Nicolas votes yes.
Mr. Obernolte?
Mr. OBERNOLTE. No.
Ms. LEGRANT. Mr. Obernolte votes no.
Mr. García?
Mr. GARCÍA. García votes no.
Ms. LEGRANT. Mr. García votes no.
Mr. Bentz?
Mr. BENTZ. No.
Ms. LEGRANT. Mr. Bentz votes no.
Mr. Case?
Mr. CASE. Yes.

Ms. LEGRANT. Mr. Case votes yes.
Ms. Conway?
Ms. CONWAY. No.
Ms. LEGRANT. Ms. Conway votes no.
Ms. McCollum?
Ms. MCCOLLUM. The Fourth District in Minnesota votes ya.
Ms. LEGRANT. Ms. McCollum votes yes.
Mr. Cohen?
Mr. COHEN. Yes.
Ms. LEGRANT. Mr. Cohen votes yes.
Mr. Tonko?
Mr. TONKO. Tonko votes aye.
Ms. LEGRANT. Mr. Tonko votes aye.
Ms. Tlaib?
Ms. TLAIB. Tlaib votes no.
Ms. LEGRANT. Ms. Tlaib votes no.
Ms. Trahan?
Mrs. TRAHAN. Trahan votes yes.
Ms. LEGRANT. Ms. Trahan votes yes.
The CHAIRMAN. Is there anyone not recorded who wishes to be recorded?
Does any Member wish to change their vote?
[No response.]
The CHAIRMAN. If not, the vote is closed.
And the Clerk shall report.
Ms. LEGRANT. Mr. Chair, on this vote the yeas are 25 and the nays are 20.
[Applause.]
The CHAIRMAN. The bill is adopted as amended and ordered favorably reported to the House, and the motion to reconsider is laid on the table.
Mr. Westerman, you have a motion regarding views.
Mr. WESTERMAN. Mr. Chairman, under Committee Rule 5(c), I give notice of my intention to file additional or dissenting views on the bill just considered and all bills considered during this markup.
And I ask unanimous consent that this notice be extended to all Members.
The CHAIRMAN. Thank you very much.
And I want to thank all of the members of the entire Committee.
And I also want to thank respective staff that participated in the very difficult and delicate process.
This is a consensus compromise, and having been here and not necessarily in this chairmanship, but being on this Committee for so long, when this subject of Puerto Rico comes up time and time again, in the past it always seemed to be destined for failure because we made it something versus something else.
And all of the significant options for noncolonial status are in this legislation, and they are not new. They have been talked about for a decade intensely and for the last 3 or 4 years even more intensely.
So, I think we have taken a step, a significant step, and I want to congratulate the participants in that very delicate consensus compromise process. It required a great deal of political risk and political courage at the same time.

And I want to extend to all of you my appreciation, and my hope that as we move this legislation forward, that the intent of this gets better and better known.

It is about establishing a relationship for the people of Puerto Rico that allows them to decide their identity, and I think that is important. I think it is critical.

This last vestige of colonialism needs to be ripped from us, and this Band-Aid hurts sometimes, but this is the process.

I also want to say one thing. The people of Puerto Rico, I learned a lot in the visits and in the discussions. The people of Puerto Rico are honorable, hardworking, smart people, and what they taught me was that this decision is a difficult one for them.

And in the past there was cynicism and lack of participation because they never felt empowered; that after they were done, others were going to do whatever they wanted regardless.

Yes, this is binding, and it should be that way because that is our empowerment to the voters of Puerto Rico, telling them the decision you make is yours and the decision you make we all live with.

So, thanks to all of you. I appreciate it, and those that are not happy with this piece of legislation, I appreciate generally your civility and your willingness to help us move this along.

We intend to print this markup, so I would encourage Members to submit their written statements as soon as possible so they are part of the record, and I would venture to say coming from this Committee, an historic part of the record, regardless of your opinion, and I would appreciate those.

Thank you very much for indulging me.

And let me say with the cooperation of the Ranking Member and other members of the Committee, it appears we have worked out an agreement on four bills scheduled for markup today.

Before we begin, I take a horrible risk in saying does any Member seek time to speak on any of the bills in this unanimous consent package. Taking that risk.

[No response.]

The CHAIRMAN. Thank you.

[Laughter.]

The CHAIRMAN. As we have done before, I will make a single UC motion to discharge the agreed upon bills.

I ask unanimous consent that the Subcommittee on National Parks, Forests, and Public Lands be discharged from further consideration of H.R. 6353, the "National Service Animals Memorial Act"; H.R. 6799, the "Parker House Study Act"; H.R. 6438, the "Dearfield Study Act"; and H.R. 7618, the Holocaust Memorial in Ohio.

Without objection, so ordered.

I now ask unanimous consent that the following bills be adopted and ordered favorably reported as described to the House of Representatives: H.R. 6353, the "National Service Animals Memorial Act"; H.R. 6799, the Parker House Study; H.R. 6438, the Dearfield Study Act; and H.R. 7618, the Holocaust Memorial in Ohio.

Without objection, so ordered.

Without objection, the motions to reconsider are laid on the table.

With that, all Members have 2 days in which to add Supplemental and Minority dissenting views.

I ask unanimous consent that the staff be allowed to make necessary and technical conforming changes to the bills ordered reported today, subject to the approval of the Minority.

I ask unanimous consent that for any bill ordered reported today with amendments, that the bill be considered reported with an amendment to strike all after the enacting clause and insert the text of the bill with its perfecting amendments adopted in Committee.

Without objection, so ordered.

And thank you very much. I thank Ranking Member Westerman and other members of the Committee.

And with no further discussion or business, the Committee is now adjourned. Thank you very much.

[Whereupon, at 5:31 p.m., the Committee was adjourned.]

APPENDIX

H.R. 8393, THE PUERTO RICO STATUS ACT—BILL TEXT

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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. 8393

To enable the people of Puerto Rico to choose a permanent, nonterritorial, fully self-governing political status for Puerto Rico and to provide for a transition to and the implementation of that permanent, nonterritorial, fully self-governing political status, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GRIJALVA introduced the following bill; which was referred to the Committee on _____

A BILL

To enable the people of Puerto Rico to choose a permanent, nonterritorial, fully self-governing political status for Puerto Rico and to provide for a transition to and the implementation of that permanent, nonterritorial, fully self-governing political status, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Puerto Rico Status Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Findings.
Sec. 4. Definitions.
Sec. 5. Plebiscite.
Sec. 6. Nonpartisan voter education campaign.
Sec. 7. Oversight.
Sec. 8. Funds for voter education; plebiscites.
Sec. 9. Bilingual voter educational materials and ballots.
Sec. 10. Puerto Rico Oversight, Management, and Economic Stability Act.
Sec. 11. Severability.

TITLE I—TRANSITION AND IMPLEMENTATION — INDEPENDENCE

Sec. 101. Constitutional convention.
Sec. 102. Character of the constitution.
Sec. 103. Submission; ratification.
Sec. 104. Election of officers.
Sec. 105. Conforming amendments to existing law.
Sec. 106. Joint Transition Commission.
Sec. 107. Proclamations by President of the United States; Head of State of Puerto Rico.
Sec. 108. Legal and constitutional provisions.
Sec. 109. Judicial pronouncements.
Sec. 110. Citizenship and immigration laws after Puerto Rican independence.
Sec. 111. Individual rights to economic benefits and grants.

TITLE II—TRANSITION AND IMPLEMENTATION — SOVEREIGNTY IN FREE ASSOCIATION WITH THE UNITED STATES

Sec. 201. Constitutional convention.
Sec. 202. Character of the constitution.
Sec. 203. Submission; ratification.
Sec. 204. Election of officers.
Sec. 205. Proclamations by President of the United States; Head of State of Puerto Rico.
Sec. 206. Legal and constitutional provisions.
Sec. 207. Judicial pronouncements.
Sec. 208. Citizenship and immigration laws after sovereignty through free association.
Sec. 209. Conforming amendments to existing law.
Sec. 210. Bilateral Negotiating Commission.
Sec. 211. Articles of Free Association approval and effective date.
Sec. 212. Termination.
Sec. 213. Individual rights to economic benefits and grants.

TITLE III—TRANSITION AND IMPLEMENTATION — STATEHOOD

Sec. 301. Presidential proclamation; Admission into the Union.
Sec. 302. Conforming amendments to existing law.
Sec. 303. Territory and boundaries.
Sec. 304. Constitution.

Sec. 305. Elections of Senators and Representatives, certification, and legal disputes.
Sec. 306. State title to land and property.
Sec. 307. Continuity of laws, government, and obligations.
Sec. 308. Judicial pronouncements.

SEC. 3. FINDINGS.

In recognition of the inherent limitations of Puerto Rico's territorial status, and the responsibility of the Federal Government to enable the people of the territory to freely express their wishes regarding political status and achieve full self-government, Congress seeks to enable the eligible voters of Puerto Rico to choose a permanent, nonterritorial, fully self-governing political status for Puerto Rico and to provide for a transition to and the implementation of said permanent, nonterritorial, fully self-governing status.

SEC. 4. DEFINITIONS.

In this Act:

(1) BILATERAL NEGOTIATING COMMISSION.—The term "Bilateral Negotiating Commission" means the Bilateral Negotiating Commission established under section 209(a).

(2) ELECTIONS COMMISSION.—The term "Elections Commission" means the Puerto Rico State Elections Commission (Comisión Estatal de Elecciones de Puerto Rico, in Spanish).

(3) ELIGIBLE VOTERS.—The term "eligible voters" means bona fide residents of Puerto Rico who

are otherwise qualified to vote in general elections in Puerto Rico.

(4) INITIAL PLEBISCITE.—The term ''initial plebiscite'' means the plebiscite required by section 5(a)(1).

(5) MAJORITY.—The term ''majority'' means more than 50 percent.

(6) RUNOFF PLEBISCITE.—The term ''runoff plebiscite'' means the plebiscite required by section 5(a)(4).

SEC. 5. PLEBISCITE.

(a) IN GENERAL.—

(1) INITIAL PLEBISCITE.—A plebiscite to resolve Puerto Rico's political status shall be held on November 5, 2023.

(2) OPTIONS.—The plebiscite held under paragraph (1) shall offer eligible voters a choice of one of the three options which shall be presented on the ballot as follows:

(A) Independence.

(B) Sovereignty in Free Association with the United States.

(C) Statehood.

(3) MAJORITY VOTE REQUIRED.—Approval of a status option must be by a majority of the valid votes cast.

(4) RUNOFF PLEBISCITE.—If there is not a majority in favor of one of the three options defined in this Act, then a runoff plebiscite shall be held on March 3, 2024, which shall offer eligible voters a choice of the two options that received the most votes in the plebiscite held under paragraph (1).

(b) BALLOT LANGUAGE.—A ballot for a plebiscite required by subsection (a) shall include the following language, except that the ballot for the runoff plebiscite shall omit the option that received the fewest votes in the initial plebiscite:

(1) INSTRUCTIONS.—Mark the status option you choose as each is defined below. A ballot with more than 1 option marked will not be counted. A ballot with no option marked will not be counted.

(2) INDEPENDENCE.—If you agree, mark here _____.

(A) Puerto Rico is a sovereign nation that has full authority and responsibility over its territory and population under a constitution of its own adoption which shall be the supreme law of the nation.

(B) Puerto Rico is vested with full powers and responsibilities consistent with the rights and responsibilities that devolve upon a sovereign nation under international law, including its own fiscal and monetary policy, immigration, trade, and the conduct in its own name and right of relations with other nations and international organizations.

(C) Puerto Rico has full authority and responsibility over its citizenship and immigration laws, and birth in Puerto Rico or relationship to persons with statutory United States citizenship by birth in the former territory shall cease to be a basis for United States nationality or citizenship, except that persons who have such United States citizenship have a right to retain United States nationality and citizenship for life, by entitlement or election as provided by Federal law.

(D) Puerto Rico will no longer be a possession of the United States for purposes of the Internal Revenue Code. In general, United States citizens and United States businesses in the nation of Puerto Rico will be subject to United States Federal tax laws (as is the case

with any other United States citizen or United States business abroad) and to Puerto Rican tax laws. Puerto Rico's status as an independent, sovereign nation will be the controlling factor in the taxation of Puerto Rican taxpayers.

(E) The Constitution and laws of the United States no longer apply in Puerto Rico and United States sovereignty in Puerto Rico is ended.

(3) SOVEREIGNTY IN FREE ASSOCIATION WITH THE UNITED STATES.—If you agree, mark here _____.

(A) Puerto Rico is a sovereign nation that has full authority and responsibility over its territory and population under a constitution of its own adoption which shall be the supreme law of the nation.

(B) Puerto Rico is vested with full powers and responsibilities consistent with the rights and responsibilities that devolve upon a sovereign nation under international law, including its own fiscal and monetary policy, immigration, trade, and the conduct in its own name and right of relations with other nations and inter-

national organizations, except as otherwise provided for in the Articles of Free Association to be negotiated by Puerto Rico and the United States.

(C) Puerto Rico has full authority and responsibility over its citizenship and immigration laws, and persons who have United States citizenship have a right to retain United States nationality and citizenship for life by entitlement or election as provided by Federal law.

(D) Birth in Puerto Rico shall cease to be a basis for United States nationality or citizenship. Individuals born in Puerto Rico to parents both of whom are United States citizens shall be United States citizens at birth, consistent with the immigration laws of the United States, for the duration of the first agreement of the Articles of Free Association.

(E) Puerto Rico enters into Articles of Free Association with the United States, with such devolution and reservation of governmental functions and other bilateral arrangements as may be agreed to by both Parties under the Articles, which shall be terminable at will by ei-

ther the United States or Puerto Rico at any time.

(F) Puerto Rico will no longer be a possession of the United States for purposes of the Internal Revenue Code. In general, United States citizens and United States businesses in the nation of Puerto Rico will be subject to United States Federal tax laws (as is the case with any other United States citizen or United States business abroad) and to Puerto Rican tax laws. Puerto Rico's status as an independent, sovereign nation will be the controlling factor in the taxation of Puerto Rican taxpayers. In addition, Puerto Rico will enter into an agreement with the United States to provide for "Sovereignty in Free Association" between the two nations. This agreement may modify the otherwise applicable tax rules, subject to negotiation and ratification by the two nations.

(G) The Constitution of the United States no longer applies in Puerto Rico, the laws of the United States no longer apply in Puerto Rico except as otherwise provided in the Articles of Free Association, and United States sovereignty in Puerto Rico is ended.

(H) All matters pertaining to the government-to-government relationship between Puerto Rico and the United States, which may include foreign affairs, trade, finance, taxation, currency, economic assistance, security and defense, dispute resolution and termination, shall be provided for in the Articles of Free Association.

(4) STATEHOOD.—If you agree, mark here _____.

(A) The State of Puerto Rico is admitted into the Union on an equal footing with the other States in all respects whatever and is a part of the permanent union of the United States of America, subject to the United States Constitution, with powers not prohibited by the Constitution to the States and reserved to the State of Puerto Rico or to its residents.

(B) The residents of Puerto Rico are fully self-governing with their rights secured under the United States Constitution, which shall be fully applicable in Puerto Rico and which, with the laws and treaties of the United States, is the supreme law and has the same force and ef-

fect in Puerto Rico as in the other States of the Union.

(C) United States citizenship of those born in Puerto Rico is recognized, protected, and secured under the United States Constitution in the same way such citizenship is for all United States citizens born in the other States.

(D) Puerto Rico will no longer be a possession of the United States for purposes of the Internal Revenue Code. Instead, the State of Puerto Rico will become a State on equal footing with each of the current 50 States in the United States of America. Individuals and businesses resident in the State of Puerto Rico will be subject to United States Federal tax laws as well as applicable State tax laws.

(c) IMPLEMENTATION OF PLEBISCITE.—The plebiscites authorized by this section shall be implemented by the Elections Commission, consistent with the laws of Puerto Rico and Federal law.

(d) RESULTS.—The Elections Commission shall inform the President of the United States, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Senate Com-

mittee on Energy and Natural Resources, and the House Committee on Natural Resources of—

(1) the results of the initial plebiscite not later than 30 calendar days after the initial plebiscite is held; and

(2) the results of the runoff plebiscite, if held, not later than 30 calendar days after the runoff plebiscite is held.

(e) JURISDICTION OF DISTRICT COURT.—The United States District Court for the District of Puerto Rico shall have original and exclusive jurisdiction of any civil action alleging a dispute or controversy pertaining to electoral processes conducted under this section.

SEC. 6. NONPARTISAN VOTER EDUCATION CAMPAIGN.

(a) IN GENERAL.—The Elections Commission shall carry out a nonpartisan voter education campaign through traditional paid media and make available at all voting locations voter education materials related to the plebiscites authorized under this Act consistent with Department of Justice approval under section 7.

(b) VOTER EDUCATION MATERIALS.—At a minimum, the voter education materials shall address for each option—

(1) international representation;

(2) citizenship and immigration; and

(3) access and treatment under Federal law and programs.

SEC. 7. OVERSIGHT.

(a) SUBMISSION OF MATERIALS.—Not later than 60 days after the date of the enactment of this Act, the Elections Commission shall submit the ballot design and voter education materials for the plebiscites authorized under this Act to the United States Attorney General for review and the Elections Commission shall make not more than one submission of the ballot design and voter education materials to the Attorney General for review.

(b) EFFECT OF FAILURE TO COMPLY.—If the Attorney General fails to comply with subsection (c) within the 45-day period, the ballot design and voter education materials shall be considered approved.

(c) REVIEW.—Not later than 45 days after receiving the ballot design and voter education materials under subsection (a), the Attorney General shall review the ballot design and voter education materials to ensure consistency with this Act and to ensure that the three options defined in this Act are represented fairly, especially in the event that any of the three options are not represented on the Elections Commission by a member of a political party that supports such option, and—

(1) return the materials to the Elections Commission with comments and instructions for changes; or

(2) before the expiration of the 45-day period, inform the Elections Commission that no instructions or requests for changes shall be made under paragraph (1), but that the Attorney General reserves the right to submit instructions for changes in accordance with this section if additional information comes to the attention of the Attorney General during the remainder of the 45-day period.

(d) REVISION.—Not later than 45 days after receiving comments and instructions for changes from the Attorney General under subsection (c), the Elections Commission shall revise the ballot design and voter education materials as requested by the Attorney General.

SEC. 8. FUNDS FOR VOTER EDUCATION; PLEBISCITES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as are necessary for the Elections Commission to carry out a nonpartisan voter education campaign and an initial plebiscite and, if necessary, a runoff plebiscite under this Act.

(b) EXISTING FUNDS.—Notwithstanding any provision of Public Law 113–76, funds made available under

such Act to carry out a plebiscite on Puerto Rico's status shall be made available to carry out this Act.

SEC. 9. BILINGUAL VOTER EDUCATIONAL MATERIALS AND BALLOTS.

All voter educational materials and ballots used to carry out this Act shall be made available in English and Spanish.

SEC. 10. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT.

Upon the admission of the State of Puerto Rico into the Union or on the date that the Government of the nation of Puerto Rico initially takes office:

(1) IN GENERAL.—The Puerto Rico Oversight, Management, and Economic Stability Act (48 U.S.C. 2101 et seq.) shall no longer apply to the State of Puerto Rico or the nation of Puerto Rico, as the case may be.

(2) OVERSIGHT BOARD.—The Financial Oversight and Management Board for Puerto Rico established under section 101(b)(1) of the Puerto Rico Oversight, Management, and Economic Stability Act (48 U.S.C. 2121(b)(1)) is terminated and all duties and responsibilities assigned to the Oversight Board shall return to the State of Puerto Rico or the nation of Puerto Rico, as the case may be.

(3) TRANSFER.—All funds, property, and assets of the board described in subparagraph (B) shall be transferred to the State of Puerto Rico or the nation of Puerto Rico, as the case may be.

SEC. 11. SEVERABILITY.

If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, or the application thereof to any person or circumstance is held invalid by a court of jurisdiction, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase, or individual word to other persons and circumstances shall not be affected thereby.

TITLE I—TRANSITION AND IMPLEMENTATION — INDEPENDENCE

SEC. 101. CONSTITUTIONAL CONVENTION.

(a) ELECTION OF DELEGATES.— Not later than 6 months after the effective date of certification of a plebiscite result under this Act in favor of independence, the legislature of Puerto Rico shall provide for the election of delegates to a constitutional Convention to formulate and draft a Constitution for the nation of Puerto Rico.

(b) ELIGIBLE VOTERS.—All eligible voters may vote in the election of delegates to the constitutional Convention.

(c) GENERAL APPLICABILITY OF ELECTORAL LAW.—The laws of the territory of Puerto Rico relating to the electoral process shall apply to a special election held under this Act.

(d) INITIAL MEETING.—Not later than 3 months after the election of delegates to the constitutional Convention, the elected delegates shall meet at such time and place as the legislature of Puerto Rico shall determine. The initial meeting shall constitute the establishment of the constitutional Convention.

SEC. 102. CHARACTER OF THE CONSTITUTION.

The constitutional Convention under section 101 shall formulate and draft a Constitution for Puerto Rico that guarantees the protection of fundamental human rights, including—

(1) due process and equal protection under the law;

(2) freedom of speech, press, assembly, association, and religion;

(3) the rights of the accused;

(4) any other economic, social, and cultural rights as the constitutional Convention may deem appropriate and necessary; and

(5) provisions to ensure that no individual born in the nation of Puerto Rico shall be stateless at birth.

SEC. 103. SUBMISSION; RATIFICATION.

(a) SUBMISSION.—Not later than one year after the establishment of the constitutional Convention, the Constitution formulated and drafted by the constitutional Convention shall be submitted to the eligible voters of Puerto Rico for ratification or rejection in a special election.

(b) MANNER OF ELECTION.—The special election held under this subsection shall be held in the manner prescribed by the legislature of Puerto Rico.

SEC. 104. ELECTION OF OFFICERS.

(a) IN GENERAL.—Not later than one month after the ratification of the Constitution under section 103, the Governor of the territory of Puerto Rico shall issue a proclamation calling for the election of such officers of the nation of Puerto Rico as may be required by the ratified Constitution.

(b) REJECTION.—If the special election results in rejection of the Constitution, the process provided for in sec-

tions 101 through 103 shall be repeated, except that section 101(a) shall be applied by substituting—

(1) "the special election" for "a plebiscite"; and

(2) "rejecting of the Constitution" for "in favor of independence".

(c) DEADLINE; PROCEDURES.—The election under subsection (a) shall be held—

(1) not later than 6 months after the date of ratification of the Constitution; and

(2) in accordance with the procedures and requirements established in the Constitution of the nation of Puerto Rico.

(d) CERTIFICATION OF RESULTS.—Not later than 10 days after the election of officers under subsection (a), the Elections Commission shall certify the results of the election. The Governor of the territory of Puerto Rico shall inform the results of the election to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committee on Natural Resources of the House of Representatives.

SEC. 105. CONFORMING AMENDMENTS TO EXISTING LAW.

(a) REVIEW.—Not later than 30 days after the initial meeting of a constitutional Convention under section

101(d), the President shall initiate a review of Federal law with respect to Puerto Rico, including those regarding—

(1) taxation of persons and businesses;

(2) health care;

(3) housing;

(4) transportation;

(5) education; and

(6) entitlement programs.

(b) RECOMMENDATIONS.—Not later than one year after the date on which the President initiates a review under subsection (a), the President shall submit recommendations to Congress for changes to Federal law identified during such review, as the President deems appropriate.

SEC. 106. JOINT TRANSITION COMMISSION.

(a) APPOINTMENT.—Not later than 3 months after the establishment of a constitutional Convention under section 101(d), a Joint Transition Commission shall be appointed in equal numbers by the President of the United States and the presiding officer of the Constitutional Convention of Puerto Rico.

(b) DUTIES.—The Joint Transition Commission shall be responsible for expediting the orderly transfer of all functions currently exercised by the Federal Government in Puerto Rico, or in relation to Puerto Rico to the nation

of Puerto Rico, and shall recommend to Congress any appropriate legislation to carry out such transfer.

(c) COLLABORATION.—The Government of the territory of Puerto Rico and the agencies of the Government of the United States shall collaborate with the Joint Transition Commission and subsequently the officers of the nation of Puerto Rico, to provide for the orderly transfer of the functions under subsection (b).

SEC. 107. PROCLAMATIONS BY PRESIDENT OF THE UNITED STATES; HEAD OF STATE OF PUERTO RICO.

(a) PROCLAMATION.—Not later than one month after the official certification of the elected officers of the nation of Puerto Rico under section 104(d), the President of the United States shall by proclamation—

(1) withdraw and surrender all rights of possession, supervision, jurisdiction, control, or sovereignty then existing and exercised by the United States over the territory and residents of Puerto Rico;

(2) recognize, on behalf of the United States of America, the independence of the nation of Puerto Rico and the authority of the government instituted by eligible voters of Puerto Rico under the Constitution of their own adoption; and

(3) state that the effective date of withdrawal of the sovereignty of the United States and recogni-

tion of independence shall be the same as the date of the proclamation.

(b) COPY OF PROCLAMATION FORWARDED.—The President of the United States shall forward a copy of the proclamation issued under subsection (a) not later than one week after signature to the presiding officer of the Constitutional Convention of Puerto Rico, the officer elected as head of state of the nation, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Senate Committee on Energy and Natural Resources, and the House Committee on Natural Resources.

(c) DATE GOVERNMENT TO TAKE OFFICE.—Not later than one week after the date of receipt of the Presidential proclamation and with the advice of the officer elected as head of state of the nation, the presiding officer of the constitutional Convention shall determine the date on which the Government of the nation shall take office, and shall so notify the Governor of the territory of Puerto Rico, the President of the United States, the President pro tempore of the United States Senate, and the Speaker of the United States House of Representatives.

SEC. 108. LEGAL AND CONSTITUTIONAL PROVISIONS.

Upon the proclamation of independence as provided in this title, and except as otherwise provided in this title

or in any separate agreements thereafter concluded between the United States and the nation of Puerto Rico—

(1) all property, rights and interests which the United States may have acquired over Puerto Rico by virtue of the Treaty of Paris of 1898, and thereafter by cession, purchase, or eminent domain, with the exception of such land and other property, rights, or interests as may have been sold or otherwise legally disposed of prior to the proclamation of Independence, shall vest ipso facto in the nation of Puerto Rico; and

(2) except as provided in section 110, all laws of the United States applicable to the territory of Puerto Rico immediately prior to the proclamation of Independence shall no longer apply in the nation of Puerto Rico.

SEC. 109. JUDICIAL PRONOUNCEMENTS.

(a) JUDGMENTS BEFORE PROCLAMATION.—The nation of Puerto Rico shall recognize and give effect to all orders and judgments rendered by United States or territorial courts before the date of the proclamation of independence pursuant to the laws of the United States then applicable to the territory of Puerto Rico.

(b) CONTINUITY OF PENDING PROCEEDINGS.—All judicial proceedings pending in the courts of the territory

of Puerto Rico on the day of the proclamation of independence shall be continued in the corresponding courts under the Constitution of the nation of Puerto Rico.

(c) TRANSFER OF JUDICIAL POWER.—Upon the proclamation of independence, the judicial power of the United States shall no longer extend to Puerto Rico. All proceedings pending in the United States District Court for the District of Puerto Rico shall be transferred to the corresponding Puerto Rican courts of competence or other competent judicial authority under the Constitution of the nation of Puerto Rico for disposition in conformity with laws applicable at the time when the controversy in process arose. All proceedings pending in the United States Court of Appeals for the First Circuit, or in the Supreme Court of the United States, that initiated in, or that could have been initiated in, the courts of the territory or in the United States District Court for the District of Puerto Rico shall continue until their final disposition and shall be submitted to the competent authority of the nation of Puerto Rico for proper execution: *Provided*, That neither the United States nor any of its officers is a party, in which case any final judgment shall be properly executed by the competent authority of the United States.

SEC. 110. CITIZENSHIP AND IMMIGRATION LAWS AFTER PUERTO RICAN INDEPENDENCE.

(a) IN GENERAL.—

(1) PUERTO RICAN NATIONALITY.—After the effective date of independence, the citizenship status of each individual born in Puerto Rico shall be determined in accordance with the Constitution and laws of the nation of Puerto Rico.

(2) UNITED STATES IMMIGRATION LAWS.—Except as described in this section, after the effective date of independence citizens of Puerto Rico seeking to enter into the United States or obtain citizenship in the United States shall be subject to the immigration laws of the United States (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)).

(b) EFFECT OF PUERTO RICAN CITIZENSHIP.—Nothing in this Act precludes or limits the applicability of section 349 of the Immigration and Nationality Act (8 U.S.C. 1481), except that the provision of citizenship by the laws of Puerto Rico shall not constitute or otherwise serve as the basis of loss, or relinquishment of United States citizenship under such section.

(c) CITIZENSHIP AT BIRTH AFTER INDEPENDENCE.—An individual born in Puerto Rico after the effective date of independence to at least one parent who be-

came a United States citizen under section 302 of the Immigration and Nationality Act (8 U.S.C. 1402) is not a United States citizen at birth under subsections (c), (d), or (g) of section 301 of the Immigration and Nationality Act (8 U.S.C. 1401(c), (d) or (g)).

(d) TRAVEL AND WORK AUTHORIZATION.—

(1) Any person in the following categories may enter, lawfully engage in occupations, and establish residence as a nonimmigrant in the United States and its territories and possessions without regard to paragraphs (5)(A) and (7) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a); (5)(A) and (7))—

(A) a person who acquires the citizenship of Puerto Rico, at birth, on or after the effective date of independence; or

(B) a naturalized citizen of Puerto Rico, who has been an actual resident there for not less than five years after attaining such naturalization and who holds a proof of such residence.

Such persons shall be considered to have the permission of the Secretary of Homeland Security to accept employment in the United States.

(2) The right of such persons to establish habitual residence in a territory or possession of the United States may, however, be subjected to nondiscriminatory limitations provided for—

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

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

(3) This subsection shall expire 25 years after the date of independence.

(e) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 101 of the Immigration and Nationality Act (8 U.S.C. 1101) is amended by striking "Puerto Rico," in subsection (a) paragraph (36) and in subsection (a) paragraph (38).

(2) PRIOR TO INDEPENDENCE.—Puerto Rico shall be considered to be in the United States, as such term is defined in section 101(a)(38) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(38)) prior to the effective date of independence.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall limit the power and authority of the United

States to change policy requirements for United States citizenship.

SEC. 111. INDIVIDUAL RIGHTS TO ECONOMIC BENEFITS AND GRANTS.

(a) RIGHTS AND BENEFITS.—All vested rights and benefits which accrue to residents of the territory of Puerto Rico under the laws of the United States from past services or contributions, such as rights and benefits for veterans or relatives of veterans of the Armed Forces of the United States, retired Government employees, or beneficiaries of old age, disability, or survivors' insurance benefits under the Social Security Act, shall not be interrupted after the proclamation of independence but will continue until such time as said rights and benefits are completely extinguished according to the applicable laws of the United States. All services which must be rendered as part of these rights and benefits shall be made available through the Government of the nation of Puerto Rico in accordance with agreements reached by the two nations.

(b) SOCIAL SECURITY SYSTEM.—Notwithstanding the provisions in subsection (a), all contributions made by employees and employers in Puerto Rico to the Social Security system with respect to persons who, upon the proclamation of independence, are residents of the nation of Puerto Rico and are not yet eligible for old age, disability,

or survivors' insurance benefits under the system, shall be transferred to the Government of the nation of Puerto Rico once said Government establishes its own social security system. The Government of the nation of Puerto Rico may not use these funds for any purpose other than the establishment and operation of a social security system. Upon the transfer described herein, the obligations of the United States Government under the Social Security Act with respect to such residents of the nation of Puerto Rico shall cease.

(c) OTHER FEDERAL TRANSFER PAYMENTS.—

(1) BLOCK GRANTS.—All other Federal transfer payments to individuals and to the Government of the territory of Puerto Rico shall be maintained in the form of annual block grants to be used discretionally by the Government of the nation of Puerto Rico.

(2) ANNUAL AGGREGATE FUNDING.—During the ten fiscal years following the proclamation of independence, the annual block grants shall amount to the annual aggregate funding of all programs which currently extend to the territory of Puerto Rico, or of all programs which shall have been extended to the territory of Puerto Rico during the fis-

cal year immediately prior to the proclamation of independence, whichever shall be greater.

(3) DECREASE IN AMOUNT.—The annual block grants shall decrease thereafter on a straight-line basis, at the rate of ten percent each year, beginning on the eleventh fiscal year after the proclamation of independence. At any time during the aforementioned transition period the terms of this subsection may be modified by agreement between the United States and the nation of Puerto Rico.

TITLE II—TRANSITION AND IMPLEMENTATION — SOVEREIGNTY IN FREE ASSOCIATION WITH THE UNITED STATES

SEC. 201. CONSTITUTIONAL CONVENTION.

(a) ELECTION OF DELEGATES.—Not later than 6 months after the effective date of certification of a plebiscite result under this Act in favor of Sovereignty in Free Association with the United States, the legislature of Puerto Rico shall provide for the election of delegates to a constitutional Convention to formulate and draft a Constitution for the nation of Puerto Rico.

(b) ELIGIBLE VOTERS.—All eligible voters may vote in the election of delegates to the constitutional Convention.

(c) GENERAL APPLICABILITY OF ELECTORAL LAW.—The laws of the territory of Puerto Rico relating to the electoral process shall apply to a special election held under this Act.

(d) INITIAL MEETING.—Not later than 3 months after the election of delegates to the constitutional Convention, the elected delegates shall meet at such time and place as the legislature of Puerto Rico shall determine. The initial meeting shall constitute the establishment of the constitutional Convention.

SEC. 202. CHARACTER OF THE CONSTITUTION.

The constitutional Convention under section 201 shall formulate and draft a Constitution for Puerto Rico that guarantees the protection of fundamental human rights, including—

(1) due process and equal protection under the law;

(2) freedom of speech, press, assembly, association, and religion;

(3) the rights of the accused;

(4) any other economic, social, and cultural rights as the constitutional Convention may deem appropriate and necessary; and

(5) provisions to ensure that no individual born in the nation of Puerto Rico shall be stateless at birth.

SEC. 203. SUBMISSION; RATIFICATION.

(a) SUBMISSION.—Not later than 2 years after the establishment of the constitutional Convention, the Constitution formulated and drafted by the constitutional Convention shall be submitted to the eligible voters of Puerto Rico for ratification or rejection in a special election.

(b) MANNER OF ELECTION.—The special election held under this subsection shall be held in the manner prescribed by the legislature of Puerto Rico.

SEC. 204. ELECTION OF OFFICERS.

(a) IN GENERAL.—Not later than one month after the ratification of the Constitution under section 203, the Governor of the territory of Puerto Rico shall issue a proclamation calling for the election of such officers of the nation of Puerto Rico as may be required by the ratified Constitution.

(b) REJECTION.—If the special election results in rejection of the Constitution, the process provided for in sec-

tions 201 through 203 shall be repeated, except that section 201(a) shall be applied by substituting—

(1) "the special election" for "a plebiscite"; and

(2) "rejecting the Constitution" for "in favor of sovereignty in free association with the United States".

(c) DEADLINE; PROCEDURES.—The election under subsection (a) shall be held—

(1) not later than 6 months after the date of ratification of the Constitution; and

(2) in accordance with the procedures and requirements established in the Constitution of the nation of Puerto Rico.

(d) CERTIFICATION OF RESULTS.—Not later than 10 days after the election of officers under subsection (a), the Elections Commission shall certify the results of the election. The Governor of the territory of Puerto Rico shall inform the results of the election to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committee on Natural Resources of the House of Representatives.

SEC. 205. PROCLAMATIONS BY PRESIDENT OF THE UNITED STATES; HEAD OF STATE OF PUERTO RICO.

(a) PROCLAMATION.—Not later than one month after the official certification of the elected officers of the nation of Puerto Rico under section 204, the President of the United States shall by proclamation—

(1) withdraw and surrender all rights of possession, supervision, jurisdiction, control, or sovereignty then existing and exercised by the United States over the territory and residents of Puerto Rico;

(2) recognize, on behalf of the United States of America, the international sovereignty through free association of the nation of Puerto Rico and the authority of the government instituted by eligible voters of Puerto Rico under the Constitution of their own adoption; and

(3) state that the effective date of withdrawal of the sovereignty of the United States and recognition of international sovereignty through free association shall be the same as the date of the proclamation.

(b) COPY OF PROCLAMATION FORWARDED.—The President of the United States shall forward a copy of the proclamation issued under subsection (a) not later than one week after signature to the presiding officer of the Constitutional Convention of Puerto Rico, the officer elect-

ed as head of state of the nation, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Senate Committee on Energy and Natural Resources, and the House Committee on Natural Resources.

(c) DATE GOVERNMENT TO TAKE OFFICE.—Not later than one week after the date of receipt of the Presidential proclamation and with the advice of the officer elected as head of state of the nation, the presiding officer of the constitutional Convention shall determine the date on which the Government of the nation shall take office, and shall so notify the Governor of the territory of Puerto Rico, the President of the United States, the President pro tempore of the United States Senate, and the Speaker of the United States House of Representatives.

SEC. 206. LEGAL AND CONSTITUTIONAL PROVISIONS.

Upon the proclamation of international sovereignty through free association as provided in this title, and except as otherwise provided in this title or in any separate agreements thereafter concluded between the United States and the nation of Puerto Rico—

(1) all property, rights and interests which the United States may have acquired over Puerto Rico by virtue of the Treaty of Paris of 1898, and thereafter by cession, purchase, or eminent domain, with

the exception of such land and other property, rights, or interests as may have been sold or otherwise legally disposed of prior to the proclamation of international sovereignty through free association, shall vest ipso facto in the nation of Puerto Rico; and

(2) except as provided in section 209, all laws of the United States applicable to the territory of Puerto Rico immediately prior to the proclamation of international sovereignty through free association shall no longer apply in the nation of Puerto Rico.

SEC. 207. JUDICIAL PRONOUNCEMENTS.

(a) JUDGMENTS BEFORE PROCLAMATION.—The nation of Puerto Rico shall recognize and give effect to all orders and judgments rendered by United States or territorial courts before the date of the proclamation of international sovereignty through free association pursuant to the laws of the United States then applicable to the territory of Puerto Rico.

(b) CONTINUITY OF PENDING PROCEEDINGS.—All judicial proceedings pending in the courts of the territory of Puerto Rico on the day of the proclamation of international sovereignty through free association shall be continued in the corresponding courts under the Constitution of the nation of Puerto Rico.

(c) TRANSFER OF JUDICIAL POWER.—Upon the proclamation of international sovereignty through free association, the judicial power of the United States shall no longer extend to Puerto Rico. All proceedings pending in the United States District Court for the District of Puerto Rico shall be transferred to the corresponding Puerto Rican courts of competence or other competent judicial authority under the Constitution of the nation of Puerto Rico for disposition in conformity with laws applicable at the time when the controversy in process arose. All proceedings pending in the United States Court of Appeals for the First Circuit, or in the Supreme Court of the United States, that initiated in, or that could have been initiated in, the courts of the territory or in the United States District Court for the District of Puerto Rico shall continue until their final disposition and shall be submitted to the competent authority of the nation of Puerto Rico for proper execution: *Provided*, That neither the United States nor any of its officers is a party, in which case any final judgment shall be properly executed by the competent authority of the United States.

SEC. 208. CITIZENSHIP AND IMMIGRATION LAWS AFTER SOVEREIGNTY THROUGH FREE ASSOCIATION.

(a) IN GENERAL.—

(1) PUERTO RICAN NATIONALITY.—After the proclamation of international sovereignty through free association, the citizenship status of each individual born in Puerto Rico shall be determined in accordance with the Constitution and laws of the nation of Puerto Rico.

(2) UNITED STATES IMMIGRATION LAWS.—Except as described in this section, after the proclamation of international sovereignty through free association, citizens of Puerto Rico seeking to enter into the United States or obtain citizenship in the United States shall be subject to the immigration laws of the United States (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)).

(b) EFFECT OF PUERTO RICAN CITIZENSHIP.—Nothing in this Act precludes or limits the applicability of section 349 of the Immigration and Nationality Act (8 U.S.C. 1481), except that the provision of citizenship by the laws of Puerto Rico shall not constitute or otherwise serve as the basis of loss, or relinquishment of United States citizenship under such section.

(c) CITIZENSHIP AT BIRTH AFTER SOVEREIGNTY.—

(1) IN GENERAL.—Except as described in paragraph (2), an individual born in Puerto Rico after

the proclamation of international sovereignty through free association to at least one parent who became a United States citizen under section 302 of the Immigration and Nationality Act (8 U.S.C. 1402) is not a United States citizen at birth under subsections (c), (d), or (g) of section 301 of the Immigration and Nationality Act (8 U.S.C. 1401 (c), (d) or (g)).

(2) TRANSITION PERIOD.—During the implementation of the first Articles of Free Association, an individual born in Puerto Rico to two parents who are citizens of the United States shall be a United States citizen at birth under subsection (c) of section 301(c) of the Immigration and Nationality Act (8 U.S.C. 1401(c)) if otherwise eligible.

(d) TRAVEL AND WORK AUTHORIZATION.—

(1) Any person in the following categories may enter, lawfully engage in occupations, and establish residence as a nonimmigrant in the United States and its territories and possessions without regard to paragraphs (5)(A) and (7) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a); (5)(A) and (7)):

(A) a person who acquires the citizenship of Puerto Rico, at birth, on or after the effec-

tive date of international sovereignty through free association; or

(B) a naturalized citizen of Puerto Rico, who has been an actual resident there for not less than five years after attaining such naturalization and who holds a proof of such residence.

Such persons shall be considered to have the permission of the Secretary of Homeland Security to accept employment in the United States.

(2) The right of such persons to establish habitual residence in a territory or possession of the United States may, however, be subjected to nondiscriminatory limitations provided for—

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

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

(3) This subsection shall expire upon the termination of the Articles of Free Association in accordance with section 211.

(e) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 101 of the Immigration and Nationality Act (8 U.S.C. 1101) is amend-

ed by striking "Puerto Rico," in subsection (a) paragraph (36) and in subsection (a) paragraph (38).

(2) PRIOR TO SOVEREIGNTY.—Puerto Rico shall be considered to be in the United States, as such term is defined in section 101(a)(38) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(38)) prior to the date of international sovereignty through free association.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall limit the power and authority of the United States to change policy requirements for United States citizenship.

SEC. 209. CONFORMING AMENDMENTS TO EXISTING LAW.

(a) REVIEW.—Not later than 30 days after the initial meeting of a constitutional Convention under section 201(d), the President shall initiate a review of Federal law with respect to Puerto Rico, including those regarding—

(1) taxation of persons and businesses;

(2) health care;

(3) housing;

(4) transportation;

(5) education; and

(6) entitlement programs.

(b) RECOMMENDATIONS.—Not later than one year after the date on which the President initiates a review

under subsection (a), the President shall submit recommendations to Congress for changes to Federal law identified during such review, as the President deems appropriate.

SEC. 210. BILATERAL NEGOTIATING COMMISSION.

(a) IN GENERAL.—If a plebiscite held under this Act results in a majority vote for sovereignty in free association with the United States, there shall be a Bilateral Negotiating Commission which shall conduct negotiations on Articles of Free Association with the United States.

(b) MEMBERS.—Not later than 3 months after the establishment of the constitutional Convention under section 201—

(1) the Convention shall elect, by majority vote, 5 members from among its delegates to join the Bilateral Negotiating Commission on behalf of Puerto Rico; and

(2) the President of the United States shall designate 5 members to the Bilateral Negotiating Commission, one of whom shall also be nominated for the rank of Ambassador, to negotiate on behalf of the United States.

(c) INITIAL MEETING.—Not later than 3 months after the election and designation of members to the Bilateral Negotiating Commission, members shall meet at such

time and place as the legislature of Puerto Rico shall determine. Such meeting shall constitute the establishment of the Bilateral Negotiating Commission.

(d) DUTIES.—The Bilateral Negotiating Commission shall—

(1) be responsible for expediting the orderly transfer of all functions currently exercised by the Government of the United States in Puerto Rico, to Puerto Rico, and shall recommend to Congress any appropriate legislation to carry into effect such transfer, including any appropriate enabling legislation as may be required by the Articles of Free Association;

(2) negotiate all matters pertaining to the government-to-government relationship between Puerto Rico and the United States through the development of the Articles of Free Association, including foreign affairs, trade, finance, taxation, currency, economic assistance, security and defense, dispute resolution, immigration, economic benefits (including grants), and termination of the free association status; and

(3) endeavor to complete the Articles of Free Association not later than 2 years after the commencement of the constitutional Convention.

(e) COLLABORATION.—The Government of the territory of Puerto Rico and the agencies of the Government of the United States shall collaborate with the Bilateral Negotiating Commission to provide for the orderly transfer of the functions of government as required by the Articles of Free Association.

SEC. 211. ARTICLES OF FREE ASSOCIATION APPROVAL AND EFFECTIVE DATE.

(a) APPROVAL.—The Articles of Free Association shall come into effect upon mutual agreement between the Government of the United States and the Government of Puerto Rico after completion of approval by—

(1) a separate ratification vote on the Articles by the eligible voters in the special election held under section 203; and

(2) the Government of the United States in accordance with its constitutional processes.

(b) REJECTION.—If the special election under subsection (a)(1) results in rejection of the Articles of Free Association, the process provided for in section 210 and subsection (a) shall be repeated.

SEC. 212. TERMINATION.

The Articles of Free Association between the United States and Puerto Rico may be terminated at will by either party at any time.

SEC. 213. INDIVIDUAL RIGHTS TO ECONOMIC BENEFITS AND GRANTS.

(a) RIGHTS AND BENEFITS.—All vested rights and benefits which accrue to residents of the territory of Puerto Rico under the laws of the United States from past services or contributions, such as rights and benefits for veterans or relatives of veterans of the Armed Forces of the United States, retired Government employees, or beneficiaries of old age, disability, or survivors' insurance benefits under the Social Security Act, shall not be interrupted after the proclamation of international sovereignty through free association but will continue until such time as said rights and benefits are completely extinguished according to the applicable laws of the United States. All services which must be rendered as part of these rights and benefits shall be made available through the Government of the nation of Puerto Rico in accordance with agreements reached by the two nations.

(b) SOCIAL SECURITY SYSTEM.—Notwithstanding subsection (a), all contributions made by employees and employers in Puerto Rico to the Social Security system with respect to persons who, upon the proclamation of international sovereignty through free association, are residents of the nation of Puerto Rico and are not yet eligible for old age, disability, or survivors' insurance benefits under the system, shall be transferred to the Govern-

ment of the nation of Puerto Rico once said Government establishes its own social security system. The Government of the nation of Puerto Rico may not use these funds for any purpose other than the establishment and operation of a social security system. Upon the transfer described herein, the obligations of the United States Government under the Social Security Act with respect to such residents of the nation of Puerto Rico shall cease.

(c) OTHER FEDERAL TRANSFER PAYMENTS.—All other Federal transfer payments to individuals and to the Government of the territory of Puerto Rico shall be maintained in the form of annual block grants to be used discretionally by the Government of the nation of Puerto Rico—

(1) during the 10 fiscal years following the proclamation of international sovereignty through free association, the annual block grants shall amount to the annual aggregate funding of all programs which currently extend to the territory of Puerto Rico, or of all programs which shall have been extended to the territory of Puerto Rico during the fiscal year immediately prior to the proclamation of international sovereignty through free association, whichever shall be greater; and

(2) the annual block grants shall decrease thereafter on a straight-line basis, at the rate of ten percent each year, beginning on the eleventh fiscal year after the proclamation of international sovereignty through free association. At any time during the aforementioned transition period the terms of this subsection may be modified by agreement between the United States and the nation of Puerto Rico.

(d) REVISION.—The terms and conditions of this subsection may be revised as part of an agreement under the Articles of Free Association.

TITLE III—TRANSITION AND IMPLEMENTATION — STATEHOOD

SEC. 301. PRESIDENTIAL PROCLAMATION; ADMISSION INTO THE UNION.

If a plebiscite held under this Act results in a majority vote for statehood:

(1) PRESIDENTIAL PROCLAMATION; DATE OF ADMISSION.—Upon receipt of the Elections Commission's certification of the plebiscite results pursuant to section 5(d), the President shall issue a proclamation declaring the date that Puerto Rico is admitted as a State of the Union on an equal footing with all

other States, which shall be a date not later than one year after the effective date of the plebiscite results.

(2) SUBMISSION OF PROCLAMATION.—The President shall cause such proclamation to be submitted to the Governor of Puerto Rico, the legislature of Puerto Rico, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Senate Committee on Energy and Natural Resources, and the House Committee on Natural Resources.

(3) ADMISSION INTO THE UNION.—Subject to the provisions of this Act, and upon the date declared by the President for admission of Puerto Rico as a State under the proclamation under paragraph (1), the territory of Puerto Rico shall be a State of the United States of America and as such admitted into the Union on an equal footing with the other States in all respects. Upon admission, Puerto Rico shall be known as the State of Puerto Rico.

(4) INCORPORATION.—Puerto Rico shall remain unincorporated until its admission as a State of the Union under paragraph (3).

SEC. 302. CONFORMING AMENDMENTS TO EXISTING LAW.

(a) REVIEW.—Not later than 30 days after the certification of a plebiscite result under this Act in favor of statehood, the President shall initiate a review of Federal law with respect to Puerto Rico, including those regarding—

(1) taxation of persons and businesses;

(2) health care;

(3) housing;

(4) transportation;

(5) education; and

(6) entitlement programs.

(b) RECOMMENDATIONS.—Not later than one year after the date on which the President initiates a review under subsection (a), the President shall submit any recommendations to Congress for changes to Federal law identified during such review, as the President deems appropriate.

SEC. 303. TERRITORY AND BOUNDARIES.

The State of Puerto Rico shall consist of all of the islands, together with their appurtenant reefs, seafloor, submerged lands, and territorial waters in the seaward boundary, presently under the jurisdiction of the territory of Puerto Rico.

SEC. 304. CONSTITUTION.

(a) IN GENERAL.—The Constitution of the territory of Puerto Rico, as approved by Public Law 82–447 and subsequently amended as of the date of enactment of this Act is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed as the Constitution of the State of Puerto Rico.

(b) FUTURE CONSTITUTIONS.—The Constitution of the State of Puerto Rico—

(1) shall always be republican in form; and

(2) shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 305. ELECTIONS OF SENATORS AND REPRESENTATIVES, CERTIFICATION, AND LEGAL DISPUTES.

(a) ELECTIONS OF SENATORS AND REPRESENTATIVES.—Not more than one month after the proclamation under section 301, the Governor of Puerto Rico shall issue a declaration that shall designate and announce the dates and other requirements for primary and general elections under applicable Federal and local law for representation in the Senate and the House of Representatives of the United States upon admission of Puerto Rico as a State.

(b) RESIDENT COMMISSIONER.—The office of Resident Commissioner of Puerto Rico shall cease to exist upon the swearing in of the first Representative from the State of Puerto Rico to the House of Representatives.

(c) SENATORS AND REPRESENTATIVES.—

(1) IN GENERAL.—Upon its admission into the Union, the State of Puerto Rico shall be entitled to Senators and Representatives who shall be entitled to be admitted to seats in the Congress of the United States and to all the rights and privileges of Senators and Representatives of the other States in the Congress of the United States.

(2) FIRST ELECTION OF SENATORS.—In the first election of Senators, the two senatorial offices shall be separately identified and designated, and no person may be a candidate for both offices. Nothing in this section shall impair the privilege of the Senate to determine the class and term to which each of the Senators elected shall be assigned, with the exception that the Senators shall not be in the same class.

(3) FIRST ELECTION OF REPRESENTATIVES.—In the first election of Representatives, and subsequent elections until the next Census-based reapportionment cycle, the State of Puerto Rico shall be en-

titled to the same number of Representatives as the State whose most recent Census population was closest to, but less than, that of Puerto Rico, and such Representatives shall be in addition to the membership of the House of Representatives as now prescribed by law. Any such increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13), nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761), for the 83d Congress and each Congress thereafter, unless Congress acts to increase the total number of Members of the House of Representatives. Thereafter, the State of Puerto Rico shall be entitled to such number of Representatives as provided for by applicable law based on the next reapportionment. The apportionment of congressional districts for the first election and subsequent election of Representatives shall be conducted as provided for by the Constitution and laws of the State of Puerto Rico for state legislative districts.

(d) CERTIFICATION OF RESULTS.—The Elections Commission shall certify the results of primary and gen-

eral elections for representation in the Senate and the House of Representatives of the United States to the Governor. Not later than 10 days after the date of each certification, the Governor shall declare the results of the primary and general elections, and transmit the results of each election to the President of the United States, the President pro tempore of the Senate, and the Speaker of the House of Representatives.

(e) JURISDICTION OF DISTRICT COURT.—The United States District Court for the District of Puerto Rico shall have original and exclusive jurisdiction of any civil action alleging a dispute or controversy pertaining to electoral processes conducted under this section.

SEC. 306. STATE TITLE TO LAND AND PROPERTY.

(a) STATE TITLE.—The State of Puerto Rico and its political subdivisions and dependencies shall have and retain title to all property, real and personal, held by the territory of Puerto Rico and its political subdivisions and dependencies on the date of the admission of Puerto Rico into the Union.

(b) FEDERAL TITLE.—Any lands and other properties that, as of the date of admission of Puerto Rico into the Union, are set aside pursuant to law for the use of the United States under any—

(1) Act of Congress;

(2) Executive order;

(3) proclamation of the President; or

(4) proclamation of the Governor of the territory of Puerto Rico,

shall remain the property of the United States.

(c) CONTINENTAL SHELF.—The State of Puerto Rico shall have the exclusive right to explore, exploit, lease, possess, and use all seabed, natural, and mineral resources lying within three marine leagues (nine nautical miles) from its shore, as granted under section 8 of the Act of March 2, 1917 (48 U.S.C. 749; 39 Stat. 954). All other rights of sovereignty in regards to the continental shelf and waters, shall belong to the United States, except those already vested in Puerto Rico.

SEC. 307. CONTINUITY OF LAWS, GOVERNMENT, AND OBLIGATIONS.

Upon the admission of the State of Puerto Rico into the Union:

(1) CONTINUITY OF LAWS.—All of the territorial laws in force in Puerto Rico on the date of issuance of the proclamation described in section 301(1) not inconsistent with this Act or the Constitution of the State of Puerto Rico shall be and continue in force and effect throughout the State, until amended, modified, or repealed by the State.

All of the laws of the United States shall have the same force and effect within the State as in the other several States.

(2) CONTINUITY OF GOVERNMENT.—The individuals holding legislative, executive, and judicial offices of Puerto Rico shall continue to discharge the duties of their respective offices when Puerto Rico becomes a State of the Union in, under, or by authority of the government of the State, as provided by the constitution and laws of the State.

(3) CONTINUITY OF OBLIGATIONS.—All contracts, obligations, liabilities, debts, and claims of the territory of Puerto Rico and its instrumentalities at the moment of admission shall continue in full force and effect as the contracts, obligations, liabilities, debts, and claims of the State of Puerto Rico and its instrumentalities when Puerto Rico becomes a State of the Union.

(4) USE AND ENJOYMENT OF PROPERTY.—All laws of the United States reserving to the United States the free use or enjoyment of property which vests in or is conveyed to the State of Puerto Rico or its political subdivisions pursuant to this section or reserving the right to alter, amend, or repeal laws relating thereto, shall cease to be effective.

SEC. 308. JUDICIAL PRONOUNCEMENTS.

(a) PENDING.—No writ, action, indictment, cause, or proceeding pending in any court of the territory of Puerto Rico, shall abate by reason of the admission of the State of Puerto Rico into the Union, but shall proceed within such appropriate State courts as shall be established under the Constitution of the State of Puerto Rico, or shall continue in the United States District Court for the District of Puerto Rico, as the nature of the case may require.

(b) NOT YET PENDING.—All civil causes of action and all criminal offenses, which shall have arisen or been committed before the admission of the State, but as to which no writ, action, indictment, or proceeding shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Puerto Rico in like manner, to the same extent, and with like right of appellate review, as if such State had been created and such State courts had been established prior to the accrual of such causes of action or the commission of such offenses. The admission of the State shall effect no change in the procedural or substantive laws governing causes of action and criminal offenses which shall have arisen or been committed, and any such criminal offenses as shall have been committed against the laws of the territory of

Puerto Rico, shall be tried and punished by the appropriate courts of the State, and any such criminal offenses as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Puerto Rico.

(c) APPEALS.—Parties shall have the same rights of judicial review of final decisions of the United States District Court for the District of Puerto Rico or the Supreme Court of Puerto Rico, in any case finally decided prior to the admission of the State of Puerto Rico into the Union, whether or not an appeal therefrom shall have been perfected prior to such admission. The United States Court of Appeals for the First Circuit and the Supreme Court of the United States, shall have the same jurisdiction in such cases as by law provided prior to the admission of the State into the Union. Any mandate issued subsequent to the admission of the State, shall be to the United States District Court for the District of Puerto Rico or a court of the State, as appropriate. Parties shall have the same rights of appeal from and appellate review of all orders, judgments, and decrees of the United States District Court for the District of Puerto Rico and of the Supreme Court of Puerto Rico, in any case pending at the time of admission of the State into the Union, and the Supreme Court of Puerto Rico and the Supreme Court of the

United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of the State into the Union.

H.R. 8393, THE PUERTO RICO STATUS ACT—SPANISH TRANSLATION (UNOFFICIAL)

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H. R. _____

Para permitir que el pueblo de Puerto Rico elija un estatus político permanente, no territorial, y plenamente autónomo para Puerto Rico y para disponer la transición y la implementación de ese estatus político permanente, no territorial y plenamente autónomo, y para otros propósitos.

EN LA CÁMARA DE REPRESENTANTES

Sr. Grijalva presentó el siguiente proyecto de ley; que fue remitido al Comité el _____

PROYECTO DE LEY

Para permitir que el pueblo de Puerto Rico elija un estatus político permanente, no territorial y plenamente autónomo para Puerto Rico y para disponer la transición y la implementación de ese estatus político permanente, no territorial y plenamente autónomo, y para otros propósitos.

Sea promulgado por el Senado y por la Cámara de Representantes de los Estados Unidos de América en la Asamblea del Congreso,

SECCIÓN 1. TÍTULO CORTO.

Esta Ley será referida como la "Ley del Estatus de Puerto Rico".

SECC. 2. TABLA DE CONTENIDOS.

La tabla de contenidos de esta Ley es la siguiente:

Secc. 1. Título Corto.
Secc. 2. Tabla de contenidos.
Secc. 3. Conclusiones.
Secc. 4. Definiciones.
Secc. 5. Plebiscito.
Secc. 6. Campaña de educación electoral no partidista.
Secc. 7. Supervisión.
Secc. 8. Fondos para la educación electoral; plebiscitos.
Secc. 9. Materiales de educación electoral bilingües y papeletas.
Secc. 10. Ley de Supervisión, Administración y Estabilidad Económica de Puerto Rico.
Secc. 11. Divisibilidad.

TÍTULO I—TRANSICIÓN E IMPLEMENTACIÓN — INDEPENDENCIA

Secc. 101. Convención constitucional.
Secc. 102. Carácter de la constitución.
Secc. 103. Presentación; ratificación.
Secc. 104. Elección de funcionarios.
Secc. 105. Enmiendas conformes a la ley vigente.
Secc. 106. Comisión de Transición Conjunta.
Secc. 107. Proclama del presidente de los Estados Unidos; Jefe de Estado de Puerto Rico.
Secc. 108. Disposiciones legales y constitucionales.
Secc. 109. Pronunciamientos judiciales.
Secc. 110. Leyes de ciudadanía e inmigración después de la independencia de Puerto Rico.
Secc. 111. Derechos individuales a beneficios económicos y subvenciones.

TÍTULO II—TRANSICIÓN E IMPLEMENTACIÓN — SOBERANÍA EN LIBRE ASOCIACIÓN CON LOS ESTADOS UNIDOS

Secc. 201. Convención constitucional.
Secc. 202. Carácter de la constitución.
Secc. 203. Presentación; ratificación.
Secc. 204. Elección de funcionarios.
Secc. 205. Proclama del presidente de los Estados Unidos; Jefe de Estado de Puerto Rico.
Secc. 206. Disposiciones legales y constitucionales.
Secc. 207. Pronunciamientos judiciales.
Secc. 208. Leyes de ciudadanía e inmigración después de la soberanía a través de la libre asociación.
Secc. 209. Enmiendas conformes a la ley vigente.
Secc. 210. Comisión de Negociación Bilateral.
Secc. 211. Aprobación de los Artículos de Libre Asociación y entrada en vigor.
Secc. 212. Terminación.
Secc. 213. Derechos individuales a beneficios económicos y subvenciones.

TÍTULO III—TRANSICIÓN E IMPLEMENTACIÓN — ESTADIDAD

Secc. 301. Proclama presidencial; Admisión a la Unión.
Secc. 302. Enmiendas conformes a la ley vigente.
Secc. 303. Territorio y límites.
Secc. 304. Constitución.
Secc. 305. Elección de Senadores y Representantes, certificación y controversias legales.

Secc. 306. Título estatal de tierra y propiedad.
Secc. 307. Continuidad de las leyes, gobierno, y obligaciones.
Secc. 308. Pronunciamientos judiciales.

SECC. 3. CONCLUSIONES.

En reconocimiento de las limitaciones inherentes del estatus territorial de Puerto Rico, y la responsabilidad del Gobierno Federal de permitir que el pueblo del territorio exprese libremente sus deseos respecto al estatus político y logren el pleno autogobierno, el Congreso busca permitir que los votantes elegibles de Puerto Rico elijan un estatus político permanente, no territorial, y plenamente autónomo para Puerto Rico y disponer la transición e implementación de ese estatus político permanente, no territorial y plenamente autónomo.

SECC. 4. DEFINICIONES.

En esta Ley:

(1) COMISIÓN BILATERAL PARA LA NEGOCIACIÓN — El término "Comisión Bilateral para la Negociación" significa la Comisión Bilateral para la Negociación establecida bajo la sección 209(a).

(2) COMISIÓN DE ELECCIONES. — El término "Comisión de Elecciones" significa la Comisión Estatal de Elecciones de Puerto Rico (Comisión Estatal de Elecciones de Puerto Rico, en español).

(3) VOTANTES ELEGIBLES. – El término "votantes elegibles" significa residentes bona fide de Puerto Rico

quienes están calificados para votar en las elecciones generales de Puerto Rico.

(4) PLEBISCITO INICIAL. - El término "plebiscito inicial" significa el plebiscito requerido por la sección 5(a)(1).

(5) MAYORÍA. —El término "mayoría" significa más del 50 por ciento.

(6) PLEBISCITO DE SEGUNDA VUELTA. - El término "plebiscito de segunda vuelta" significa el plebiscito requerido por la sección 5(a)(4).

SECC. 5. PLEBISCITO.

(a) EN GENERAL. —

(1) PLEBISCITO INICIAL. — El 05 de noviembre de 2023 se realizará un plebiscito para resolver el estatus político de Puerto Rico.

(2) OPCIONES. — El plebiscito al que se refiere el párrafo (1) ofrecerá a los votantes elegibles que elijan una de las tres opciones que se presentarán en la papeleta de la siguiente forma:

(A) Independencia.

(B) Soberanía en Libre Asociación con los Estados Unidos.

(C) Estadidad.

(3) VOTO MAYORITARIO REQUERIDO. — La aprobación de una opción de estatus político debe ser por mayoría de los votos válidos emitidos.

(4) PLEBISCITO DE SEGUNDA VUELTA. — Si no hay mayoría a favor de alguna de las tres opciones definidas en esta Ley, entonces el 03 de marzo de 2024 se realizará un plebiscito de segunda vuelta, que ofrecerá a los votantes elegibles que elijan una opción de las dos opciones que recibieron el mayor número de votos en el plebiscito realizado conforme al párrafo (1).

(b) LENGUAJE DE LA PAPELETA. — La papeleta del plebiscito requerida por la subsección (a) deberá incluir el siguiente lenguaje, excepto que la papeleta del plebiscito de segunda vuelta deberá de omitir la opción que recibió el menor número de votos en el plebiscito inicial:

(1) INSTRUCCIONES. — Marca la opción del estatus que elige tal y como se definen abajo. Una papeleta con más de una opción marcada no se contabilizará. Una papeleta sin opción marcada no se contabilizará.

(2) INDEPENDENCIA. — Si está de acuerdo, marque aquí _____.

(A) Puerto Rico es una nación soberana con plena autoridad y responsabilidad sobre su territorio y población bajo una constitución de su propia aprobación que será la ley suprema de la nación.

(B) Puerto Rico está investido de plenos poderes y responsabilidades consistentes con los derechos y responsabilidades que recaen sobre una nación soberana bajo el derecho internacional, incluyendo su propia política fiscal y monetaria, inmigración, comercio, y la conducta en su propio nombre y derecho de relaciones con otras naciones y organizaciones internacionales.

(C) Puerto Rico tiene plena autoridad y responsabilidad sobre sus leyes de ciudadanía e inmigración, y el nacimiento en Puerto Rico o el parentesco con personas con ciudadanía estatutaria de Estados Unidos por nacimiento en el anterior territorio dejará de ser fundamento para la nacionalidad o ciudadanía de Estados Unidos, excepto que las personas que tienen la ciudadanía de los Estados Unidos tienen el derecho a retener la nacionalidad o ciudadanía de Estados Unidos de por vida, por derecho o por elección como lo prevé la legislación Federal.

(D) Puerto Rico ya no será una posesión de los Estados Unidos para propósitos del Código de Rentas Internas de los Estados Unidos. En general, los ciudadanos y las empresas estadounidenses en la nación de Puerto Rico estarán sujetos a las leyes fiscales federales de los EE.UU.

(como es el caso de cualquier otro ciudadano o empresas estadounidenses en el extranjero) y las leyes fiscales puertorriqueñas. El estatus de Puerto Rico como nación independiente y soberana será el factor de control en la tributación de los contribuyentes puertorriqueños.

(E) La Constitución y las leyes de los Estados Unidos ya no aplican en Puerto Rico, y la soberanía de los Estados Unidos en Puerto Rico ha terminado.

(3) SOBERANÍA EN LIBRE ASOCIACIÓN CON LOS ESTADOS UNIDOS. — Si está de acuerdo, marque aquí _____.

(A) Puerto Rico es una nación soberana con plena autoridad y responsabilidad sobre su territorio y población bajo una constitución de su propia aprobación que será la ley suprema de la nación.

(B) Puerto Rico está investido de plenos poderes y responsabilidades consistentes con los derechos y responsabilidades que recaen sobre una nación soberana bajo el derecho internacional, incluyendo su propia política fiscal y monetaria, inmigración, comercio y la conducta en su propio nombre y derecho de relaciones con otras naciones

y organizaciones internacionales, salvo disposición en contrario en los Artículos de Libre Asociación, a ser negociados por Puerto Rico y los Estados Unidos.

(C) Puerto Rico tiene plena autoridad y responsabilidad sobre sus leyes de ciudadanía e inmigración, y las personas que tienen la ciudadanía de los Estados Unidos tienen el derecho a retener la nacionalidad y ciudadanía de Estados Unidos de por vida, por derecho o por elección como lo prevé la legislación Federal.

(D) El nacimiento en Puerto Rico dejará de ser la base para nacionalidad o ciudadanía de los Estados Unidos. Las personas nacidas en Puerto Rico de padres ambos ciudadanos estadounidenses serán ciudadanos estadounidenses al nacer, de conformidad con las leyes de inmigración de los Estados Unidos, durante la vigencia del primer acuerdo de los Artículos de Libre Asociación.

(E) Puerto Rico se adhiere a Artículos de Libre Asociación con los Estados Unidos, con tales delegaciones y reservas de funciones gubernamentales como fueren acordadas por ambas Partes conforme a dichos Artículos, los cuales podrán ser dados por terminados

por los Estados Unidos o por Puerto Rico en cualquier momento.

(F) Puerto Rico ya no será una posesión de los Estados Unidos para propósitos del Código de Rentas Internas de los Estados Unidos. En general, los ciudadanos y las empresas estadounidenses en la nación de Puerto Rico estarán sujetos a las leyes fiscales federales de los EE. UU. (como es el caso de cualquier otro ciudadano o empresas estadounidenses en el extranjero) y las leyes fiscales puertorriqueñas. El estatus de Puerto Rico como nación independiente y soberana será el factor de control en la tributación de los contribuyentes puertorriqueños. Además, Puerto Rico entrará en un acuerdo con los Estados Unidos para proveer "Soberanía en Libre Asociación" entre las dos naciones. Este acuerdo puede modificar las normas tributarias aplicables de otro modo, sujeto a negociación y ratificación por las dos naciones.

(G) La Constitución de los Estados Unidos ya no aplica en Puerto Rico, las leyes de los Estados Unidos ya no aplican en Puerto Rico, a menos que se disponga lo contrario en los Artículos de Libre Asociación, y la soberanía de los Estados Unidos en Puerto Rico ha terminado.

(H) Todos los asuntos pertenecientes a la relación gobierno a gobierno entre Puerto Rico y los Estados Unidos, que pueden incluir relaciones internacionales, comercio, finanzas, impuestos, moneda, asistencia económica, seguridad y defensa, resolución de controversias y terminación, deberá de ser previsto por los Artículos de Libre Asociación.

(4) ESTADIDAD. — Si está de acuerdo, marque aquí _____.

(A) El Estado de Puerto Rico es admitido a la Unión en plena igualdad con los otros Estados en todos los aspectos y es parte de la unión permanente de los Estados Unidos de América, sujeto a la Constitución de los Estados Unidos, con facultades no prohibidas por la Constitución a los Estados y reservadas al Estado de Puerto Rico o a sus residentes.

(B) Los residentes de Puerto Rico son plenamente autónomos con sus derechos asegurados bajo la Constitución de los Estados Unidos, que será plenamente aplicable en Puerto Rico, y que con las leyes y los tratados de los Estados Unidos, es la ley suprema y tiene la misma fuerza

y efecto en Puerto Rico como en los otros Estados de la Unión.

(C) La ciudadanía de Estados Unidos de los nacidos en Puerto Rico está reconocida, protegida y asegurada bajo la Constitución de los Estados Unidos en la misma manera en la que dicha ciudadanía es para todos los ciudadanos de los Estados Unidos nacidos en los otros Estados.

(D) Puerto Rico ya no será una posesión de los Estados Unidos para propósitos del Código de Rentas Internas de los Estados Unidos. En cambio, el Estado de Puerto Rico se convertirá en un estado en pie de igualdad con cada uno de los 50 estados actuales de los Estados Unidos de América. Las personas y empresas residentes en el Estado de Puerto Rico estarán sujetas a la ley tributaria federal de los EE.UU., así como a las leyes tributarias estatales aplicables.

(c) IMPLEMENTACIÓN DE LOS PLEBISCITOS. — Los plebiscitos autorizados por esta sección serán implementados por la Comisión de Elecciones, consistente con las leyes de Puerto Rico y las leyes Federales.

(d) RESULTADOS. — La Comisión de Elecciones deberá informar al Presidente de los Estados Unidos, al Presidente pro tempore del Senado de los Estados Unidos, a la Presidenta de la Cámara de Representantes de los Estados Unidos, al

Comité de Energía y Recursos Naturales del Senado y al Comité de Recursos Naturales de la Cámara de Representantes —

(1) los resultados del plebiscito inicial a más tardar 30 días naturales después de que se llevó a cabo el plebiscito inicial; y

(2) los resultados del plebiscito de segunda vuelta, si se llevó a cabo, a más tardar 30 días naturales después de que se llevó a cabo el plebiscito de segunda vuelta.

(e) JURISDICCIÓN DE LA CORTE DE DISTRITO. — La Corte de Distrito de los Estados Unidos para el Distrito de Puerto Rico deberá de tener jurisdicción original y exclusiva de cualquier acción civil que alegue una disputa o controversia relacionada a procesos electorales conducidos conforme a esta sección.

SECC. 6. CAMPAÑA DE EDUCACIÓN ELECTORAL NO PARTIDISTA.

(a) EN GENERAL. — La Comisión de Elecciones deberá llevar a cabo una campaña de educación electoral no partidista a través de medios de comunicaciones tradicionales pagados y poner a disposición en todos los lugares de votación, materiales de educación electoral relacionados con los plebiscitos autorizados en virtud de esta Ley consistente con la aprobación del Departamento de Justicia conforme a la sección 7.

(b) MATERIALES DE EDUCACIÓN ELECTORAL. — Como mínimo, los materiales de educación electoral abordarán para cada opción —

(1) representación internacional;

(2) ciudadanía e inmigración; y

(3) acceso y tratamiento conforme a las leyes y programas Federales.

SECC. 7. SUPERVISIÓN.

(a) PRESENTACIÓN DE MATERIALES. — A más tardar 60 días después de la fecha de promulgación de esta Ley, la Comisión de Elecciones deberá presentar el diseño de la papeleta y los materiales de educación electoral para los plebiscitos autorizados conforme a esta Ley al Procurador General de los Estados Unidos para revisión y la Comisión de Elecciones no deberá de hacer más de una presentación del diseño de la papeleta y de los materiales de educación electoral al Procurador General para revisión.

(b) EFECTO DEL INCUMPLIMIENTO. — Si el Procurador General no cumple con la subsección (c) dentro del periodo de 45 días, el diseño de la papeleta y los materiales de educación electoral serán considerados como aprobados.

(c) REVISIÓN. — A más tardar 45 días después de recibir el diseño de la papeleta y los materiales de educación electoral conforme a la subsección (a), el fiscal general deberá revisar el diseño de la papeleta y los materiales de educación electoral para asegurar la concordancia con esta Ley y para asegurar que las tres opciones definidas en esta Ley están representadas equitativamente, especialmente en el caso de que alguna de las tres opciones no esté representada en la Comisión Electoral por un miembro de un partido político que apoye tal opción, —

(1) devolver los materiales a la Comisión de Elecciones con comentarios e instrucciones para cambios; o

(2) antes del vencimiento del periodo de 45 días, informar a la Comisión de Elecciones que no hay instrucciones ni solicitudes de cambios conforme al párrafo (1), pero que el Procurador General se reserva el derecho de someter instrucciones para cambios de conformidad con esta sección si el fiscal general recibe información adicional dentro del resto del periodo de 45 días.

(d) REVISIÓN. — A más tardar dentro de los 45 días después de recibir comentarios e instrucciones para cambios por parte del Procurador General conforme a la subsección (c), la Comisión de Elecciones deberá revisar el diseño de la papeleta y los materiales de educación electoral conforme a lo solicitado por el Procurador General.

SECC. 8. FONDOS PARA LA EDUCACIÓN ELECTORAL; PLEBISCITOS.

(a) AUTORIZACIÓN DE ASIGNACIONES. — Se autoriza asignar las cantidades que sean necesarias para que la Comisión de Elecciones lleve a cabo una campaña de educación electoral no partidista y un plebiscito inicial y, de ser necesario, un plebiscito de segunda vuelta conforme a esta Ley.

(b) FONDOS EXISTENTES. — Pese a cualquier disposición de la Ley Pública 113-76, los fondos disponibles conforme a esa

Ley para llevar a cabo un plebiscito sobre el estatus político de Puerto Rico, se pondrán a disposición para ejecutar esta Ley.

SECC. 9. MATERIALES DE EDUCACIÓN ELECTORAL BILINGÜES Y PAPELETAS.

Todos los materiales de educación electoral y papeletas utilizadas para cumplir con esta Ley deberán de estar disponibles en inglés y español.

SECC. 10. LEY DE SUPERVISIÓN, ADMINISTRACIÓN Y ESTABILIDAD ECONÓMICA DE PUERTO RICO.

Tras la admisión del Estado de Puerto Rico en la Unión, o en la fecha en la que tome posesión, inicialmente, el Gobierno de la nación de Puerto Rico:

(1) EN GENERAL. — La Ley de Supervisión, Administración y Estabilidad Económica de Puerto Rico (48 U.S.C. 2101 y subsecuentes) ya no aplicará al Estado de Puerto Rico o a la nación de Puerto Rico, según sea el caso.

(2) JUNTA DE SUPERVISION. — La Junta de Supervisión y Administración Financiera de Puerto Rico establecida conforme a la sección 101(b)(1) de la Ley de Supervisión, Administración y Estabilidad Económica de Puerto Rico (48 U.S.C. 2121 (b)(1)) se elimina y todas las obligaciones y responsabilidades asignadas a la Junta de Supervisión se devolverán al Estado de Puerto Rico o a la nación de Puerto Rico, según sea el caso.

(3) TRANSFERENCIA. — Todos los fondos, la propiedad, y los activos de la junta descrita en el subpárrafo (B) serán transferidos al Estado de Puerto Rico o a la nación de Puerto Rico, según sea el caso.

SECC. 11. DIVISIBILIDAD.

Si cualquiera de las disposiciones de esta Ley, o cualquier sección, subsección, oración, cláusula, frase, o palabra individual, o su aplicación a cualquier persona o circunstancias es determinada nula por un tribunal de jurisdicción, la validez del resto de la Ley y de la aplicación de cualquier otra disposición, sección, subsección, oración, cláusula, frase, o palabra individual, a otras personas y circunstancias no se verán afectadas por ello.

TÍTULO I – TRANSICIÓN E IMPLEMENTACIÓN – INDEPENDENCIA

SECC. 101. CONVENCIÓN CONSTITUCIONAL.

(a) ELECCIÓN DE DELEGADOS. — A más tardar 6 meses después de la fecha de vigencia de la certificación del resultado del plebiscito conforme a esta Ley a favor de la independencia, la legislatura de Puerto Rico dispondrá la elección de delegados a una Convención constitucional para formular y redactar una Constitución para la nación de Puerto Rico.

(b) VOTANTES ELEGIBLES. — Todos los votantes elegibles podrán votar en la elección de delegados de la Convención constitucional.

(c) APLICABILIDAD GENERAL DE LA LEY ELECTORAL. —Las Leyes del territorio de Puerto Rico relacionadas con el proceso electoral aplicarán a una elección especial llevada a cabo conforme a esta Ley.

(d) REUNIÓN INICIAL. — A más tardar 3 meses después de la elección de delegados a la Convención constitucional, los delegados electos se reunirán en la fecha y lugar que determine la legislatura de Puerto Rico. La reunión inicial constituirá el establecimiento de la Convención constitucional.

SECC. 102. CARÁCTER DE LA CONSTITUCIÓN.

La Convención constitucional bajo la sección 101 formulará y redactará una Constitución para Puerto Rico que garantice la protección de derechos humanos fundamentales, incluyendo —

(1) debido proceso e igual protección ante la ley;

(2) libertad de expresión, prensa, reunión, asociación y religión;

(3) los derechos del acusado;

(4) cualquier otro derecho económico, social y cultural que la Convención constitucional determine apropiado y necesario; y

(5) disposiciones para asegurar que ninguna persona nacida en la nación de Puerto Rico sea apátrida al nacimiento.

SECC. 103. PRESENTACIÓN; RATIFICACIÓN.

(a) PRESENTACIÓN. — A más tardar un año después del establecimiento de la Convención constitucional, la Constitución formulada y redactada por la Convención constitucional deberá ser presentada a los votantes elegibles de Puerto Rico para ratificación o desaprobación en una elección especial.

(b) FORMA DE ELECCIÓN. — La elección especial llevada a cabo bajo esta subsección deberá ejecutarse en la forma prescrita por la legislatura de Puerto Rico.

SECC. 104. ELECCIÓN DE FUNCIONARIOS.

(a) EN GENERAL. — A más tardar un mes después de la ratificación de la Constitución bajo la sección 103, el Gobernador del territorio de Puerto Rico deberá emitir una proclama convocando a las elecciones de dichos funcionarios de la nación de Puerto Rico como fuere requerido por la Constitución ratificada.

(b) DESAPROBACIÓN. — Si la elección especial resulta en la desaprobación de la Constitución, el proceso previsto

en la sección 101 a la 103 deberá repetirse, excepto que la sección 101(a) deberá ser aplicada sustituyendo —

(1) "la elección especial" por "un plebiscito"; y

(2) "desaprobación de la Constitución" por "a favor de la independencia".

(c) TÉRMINO; PROCESOS. — La elección bajo la subsección (a) se llevará a cabo —

(1) a más tardar 6 meses después de la fecha de ratificación de la Constitución; y

(2) en conformidad con los procesos y requerimientos establecidos en la Constitución de la nación de Puerto Rico.

(d) CERTIFICACIÓN DE RESULTADOS. — A más tardar 10 días después de la elección de funcionarios bajo la subsección (a), la Comisión de Elecciones certificará los resultados de la elección. El Gobernador del territorio de Puerto Rico informará los resultados de la elección al Presidente de los Estados Unidos, al Presidente *pro tempore* del Senado de los Estados Unidos, a la Presidenta de la Cámara de Representantes de los Estados Unidos, al Comité de Energía y Recursos Naturales del Senado, y al Comité de Recursos Naturales de la Cámara de Representantes.

SECC. 105. ENMIENDAS CONFORMES A LA LEY VIGENTE.

(a) REVISIÓN. – A más tardar 30 días después de la reunión inicial de una Convención constitucional conforme a la sección 101(d), el

Presidente iniciará una revisión de la ley Federal con respecto a Puerto Rico, incluyendo aquellas relacionadas con:

(1) impuesto de personas y de negocios;

(2) atención médica;

(3) vivienda;

(4) transportación;

(5) educación; y

(6) programas de asistencia social.

(b) RECOMENDACIONES.— A más tardar un año después de la fecha en que el Presidente inicie una revisión bajo la subsección (a), el Presidente deberá someter recomendaciones al Congreso de cambios a la ley Federal identificados durante dicha revisión, según el Presidente lo considere apropiado.

SECC. 106. COMISIÓN DE TRANSICIÓN CONJUNTA.

(a) NOMBRAMIENTO. — A más tardar 3 meses después del establecimiento de una Convención constitucional bajo la sección 101(d), será nombrada una Comisión de Transición Conjunta en igual número por el Presidente de los Estados Unidos y el funcionario que presida la Convención constitucional de Puerto Rico.

(b) DEBERES. — La Comisión de Transición Conjunta será responsable de facilitar la transferencia ordenada de todas las funciones actualmente ejercidas por el Gobierno Federal en Puerto Rico o en relación a Puerto Rico a la nación de Puerto Rico, y recomendarán al

Congreso cualquier proyecto de ley apropiado para realizar dicha transferencia.

(c) COLABORACIÓN. — El Gobierno del territorio de Puerto Rico y las agencias del Gobierno de los Estados Unidos colaborarán con la Comisión de Transición Conjunta y posteriormente con los funcionarios de la nación de Puerto Rico, para disponer la transferencia ordenada de las funciones bajo la subsección (b).

SECC. 107. PROCLAMA POR EL PRESIDENTE DE LOS ESTADOS UNIDOS; JEFE DEL ESTADO DE PUERTO RICO.

(a) PROCLAMA. — A más tardar un mes después de la certificación oficial de los funcionarios electos de la nación de Puerto Rico bajo la sección 104(d), el Presidente de los Estados Unidos deberá, mediante proclama —

(1) retirar y renunciar a todos los derechos de posesión, supervisión, jurisdicción, control o soberanía entonces existentes y ejercidos por los Estados Unidos sobre el territorio y los residentes de Puerto Rico;

(2) reconocer, a nombre de los Estados Unidos de América, la independencia de la nación de Puerto Rico y la autoridad del gobierno instituido por votantes elegibles de Puerto Rico bajo la Constitución de su propia aprobación; y

(3) establecer que la fecha efectiva de retiro de la soberanía de los Estados Unidos y el reconocimiento de

independencia deberá ser el mismo que la fecha de la proclama.

(b) COPIA DE LA PROCLAMA ENVIADA. — El Presidente de los Estados Unidos enviará una copia de la proclama emitida conforme a la subsección (a) a más tardar una semana después de la firma al funcionario que presida la Convención constitucional de Puerto Rico, el funcionario electo como jefe de estado de la nación, el Presidente *pro tempore* del Senado de los Estados Unidos, la presidenta de la Cámara de Representantes de los Estados Unidos, el Comité de Energía y Recursos Naturales del Senado, y el Comité de Recursos Naturales de la Cámara de Representantes.

(c) FECHA DE ASUMIR CARGO DEL GOBIERNO. — A Más tardar una semana después de la fecha de recibir la proclama presidencial y con la asesoría del funcionario electo como jefe del estado de la nación, el funcionario que presida la Convención constitucional determinará la fecha en la que el Gobierno de la nación asumirá su cargo, y notificará al Gobernador del territorio de Puerto Rico, el Presidente de los Estados Unidos, el Presidente *pro tempore* del Senado de los Estados Unidos, y la Presidenta de la Cámara de Representantes de los Estados Unidos.

SECC. 108. DISPOSICIONES LEGALES Y CONSTITUCIONALES.

Tras la proclama de independencia conforme a lo previsto por este título, y con excepción de lo dispuesto en contrario

en este título o en cualquier otro acuerdo posterior entre los Estados Unidos y la nación de Puerto Rico —

(1) todos los bienes, derechos e intereses que los Estados Unidos pudo haber adquirido sobre Puerto Rico por virtud del Tratado de París de 1898, y posteriormente mediante cesión, compra, expropiación, con excepción de tales tierras y otros bienes, derechos, o intereses que hayan sido vendidos o enajenados legalmente de otro modo antes de la proclama de Independencia, recaerá *ipso facto* en la nación de Puerto Rico; y

(2) excepto por lo previsto en la sección 110, todas las leyes de los Estados Unidos aplicables al territorio de Puerto Rico inmediatamente antes de la proclama de Independencia ya no aplicarán en la nación de Puerto Rico.

SECC. 109. PRONUNCIAMIENTOS JUDICIALES.

(a) SENTENCIAS ANTES DE LA PROCLAMA. — La nación de Puerto Rico reconocerá y dará efecto a todas las órdenes y sentencias emitidas por los tribunales de los Estados Unidos o territoriales antes de la proclama de independencia de acuerdo con las leyes de los Estados Unidos entonces aplicables al territorio de Puerto Rico.

(b) CONTINUIDAD DE PROCESOS PENDIENTES. — Todos los procesos judiciales pendientes en los tribunales

del territorio de Puerto Rico en el día de la proclama de independencia deberán ser continuados en los tribunales correspondientes bajo la Constitución de la nación de Puerto Rico.

(c) TRANSFERENCIA DEL PODER JUDICIAL. — Tras la proclama de independencia, el poder judicial de los Estados Unidos ya no se extenderá a Puerto Rico. Todos los procesos pendientes en la Corte de Distrito de Estados Unidos para el Distrito de Puerto Rico serán transferidos a los tribunales competentes correspondientes de Puerto Rico o a otras autoridades judiciales competentes bajo la Constitución de la nación de Puerto Rico para disposición en conformidad con las leyes aplicables al momento en el que la controversia en proceso surgió. Todos los procesos pendientes en la Corte de Apelaciones de Estados Unidos para el Primer Circuito o en la Corte Suprema de los Estados Unidos, que iniciaron en, o que pudieron haber sido iniciado en, los tribunales del territorio o en la Corte de Distrito de los Estados Unidos para el Distrito de Puerto Rico continuarán hasta su resolución final y serán sometidas a la autoridad competente de la nación de Puerto Rico para su adecuada ejecución:

Siempre que, ni los Estados Unidos ni ninguno de sus funcionarios es una Parte, en cuyo caso cualquier sentencia final será ejecutada adecuadamente por la autoridad competente de los Estados Unidos.

SECC. 110. LEYES DE CIUDADANÍA E INMIGRACIÓN DESPUÉS DE LA INDEPENDENCIA DE PUERTO RICO.

(a) EN GENERAL. —

(1) NACIONALIDAD PUERTORRIQUEÑA. —Después de la fecha efectiva de independencia, el estado de ciudadanía de cada individuo nacido en Puerto Rico se determinará en conformidad con la Constitución y las leyes de la nación de Puerto Rico.

(2) LEYES DE INMIGRACIÓN DE LOS ESTADOS UNIDOS. — Excepto por lo descrito en esta sección, después de la fecha efectiva de independencia, los ciudadanos de Puerto Rico que busquen ingresar a los Estados Unidos u obtener la ciudadanía de los Estados Unidos estarán sujetos a las leyes de inmigración de los Estados Unidos (tal como dicho término se define en la sección 101 de la Ley de Inmigración y Nacionalidad (8 U.S.C. 1101)).

(b) EFECTO DE LA CIUDADANÍA PUERTORRIQUEÑA. – Nada en esta Ley impide o limita la aplicabilidad de la sección 349 de la Ley de Inmigración y Nacionalidad (8 U.S.C. 1481), excepto que la provisión de ciudadanía por las leyes de Puerto Rico no constituirá o servirá como base de la pérdida o renuncia a la ciudadanía estadounidense en virtud de dicha sección.

(c) CIUDADANÍA AL NACIMIENTO DESPUÉS DE LA INDEPENDENCIA. — Un individuo nacido en Puerto Rico después de la fecha efectiva de independencia de al menos un padre que se

convirtió en ciudadano estadounidense bajo la sección 302 de la Ley de Inmigración y Nacionalidad (8 U.S.C. 1402) no es ciudadano estadounidense por nacimiento según las subsecciones (c), (d) o (g) de la sección 301 de la Ley de Inmigración y Nacionalidad (8 U.S.C. 1401 (c), (d) o (g)).

(d) AUTORIZACIÓN DE VIAJE Y EMPLEO. –

(1) Cualquier persona en las siguientes categorías puede ingresar, participar legalmente en ocupaciones y establecer residencia como no inmigrante en los Estados Unidos y sus territorios y posesiones sin tener en cuenta los párrafos 5 (a) y 7 de la sección 212 (a) de la Ley de Inmigración y Nacionalidad, 8 U.S.C. 1182(a); (5)(a) y (7) –

(A) una persona que adquiera la ciudadanía de Puerto Rico, al nacer, en o después de la fecha efectiva de independencia; o

(B) un ciudadano naturalizado de Puerto Rico, que haya sido residente real allí por no menos de cinco años después de obtener dicha naturalización y que posea una prueba de dicha residencia.

Se considerará que dichas personas tienen el permiso del Secretario de Seguridad Nacional para aceptar empleo en los Estados Unidos.

(2) Sin embargo, el derecho de dichas personas a establecer su residencia habitual en un territorio o posesión de los Estados Unidos puede estar sujeto a limitaciones no discriminatorias previstas en:

(A) los estatutos o reglamentos de los Estados Unidos; o

(B) aquellos estatutos o reglamentos del territorio o posesión en cuestión que estén autorizados por las leyes de los Estados Unidos.

(3) Esta subsección expirará 25 años después de la fecha de la independencia.

(e) ENMIENDAS CONFORMES. —

(1) EN GENERAL. —Se enmienda la Sección 101 de la Ley de Inmigración y Nacionalidad (8 U.S.C. 1101) eliminando "Puerto Rico", en la subsección (a) párrafo (36) y en la subsección (a) párrafo (38).

(2) ANTES DE LA INDEPENDENCIA. — Se considerará que Puerto Rico forma parte de los Estados Unidos, según dicho término se define en la sección 101(a)(38) de la Ley de Inmigración y Nacionalidad (8 USC 1101(a)(38)) antes de la fecha efectiva de independencia.

(f) REGLA DE CONSTRUCCION. — Nada en esta sección limitará el poder y la autoridad de los EE. UU.

para cambiar los requisitos de la política para la ciudadanía estadounidense.

SECC. 111. DERECHOS INDIVIDUALES A BENEFICIOS ECONÓMICOS Y SUBVENCIONES.

(a) DERECHOS Y BENEFICIOS. — Todos los derechos adquiridos y beneficios que correspondan a residentes del territorio de Puerto Rico bajo las leyes de los Estados Unidos por concepto de servicios o contribuciones pasadas, tales como derechos y beneficios para veteranos o familiares de veteranos de las Fuerzas Armadas de los Estados Unidos, empleados jubilados del Gobierno, o beneficiarios de seguros de vejez, discapacidad, o sobrevivientes conforme a la Ley de Seguro Social, no serán interrumpidos después de la proclama de independencia, pero continuarán hasta que dichos derechos y beneficios sean completamente extinguidos de acuerdo con las leyes aplicables de los Estados Unidos. Todos los servicios que deben prestarse como parte de estos derechos y beneficios estarán disponibles a través del Gobierno de la nación de Puerto Rico en conformidad con los acuerdos llegados por las dos naciones.

(b) SISTEMA DE SEGURO SOCIAL. — A pesar de las provisiones en la subsección (a), todas las contribuciones hechas por los empleados y empleadores en Puerto Rico al Sistema de Seguro Social, con respecto a personas quienes, tras la proclama de independencia, son residentes en la nación de Puerto Rico y aún no son elegibles como beneficiarios de seguros de vejez, discapacidad

o sobrevivientes conforme al sistema, serán transferidos al Gobierno de la nación de Puerto Rico una vez que dicho Gobierno establezca su propio sistema de seguridad social. El Gobierno de la nación de Puerto Rico no utilizará estos fondos para cualquier propósito diferente al establecimiento y operación del sistema de seguridad social. Tras la transferencia descrita aquí, las obligaciones del Gobierno de los Estados Unidos conforme a la Ley de Seguro Social con respecto a dichos residentes de la nación de Puerto Rico cesarán.

(c) OTROS PAGOS DE TRANSFERENCIAS FEDERALES. —

(1) SUBVENCIONES EN BLOQUE. — Todos los demás pagos de transferencias federales a individuos y al Gobierno del territorio de Puerto Rico se mantendrán en forma de subvenciones anuales en bloque para ser usados discrecionalmente por el Gobierno de la nación de Puerto Rico.

(2) FINANCIAMIENTO AGREGADO ANUAL. — Durante los diez años fiscales siguientes a la proclama de independencia, las subvenciones anuales en bloque ascenderán al financiamiento total anual de todos los programas que actualmente se extienden al territorio de Puerto Rico, o de todos los programas que se hubieran extendido al territorio de Puerto Rico durante el año

fiscal inmediatamente anterior a la proclama de la independencia, la que sea mayor.

(3) DISMINUCIÓN DE CANTIDAD. — Las subvenciones anuales en bloque disminuirán a partir de entonces de forma lineal, a razón del diez por ciento cada año, a partir del undécimo año fiscal después de la proclama de independencia. En cualquier momento durante el mencionado periodo de transición, los términos de esta subsección pueden ser modificados por acuerdo entre los Estados Unidos y la nación de Puerto Rico.

TÍTULO II - TRANSICIÓN E IMPLEMENTACIÓN - SOBERANÍA EN LIBRE ASOCIACIÓN CON LOS ESTADOS UNIDOS

SECC. 201. CONVENCIÓN CONSTITUCIONAL.

(a) ELECCIÓN DE DELEGADOS. —A más tardar 6 meses después de la fecha de vigencia de la certificación del resultado del plebiscito conforme a esta Ley a favor de la Soberanía en Libre Asociación con los Estados Unidos, la legislatura de Puerto Rico dispondrá la elección de delegados a una Convención constitucional para formular y redactar una Constitución para la nación de Puerto Rico.

(b) VOTANTES ELEGIBLES. — Todos los votantes elegibles podrán votar en la elección de delegados de la Convención constitucional.

(c) APLICABILIDAD GENERAL DE LA LEY ELECTORAL. —

Las leyes del territorio de Puerto Rico relacionadas con el proceso electoral aplicarán a una elección especial llevada a cabo conforme a esta Ley.

(d) REUNIÓN INICIAL. — A más tardar 3 meses después de la elección de delegados a la Convención constitucional, los delegados electos se reunirán en la fecha y lugar que determine la legislatura de Puerto Rico.

La reunión inicial constituirá el establecimiento de la Convención constitucional.

SECC. 202. CARÁCTER DE LA CONSTITUCIÓN.

La Convención constitucional bajo la sección 201 formulará y redactará una Constitución para Puerto Rico que garantice la protección de derechos humanos fundamentales, incluyendo—

(1) debido proceso e igual protección ante la ley;

(2) libertad de expresión, prensa, reunión, asociación y religión;

(3) los derechos del acusado;

(4) cualquier otro derecho económico, social, y cultural que la Convención constitucional determine apropiado y necesario; y

(5) disposiciones para asegurar que ninguna persona nacida en la nación de Puerto Rico sea apátrida al nacimiento.

SECC. 203. PRESENTACIÓN; RATIFICACIÓN.

(a) PRESENTACIÓN. —A más tardar 2 años después del establecimiento de la Convención constitucional, la Constitución formulada y redactada por la Convención constitucional deberá ser presentada a los votantes elegibles de Puerto Rico para ratificación o desaprobación en una elección especial.

(b) FORMA DE ELECCIÓN. — La elección especial llevada a cabo bajo esta subsección deberá ejecutarse en la forma prescrita por la legislatura de Puerto Rico.

SECC. 204. ELECCIÓN DE FUNCIONARIOS.

(a) EN GENERAL. — A más tardar un mes después de la ratificación de la Constitución bajo la sección 203, el Gobernador del territorio de Puerto Rico deberá emitir una proclama convocando a las elecciones de dichos funcionarios de la nación de Puerto Rico como sería requerido por la Constitución ratificada.

(b) DESAPROBACIÓN. —Si la elección especial resulta en la desaprobación de la Constitución, el proceso previsto en la sección 201 a la 203 deberá repetirse, excepto que la sección 201(a) deberá ser aplicada sustituyendo —

(1) ''la elección especial'' por ''un plebiscito''; y

(2) ''desaprobación de la Constitución'' por ''a favor de la soberanía en libre asociación con los Estados Unidos".

(c) TÉRMINO; PROCESOS. — La elección bajo la subsección (a) se llevará a cabo—

(1) a más tardar 6 meses después de la fecha de ratificación de la Constitución; y

(2) en conformidad con los procesos y requerimientos establecidos en la Constitución de la nación de Puerto Rico.

(d) CERTIFICACIÓN DE RESULTADOS. — A más tardar 10 días después de la elección de funcionarios bajo la subsección (a), la Comisión de Elecciones certificará los resultados de la elección. El Gobernador del territorio de Puerto Rico informará los resultados de la elección al Presidente de los Estados Unidos, al Presidente *pro tempore* del Senado de Estados Unidos, a la Presidenta de la Cámara de Representantes de los Estados Unidos, al Comité de Energía y Recursos Naturales del Senado, y al Comité de Recursos Naturales de la Cámara de Representantes.

SECC. 205. PROCLAMAS DEL PRESIDENTE DE LOS ESTADOS UNIDOS; JEFE DE ESTADO DE PUERTO RICO.

(a) PROCLAMA. —A más tardar un mes después de la certificación oficial de los funcionarios electos de la nación de Puerto Rico bajo la sección 204, el Presidente de los Estados Unidos deberá, mediante proclama—

(1) retirar y renunciar a todos los derechos de posesión, supervisión, jurisdicción, control, o soberanía

entonces existentes y ejercidos por los Estados Unidos sobre el territorio y los residentes de Puerto Rico;

(2) reconocer, a nombre de los Estados Unidos de América, la soberanía internacional a través de la libre asociación de la nación de Puerto Rico y la autoridad del gobierno instituido por votantes elegibles de Puerto Rico bajo la Constitución de su propia aprobación; y

(3) establecer que la fecha efectiva de retiro de la soberanía de los Estados Unidos y el reconocimiento de la soberanía internacional a través de la libre asociación deberá ser el mismo que la fecha de la proclama.

(b) COPIA DE LA PROCLAMA ENVIADA. —El Presidente de los Estados Unidos enviará una copia de la proclama emitida bajo la subsección (a) a más tardar una semana después de firmarla al funcionario que presida la Convención constitucional de Puerto Rico, el funcionario electo como jefe de estado de la nación, el Presidente *pro tempore* del Senado de los Estados Unidos, la Presidenta de la Cámara de Representantes de los Estados Unidos, el Comité de Energía y Recursos Naturales del Senado, y el Comité de Recursos Naturales de la Cámara de Representantes.

(c) FECHA DE ASUMIR CARGO DEL GOBIERNO. — A más tardar una semana después de la fecha de recibir la proclama presidencial y con la asesoría del funcionario electo como jefe del estado de la nación, el funcionario que presida la

Convención constitucional determinará la fecha en la que el Gobierno de la nación asumirá su cargo, y notificará al Gobernador Del territorio de Puerto Rico, el Presidente de los Estados Unidos, el Presidente *pro tempore* del Senado de Estados Unidos, y la Presidenta de la Cámara de Representantes de los Estados Unidos.

SECC. 206. DISPOSICIONES LEGALES Y CONSTITUCIONALES.

Tras la proclama de soberanía internacional a través de la libre asociación conforme a lo previsto por este título, y con excepción de lo dispuesto en contrario en este título o en cualquier otro acuerdo posterior entre los Estados Unidos y la nación de Puerto Rico—

(1) todos los bienes, derechos e intereses que los Estados Unidos pudo haber adquirido sobre Puerto Rico por virtud del Tratado de París de 1898, y posteriormente mediante cesión, compra, expropiación, con excepción de tales tierras y otros bienes, derechos, o intereses que hayan sido vendidos o enajenados legalmente de otro modo antes de la proclama de soberanía internacional a través de la libre asociación, recaerá *ipso facto* en la nación de Puerto Rico;

y

(2) excepto por lo previsto en la sección 209, todas las leyes de los Estados Unidos aplicables al territorio de Puerto Rico inmediatamente antes de la proclama de la soberanía internacional a través de la libre asociación ya no aplicarán en la nación de Puerto Rico.

SECC. 207. PRONUNCIAMIENTOS JUDICIALES.

(a) SENTENCIAS ANTES DE LA PROCLAMA. — La nación de Puerto Rico reconocerá y dará efecto a todas las órdenes y sentencias emitidas por los tribunales de los Estados Unidos o territoriales antes de la fecha de la proclama de soberanía internacional a través de la libre asociación de acuerdo con las leyes de los Estados Unidos aplicables al territorio de Puerto Rico.

(b) CONTINUIDAD DE PROCESOS PENDIENTES. — Todos los procesos judiciales pendientes en los tribunales del territorio de Puerto Rico en el día de la proclama de la soberanía internacional a través de la libre asociación deberán ser continuados en los tribunales correspondientes bajo la Constitución de la nación de Puerto Rico.

(c) TRANSFERENCIA DEL PODER JUDICIAL. — Tras la proclama de soberanía internacional a través de la libre asociación, el poder judicial de los Estados Unidos ya no se extenderá a Puerto Rico. Todos los procesos pendientes en la Corte de Distrito de los Estados Unidos para el Distrito de Puerto Rico serán transferidos a los tribunales competentes

correspondientes de Puerto Rico o a otras autoridades judiciales competentes bajo la Constitución de la nación de Puerto Rico para disposición en conformidad con las leyes aplicables al momento en que la controversia en proceso surgió. Todos los procesos pendientes en la Corte de Apelaciones de Estados Unidos para el Primer Circuito o en la Corte Suprema de los Estados Unidos, que iniciaron en, o que pudieron haber sido iniciado en, los tribunales del territorio o en la Corte de Distrito de los Estados Unidos para el Distrito de Puerto Rico continuarán hasta su resolución final y serán sometidos a la autoridad competente de la nación de Puerto Rico para su adecuada ejecución: *Siempre que*, ni los Estados Unidos ni ninguno de sus funcionarios es una Parte, en cuyo caso cualquier sentencia final será ejecutada adecuadamente por la autoridad competente de los Estados Unidos.

SECC. 208. LEYES DE CIUDADANÍA Y MIGRACIÓN DESPUÉS DE LA SOBERANÍA A TRAVÉS DE LA LIBRE ASOCIACIÓN. —

(a) EN GENERAL. —

(1) NACIONALIDAD PUERTORRIQUEÑA. — Después de la proclama de soberanía internacional a través de la libre asociación, el estado de ciudadanía de cada individuo nacido en Puerto Rico se determinará en conformidad con la Constitución y las leyes de la nación de Puerto Rico.

(2) LEYES DE INMIGRACIÓN DE LOS ESTADOS UNIDOS. —Excepto por lo descrito en esta sección, después de la proclama de soberanía internacional a través de la libre asociación, los ciudadanos de Puerto Rico que busquen ingresar a los Estados Unidos u obtener la ciudadanía de los Estados Unidos estarán

sujetos a las leyes de inmigración de los Estados Unidos (tal como dicho término se define en la sección 101 de la Ley de Inmigración y Nacionalidad (8 U.S.C. 1101)).

(b) EFECTO DE LA CIUDADANÍA PUERTORRIQUEÑA. – Nada en esta Ley impide o limita la aplicabilidad de la sección 349 de la Ley de Inmigración y Nacionalidad (8 U.S.C. 1481), excepto que la provisión de ciudadanía por las leyes de Puerto Rico no constituirá o servirá como base de la pérdida o renuncia a la ciudadanía estadounidense en virtud de dicha sección.

(c) CIUDADANÍA AL NACIMIENTO DESPUÉS DE LA SOBERANÍA. —

(1) EN GENERAL. – Excepto por lo descrito en el párrafo (2), un individuo nacido en Puerto Rico después de la proclama de soberanía internacional a través de la libre asociación de al menos un padre que se convirtió en ciudadano estadounidense bajo la sección 302 de la Ley de Inmigración y Nacionalidad (8 U.S.C. 1402) no es ciudadano estadounidense al nacimiento según las subsecciones (c), (d) o (g) de la sección 301 de la Ley de Inmigración y Nacionalidad (8 U.S.C. 1401 (c), (d) o (g)).

(2) PERÍODO DE TRANSICIÓN. —Durante la implementación de los primeros Artículos de Libre Asociación, un individuo nacido en Puerto Rico de dos padres quienes sean ciudadanos estadounidenses será ciudadano estadounidense al nacer bajo la subsección (c) de la sección 301 (c) de la Ley de Inmigración y Nacionalidad (8 U.S.C. 1401(c)) si cumple los requisitos.

(d) AUTORIZACIÓN DE VIAJE Y EMPLEO. -

(1) Cualquier persona en las siguientes categorías puede ingresar, participar legalmente en ocupaciones y establecer residencia como no inmigrante en los Estados Unidos y sus territorios y posesiones sin tener en cuenta los párrafos 5 (a) y 7 de la sección 212 (a) de la Ley de Inmigración y Nacionalidad, 8 U.S.C. 1182(a); (5)(a) y (7):

(A) una persona que adquiera la ciudadanía de Puerto Rico, al nacer, en o después de la fecha efectiva de soberanía internacional a través de libre asociación; o

(B) un ciudadano naturalizado de Puerto Rico, que haya sido residente real allí por no menos de cinco años después de obtener dicha naturalización y que posea una prueba de dicha residencia.

Se considerará que dichas personas tienen el permiso del Secretario de Seguridad Nacional para aceptar empleo en los Estados Unidos.

(2) Sin embargo, el derecho de dichas personas a establecer su residencia habitual en un territorio o posesión de los Estados Unidos puede estar sujeto a las limitaciones no discriminatorias previstas en—

(A) los estatutos o reglamentos de los Estados Unidos; o

(B) aquellos estatutos o reglamentos del territorio o posesión en cuestión que estén autorizados por las leyes de los Estados Unidos.

(3) Esta subsección expirará a la terminación de los Artículos de la Libre Asociación de acuerdo con la sección 211.

(e) ENMIENDAS CONFORMES. —

(1) EN GENERAL. —Se enmienda la Sección 101 de la Ley de Inmigración y Nacionalidad (8 U.S.C. 1101) eliminando "Puerto Rico", en la subsección (a) párrafo (36) y en la subsección (a) párrafo (38).

(2) ANTES DE LA SOBERANÍA. —Se considerará que Puerto Rico forma parte de los Estados Unidos, según dicho término se define en la sección 101(a)(38) de la Ley de Inmigración y Nacionalidad (8 USC 1101(a)(38)) antes de la fecha de soberanía internacional a través de la libre asociación.

(f) REGLA DE CONSTRUCCION. — Nada en esta sección limitará el poder y la autoridad de los EE. UU. para cambiar los requisitos de la política para la ciudadanía estadounidense.

SECC. 209. ENMIENDAS CONFORMES A LA LEY VIGENTE.

(a) REVISION.– A más tardar 30 días después de la reunión inicial de una Convención constitucional conforme a la sección 201(d), el Presidente iniciará una revisión de la ley Federal con respecto a Puerto Rico, incluyendo aquellas relacionadas con—

(1) impuesto de personas y de negocios;

(2) atención médica;

(3) vivienda;

(4) transportación;

(5) educación; y

(6) programas de asistencia social.

(b) RECOMENDACIONES.– A más tardar un año después de la fecha en que el Presidente inicie una revisión bajo la subsección

(a), el Presidente deberá someter recomendaciones al Congreso de cambios a la ley Federal identificados durante dicha revisión, según el Presidente lo considere apropiado.

SECC. 210. COMISIÓN DE NEGOCIACIÓN BILATERAL.

(a) EN GENERAL. —Si un plebiscito llevado a cabo bajo esta Ley concluye en mayoría de votos por la soberanía en libre asociación con los Estados Unidos, deberá haber una Comisión de Negociación Bilateral que conducirá negociaciones sobre los Artículos de Libre Asociación con los Estados Unidos.

(b) MIEMBROS. —A más tardar 3 meses después del establecimiento de la Convención constitucional bajo la sección 201 —

(1) la Convención elegirá, por mayoría de votos, 5 miembros de entre sus delegados para unirse a la Comisión de Negociación Bilateral en nombre de Puerto Rico; y

(2) el Presidente de los Estados Unidos designará 5 miembros para la Comisión de Negociación Bilateral, uno de ellos también será nominado al cargo de Embajador, para negociar en nombre de los Estados Unidos.

(c) REUNIÓN INICIAL. —A más tardar 3 meses después de la elección y designación de los miembros para la Comisión de Negociación Bilateral, los miembros se reunirán en el momento y lugar que la legislatura de Puerto Rico determine. Dicha reunión constituirá el establecimiento de la Comisión de Negociación Bilateral.

(d) DEBERES. —La Comisión de Negociación Bilateral deberá—

(1) encargarse de agilizar la transferencia ordenada de todas las funciones que actualmente ejerce el Gobierno de los Estados Unidos en Puerto Rico, a Puerto Rico, y recomendará al Congreso cualquier proyecto de ley adecuado para llevar a cabo dicha transferencia, incluyendo cualquier legislación habilitante apropiada que pueda ser requerida por los Artículos de Libre Asociación;

(2) negociar todos los asuntos pertenecientes a la relación gobierno a gobierno entre Puerto Rico y los Estados Unidos a través del desarrollo de los Artículos de Libre Asociación, incluyendo relaciones internacionales, comercio, finanzas, impuestos, moneda, asistencia económica, seguridad y defensa, resolución de controversias, inmigración, beneficios económicos (incluyendo subvenciones), y la terminación del estatus de libre asociación; y

(3) esforzarse por completar los Artículos de Libre Asociación a más tardar 2 años después de la entrada en vigor de la Convención constitucional.

(e) COLABORACIÓN. — El Gobierno del territorio de Puerto Rico y las agencias del Gobierno de los Estados Unidos deberán colaborar con la Comisión de Negociación Bilateral para promover la transferencia ordenada de funciones del gobierno como lo requieren los Artículos de Libre Asociación.

SECC. 210. APROBACIÓN DE LOS ARTÍCULOS DE LIBRE ASOCIACIÓN Y ENTRADA EN VIGOR.

(a) APROBACIÓN. — Los Artículos de Libre Asociación entrarán en vigor después del acuerdo mutuo entre el Gobierno de los Estados Unidos y el Gobierno de Puerto Rico después de completar la aprobación por —

(1) una votación separada de ratificación de los Artículos por los votantes elegibles en la elección especial llevada a cabo bajo la sección 203; y

(2) el Gobierno de los Estados Unidos de conformidad con sus procesos constitucionales.

(b) DESAPROBACIÓN. —Si la elección especial bajo la subsección (a)(1) concluye en desaprobación de los Artículos de Libre Asociación, el proceso previsto en la sección 210 y la subsección (a) se repetirá.

SECC. 211. TERMINACIÓN.

Los Artículos de Libre Asociación entre los Estados Unidos y Puerto Rico podrán ser dados por terminados a voluntad por cualquiera de las partes en cualquier momento.

SECC. 212. DERECHOS INDIVIDUALES A BENEFICIOS ECONÓMICOS Y SUBVENCIONES.

(a) DERECHOS Y BENEFICIOS. —Todos los derechos adquiridos y beneficios que correspondan a residentes del territorio de Puerto Rico bajo las leyes de los Estados Unidos por concepto de servicios o contribuciones pasadas, tales como derechos y beneficios para veteranos o familiares de veteranos de las Fuerzas Armadas de los Estados Unidos, empleados jubilados del Gobierno, o beneficiarios de seguros de vejez, discapacidad, o sobrevivientes conforme a la Ley de Seguro Social, no serán interrumpidos después de la proclama de soberanía internacional a través de la libre asociación, pero continuarán hasta que dichos derechos y beneficios sean completamente extinguidos de acuerdo con las leyes aplicables de los Estados Unidos. Todos los servicios que deban prestarse como parte de estos derechos y beneficios estarán disponibles a través del Gobierno de la nación de Puerto Rico en conformidad con los acuerdos llegados por las dos naciones.

(b) SISTEMA DE SEGURO SOCIAL. —A pesar de las provisiones en la subsección (a), todas las contribuciones hechas por los empleados y empleadores en Puerto Rico al sistema de Seguro Social, con respecto a personas quienes, tras la proclama de soberanía internacional a través de la libre asociación, son residentes en la nación de Puerto Rico y aún no son elegibles como beneficiarios de seguros de vejez, discapacidad o sobrevivientes conforme al sistema, serán transferidos al

Gobierno de la nación de Puerto Rico una vez que dicho Gobierno establezca su propio sistema de seguro social. El Gobierno de la nación de Puerto Rico no utilizará estos fondos para cualquier propósito diferente al establecimiento y operación del sistema de seguridad social. Tras la transferencia descrita aquí, las obligaciones del Gobierno de los Estados Unidos conforme a la Ley de Seguridad Social con respecto a dichos residentes de la nación de Puerto Rico cesarán.

(c) OTROS PAGOS DE TRANSFERENCIAS FEDERALES. — Todos los demás pagos de transferencias federales a Individuos y al Gobierno del territorio de Puerto Rico se mantendrán en forma de subvenciones anuales en bloque para ser usados discrecionalmente por el Gobierno de la nación de Puerto Rico—

(1) durante los 10 años fiscales siguientes a la proclama de soberanía internacional a través de la libre asociación, las subvenciones anuales en bloque ascenderán al financiamiento total anual de todos los programas que actualmente se extienden al territorio de Puerto Rico, o de todos los programas que se hubieran extendido al territorio de Puerto Rico durante el año fiscal inmediatamente anterior a la proclama de soberanía internacional a través de la libre asociación, la que sea mayor; y

(2) las subvenciones anuales en bloque disminuirán a partir de entonces de forma lineal, a razón de diez por ciento cada año, empezando en el undécimo año fiscal después de la proclama de soberanía

internacional a través de la libre asociación. En cualquier momento durante el mencionado periodo de la transición, los términos de esta subsección pueden ser modificados por acuerdo entre los Estados Unidos y la nación de Puerto Rico.

(d) REVISIÓN. —Los términos y condiciones de esta subsección pueden ser revisados como parte de un acuerdo bajo los Artículos de Libre Asociación.

TÍTULO III—TRANSICIÓN E IMPLEMENTACIÓN — ESTADIDAD

SECC. 301. PROCLAMA PRESIDENCIAL; ADMISIÓN A LA UNIÓN.

Si un plebiscito llevado a cabo bajo esta Ley concluye en mayoría de votos por la estadidad:

(1) PROCLAMA PRESIDENCIAL; FECHA DE ADMISIÓN. —Tras la recepción de la certificación de los resultados del plebiscito de la Comisión de Elecciones en conformidad con la sección 5(d), el Presidente deberá emitir una proclama declarando la fecha en la que Puerto Rico es admitido como Estado de la Unión en condiciones iguales con todos los demás estados, que será una fecha no posterior a un año después de la fecha efectiva de los resultados del plebiscito.

(2) PRESENTACIÓN DE PROCLAMA. — El Presidente hará que dicha proclama sea sometida al Gobernador de Puerto Rico, la legislatura de Puerto Rico, el Presidente *pro tempore* del Senado de los Estados

Unidos, la Presidenta de la Cámara de Representantes de los Estados Unidos, el Comité de Energía y Recursos Naturales del Senado, y el Comité de Recursos Naturales de la Cámara de Representantes.

(3) ADMISIÓN A LA UNIÓN. — Sujeto a lo dispuesto por esta Ley, y en la fecha declarada por el Presidente para la admisión de Puerto Rico como Estado bajo la proclama conforme al párrafo (1), el territorio de Puerto Rico será un Estado de los Estados Unidos de América y como tal, admitido a la Unión en condiciones iguales a todos los otros Estados, en todos los aspectos. Tras la admisión, Puerto Rico será conocido como el Estado de Puerto Rico.

(4) INCORPORACIÓN. —Puerto Rico permanecerá no incorporado hasta su admisión como un Estado de la Unión de conformidad con el párrafo (3).

SECC. 302. ENMIENDAS CONFORMES A LA LEY VIGENTE.

(a) REVISIÓN. – A más tardar 30 días después de la certificación del resultado del plebiscito bajo esta Ley a favor de la estadidad, el Presidente iniciará una revisión de la ley Federal con respecto a Puerto Rico, incluyendo aquellas relacionadas con—

(1) impuestos de personas y de negocios;

(2) atención médica;

(3) vivienda;

(4) transportación;

(5) educación; y

(6) programas de asistencia social.

(b) RECOMENDACIONES. – A más tardar un año después de la fecha en que el Presidente inicia una revisión bajo la subsección (a), el Presidente deberá someter recomendaciones al Congreso de cambios a la ley Federal identificados durante dicha revisión, según el Presidente lo considere apropiado.

SECC. 303. TERRITORIO Y LÍMITES.

El Estado de Puerto Rico consistirá en todas las islas, junto con sus arrecifes adjuntos, fondo marino, tierras sumergidas, y aguas territoriales en las fronteras del mar, actualmente bajo la jurisdicción del territorio de Puerto Rico.

SECC. 304. CONSTITUCIÓN.

(a) EN GENERAL. —La Constitución del territorio de Puerto Rico, aprobada por la Ley Pública 82-447 y posteriormente enmendada a la fecha de promulgación de esta Ley, por la presente se determina que es republicana en forma y en conformidad con la Constitución de los Estados Unidos y los principios de la Declaración de Independencia, y es aceptada, ratificada y confirmada como la Constitución del Estado de Puerto Rico.

(b) CONSTITUCIONES FUTURAS. —La Constitución del Estado de Puerto Rico—

(1) siempre será republicana en forma; y

(2) no será contrario a la Constitución de los Estados Unidos y a los Principios de la Declaración de Independencia.

SECC. 305. ELECCIÓN DE SENADORES Y REPRESENTANTES, CERTIFICACIÓN, Y CONTROVERSIAS LEGALES.

(a) ELECCIÓN DE SENADORES Y REPRESENTANTES. — A más tardar un mes después de la proclama conforme a la sección 301, el Gobernador de Puerto Rico emitirá una declaración que designará y anunciará las fechas y otros requerimientos para las elecciones primarias y generales conforme a las leyes federales y locales aplicables para la representación en el Senado y la Cámara de Representantes de los Estados Unidos tras la admisión de Puerto Rico como un Estado.

(b) COMISIONADA RESIDENTE. —La oficina de la Comisionada Residente de Puerto Rico dejará de existir después del Juramento del primer Representante del Estado de Puerto Rico a la Cámara de Representantes.

(c) SENADORES Y REPRESENTANTES. —

(1) EN GENERAL. —Tras la admisión a la Unión, el Estado de Puerto Rico tendrá derecho a Senadores y Representantes quienes tendrán derecho a ser admitidos a escaños en el Congreso de los Estados Unidos y a todos los derechos y privilegios de los Senadores y Representantes de los otros Estados en el Congreso de los Estados Unidos.

(2) PRIMERA ELECCIÓN DE SENADORES. —En la primera elección de Senadores, los dos puestos de senador serán identificados y designados por separado, y ninguna persona podrá ser candidato para ambos puestos. Nada en

esta sección menoscabará el privilegio del Senado de determinar la clase y términos a la que cada uno de los Senadores electos será asignado, con la excepción de que los Senadores no serán de la misma clase.

(3) PRIMERA ELECCIÓN DE REPRESENTANTES. — En la primera elección de Representantes, y elecciones subsiguientes hasta el siguiente ciclo de redistribución censal, el Estado de Puerto Rico tendrá derecho al mismo número de Representantes que el Estado cuyo censo de población más reciente fue más cercano a, pero menor que, el de Puerto Rico, y dichos Representantes serán adicionales a los miembros de la Cámara de Representantes conforme a lo actualmente establecido por la ley. Cualquier tal aumento en la membresía no operará para aumentar o disminuir la membresía permanente de la Cámara de Representantes de conformidad con lo establecido en la Ley del 8 de agosto de 1911 (37 Stat. 13), ni tampoco dicho aumento temporal afectará la base de distribución de funcionarios establecida en la Ley del 15 de noviembre de 1941 (55 Stat. 761), para el 83o Congreso y cada Congreso posterior a este, a menos que el Congreso aumente el número total de Miembros de la Cámara de Representantes. A partir de entonces, el Estado de Puerto Rico tendrá derecho a tal número de Representantes conforme a lo previsto por la ley aplicable basada en la próxima redistribución. La redistribución de distritos del congreso para la primera elección y

elecciones subsiguientes de Representantes será realizada conforme a lo dispuesto por la Constitución y por las leyes del Estado de Puerto Rico para los distritos legislativos del estado.

(d) CERTIFICACIÓN DE RESULTADOS. —La Comisión de Elecciones certificará los resultados de las elecciones primarias y generales para representación en el Senado y la Cámara de Representantes de los Estados Unidos al Gobernador. A más tardar 10 días después de la fecha de cada certificación, el Gobernador declarará los resultados de las elecciones primarias y generales, y transmitirá los resultados de cada elección al Presidente de los Estados Unidos, al Presidente *pro tempore* del Senado, y a la Presidenta de la Cámara de Representantes.

(e) JURISDICCIÓN DE LA CORTE DE DISTRITO. —La Corte de Distrito de los Estados Unidos para el Distrito de Puerto Rico tendrá jurisdicción original y exclusiva de cualquier acción civil alegando una disputa o controversia perteneciente a procesos electorales ejecutados conforme a esta sección.

SECC. 306. TÍTULO ESTATAL DE LA TIERRA Y PROPIEDAD.

(a) TÍTULO ESTATAL. —El Estado de Puerto Rico y sus subdivisiones y dependencias políticas tendrán y conservarán el título de todos los bienes, muebles e inmuebles, en poder del territorio de Puerto Rico y sus subdivisiones y dependencias

políticas en la fecha de la admisión de Puerto Rico a la Unión.

(b) TÍTULO FEDERAL. —Cualquier tierra y otras propiedades que, a partir de la fecha de admisión de Puerto Rico a la Unión, se reservan conforme a la ley para el uso de los Estados Unidos bajo cualquier —

(1) Ley del Congreso;

(2) Orden ejecutiva;

(3) proclama del Presidente; o

(4) proclama del Gobernador del territorio de Puerto Rico,

seguirán siendo propiedad de los Estados Unidos.

(c) PLATAFORMA CONTINENTAL. —El Estado de Puerto Rico tendrá el derecho exclusivo a explorar, explotar, rentar, poseer, y usar todos los recursos del fondo marino, naturales, y minerales situados dentro de tres leguas marinas (nueve millas náuticas) de la costa, como lo establece la sección 8 de la Ley del 02 de marzo de 1917 (48 U.S.C. 749; 39 Stat. 954). Todos los otros derechos de soberanía en relación con la plataforma continental y aguas territoriales, pertenecerán a los Estados Unidos, excepto por aquellos ya conferidos a Puerto Rico.

SECC. 307. CONTINUIDAD DE LAS LEYES, GOBIERNO, Y OBLIGACIONES.

Tras la admisión del Estado de Puerto Rico en la Unión:

(1) CONTINUIDAD DE LAS LEYES. —Todas las leyes territoriales en vigor en Puerto Rico en la fecha de emisión de la proclama descrita en la sección 301(1) que no sean incompatible con esta Ley o con la Constitución del Estado de Puerto Rico serán y continuarán en vigor y efecto en todo el Estado, hasta que sean enmendadas, modificadas, o derogadas por el Estado. Todas las leyes de los Estados Unidos tendrán la misma fuerza y efecto dentro del Estado como en los otros varios Estados.

(2) CONTINUIDAD DE GOBIERNO. —Los individuos que ocupen cargos legislativos, ejecutivos, y judiciales en Puerto Rico continuarán desempeñando las obligaciones de sus cargos respectivos cuando Puerto Rico se convierta en un Estado de la Unión en, bajo o por la autoridad del gobierno del Estado, como lo prevé la constitución y las leyes del Estado.

(3) CONTINUIDAD DE LAS OBLIGACIONES. —Todos los contratos, obligaciones, responsabilidades, deudas y reclamaciones del territorio de Puerto Rico y sus organismos al momento de la admisión continuarán en plena fuerza y efecto como los contratos, obligaciones, responsabilidades, deudas y reclamaciones del Estado de Puerto Rico y sus organismos cuando Puerto Rico se convierta en un Estado de la Unión.

(4) USO Y DISFRUTE DE LOS BIENES. — Todas las leyes de los Estados Unidos que reservan a los Estados Unidos el uso libre o disfrute de los bienes que se confieren o se traspasan al Estado de Puerto Rico o sus subdivisiones políticas en conformidad con esta sección o reservando el derecho a alterar, enmendar, o derogar leyes relativas a la misma, dejarán de ser efectivos.

SECC. 308. PRONUNCIAMIENTOS JUDICIALES.

(a) PENDIENTE. —Ningún mandato, acción, acusación, causa, o procedimiento pendiente en cualquier corte del territorio de Puerto Rico, se abatirá por razón de la admisión del Estado de Puerto Rico a la Unión, pero procederá dentro de los tribunales estatales apropiados que se establezcan conforme a la Constitución del Estado de Puerto Rico, o continuará en la Corte de Distrito de los Estados Unidos para el Distrito de Puerto Rico, como lo requiera la naturaleza del caso.

(b) AÚN NO PENDIENTE. —Todas las causas de acción civil y todas las ofensas criminales que surgieron o fueron cometidas antes de la admisión del Estado, pero que no tenían pendiente ningún mandato, acción, acusación, causa, o procedimiento en la fecha de dicha admisión, estarán sujetas a juicio en la corte estatal apropiada o en la Corte de Distrito de los Estados Unidos para el Distrito de Puerto Rico, de la misma manera, en la misma

medida, y con el mismo derecho de apelación, como si dicho Estado hubiera sido creado y dichas cortes estatales se hubieran establecido antes de la acumulación de tales causas de acción o la comisión de tales ofensas. La admisión del Estado no efectuará ningún cambio en las leyes procesales o sustantivas que rigen las causas de acción y ofensas criminales que hubieren surgido o hubieren sido cometidos, y cualquier ofensas criminales que se hubieran cometido en contra de las leyes del territorio de Puerto Rico, serán juzgadas y castigadas por las cortes estatales apropiadas, y cualquier ofensa criminal que se hubiera cometido en contra de las leyes de los Estados Unidos será juzgada y castigada en la Corte de Distrito de los Estados Unidos para el Distrito de Puerto Rico.

(c) APELACIONES. —Las partes tendrán los mismos derechos de revisión judicial de las decisiones finales de la Corte de Distrito de los Estados Unidos para el Distrito de Puerto Rico o de la Corte Suprema de Puerto Rico, en cualquier caso con decisión final previa a la admisión del Estado de Puerto Rico a la Unión, se hubiera o no establecido apelación antes de dicha admisión. La Corte de Apelaciones de los Estados Unidos para el Primer Circuito y la Corte Suprema de los Estados Unidos, tendrán la misma jurisdicción en los casos previstos por la ley antes de la admisión del Estado a la Unión. Todo mandato emitido con posterioridad a la admisión del Estado será a la Corte de Distrito de los Estados Unidos para el Distrito de Puerto Rico o a una corte estatal, según corresponda. Las partes tendrán los

mismos derechos de apelación y revisión de apelación sobre todas las ordenes, sentencias y decretos de la Corte de Distrito de los Estados Unidos para el Distrito de Puerto Rico y de la Corte Suprema de Puerto Rico, en cualquier caso, pendiente al momento de la admisión del Estado dentro de la Unión, y la Corte Suprema de Puerto Rico y la Corte Suprema de los Estados Unidos tendrán la misma jurisdicción en ellos, así proporcione la ley en cualquier caso que surja después de la admisión del Estado en la Unión.

Congressional Delegation Itinerary—San Juan, Puerto Rico, June 2–5, 2022

Committee Trip to San Juan, Puerto Rico

Dates: Thursday, June 2 – Sunday, June 5

Purpose: To obtain input from local stakeholders on the *Puerto Rico Status Act* discussion draft.

Members:

1. Chair Raúl M. Grijalva
2. Rep. Nydia M. Velázquez
3. Resident Commissioner Jenniffer González-Colón
4. Rep. Alexandria Ocasio-Cortez

Staff: One staffer from each personal office will be authorized to join the meetings.

Chair Grijalva Staff on-site:

Brian Modeste: [redacted]
Margarita Varela-Rosa: [redacted]
Iván Robles: [redacted]
Luis Urbina: [redacted]
Chris Espinosa: [redacted]
Marilyn Zepeda: [redacted]

Lodging: DoubleTree by Hilton San Juan. 105 Ave De Diego, San Juan, 00911 Puerto Rico.

Transportation and Security: To be provided by the Government of Puerto Rico.

Agent Rivera [redacted] & Agent Morales [redacted]

For immediate transportation or security questions, please contact: Ivan Robles: [redacted]//
[redacted]

Agenda

Thursday, June 2:

- 8:49 AM – 12:38 PM: DCA to SJU (JetBlue Flight Number 1347)
- 12:39 PM – 2:00 PM: Airport
- 2:00 PM – 2:15 PM: Transportation to Hotel
- 2:15 PM – 3:15 PM: Lunch & Hotel Check-in
- 3:15 PM – 3:30 PM: Transportation to Meet & Greet
- 3:30 PM – 5:00 PM: Meet & Greet with the Governor of Puerto Rico
  Location: La Fortaleza, San Juan, Puerto Rico
- 5:00 PM – 6:00 PM: Press conference
  Location: La Fortaleza, San Juan, Puerto Rico
- 6:00 PM – 6:30 PM: Transportation to Hotel
- 6:30 PM: Hotel & Dinner

- **Friday, June 3:** Individual meetings with leaders of local political parties to obtain input on the discussion draft

  - 7:00 AM – 8:00 AM: Breakfast
  - 8:00 AM – 8:30 AM: Transportation to meeting
  - 8:30 AM – 10:00 AM: Meeting with *Partido Popular Democrático*
    Location: Senado de Puerto Rico, San Juan, Puerto Rico
    Attendees: Sen. José Luis Dalmau, Rep. Rafael Hernández, and other legislative leaders

  - 10:00 AM – 10:30 AM: Transportation to meeting
  - 10:30 AM – 12:00 PM: Meeting with *Partido Independentista Puertorriqueño*
    Location: Oficinas PIP, 963 PR-23, San Juan, Puerto Rico
    Attendees: Juan Dalmau, Rubén Berríos, and Carlos Gorrín

  - 12:00 PM – 12:30 PM: Transportation to meeting
  - 12:30 PM – 2:00 PM: Lunch & Meeting with *Partido Nuevo Progresista*
    Location: Antiguo Casino de Puerto Rico, Avenida Ponce de León, San Juan, Puerto Rico
    Attendees: Gov. Pierluisi, Sen. Rivera Schatz, Rep. Carlos J. Méndez, and other legislative leaders

  - 2:00 PM – 2:30 PM: Transportation to meeting
  - 2:30 PM – 4:00 PM: Meeting with *Movimiento Victoria Ciudadana*
    Location: Colegio de Abogados y Abogadas, 808 Av. Juan Ponce de Leon
    Attendees: Manuel Natal, Sen. Ana Irma Rivera Lassen, Sen. Rafael Bernabe, Rep. Mariana Nogales, and Rep. José Bernardo Márquez

  - 4:00 PM – 4:30 PM: Transportation to meeting
  - 4:30 PM – 6:00 PM: Meeting with *Proyecto Dignidad*
    Location: Puerto Rico Science, Technology & Research Trust, Antigua Penitenciaria Estatal Carr 21 Bo Monacillos
    Attendees: Dr. César Vázquez, Sen. Joanne Rodríguez Veve, Rep. Lisie Janet Burgos, Juan Manuel Fronteras, Edwardo García, and Nelson Rosario

  - 6:00 PM – 6:30 PM: Transportation to Hotel
  - 6:30 PM: Hotel & Dinner

Saturday, June 4:

Individual meetings with leaders of local political parties to obtain input on the discussion draft. Public Forum to obtain input from organizations and individuals.

- 7:00 AM – 8:00 AM: Breakfast
- 8:00 AM – 8:30 AM: Transportation to meeting
- 8:30 AM – 9:30 AM: Meeting with *Partido Democrata de Puerto Rico*
  Location: AC Hotel by Marriott, 1369 Ashford Ave, San Juan
  Attendees: Charles Rodriguez, Hon. Miguel Romero, Jesús "Gardy" Colón-Berlingeri, Johanne Vélez, and other leaders of the party

- 9:30 AM – 9:45 AM: Transportation to meeting
- 9:45 AM – 10:45 AM: Meeting with *Partido Republicano de Puerto Rico*
  Location: MAI Center Building, 2000 Kennedy Avenue, San Juan, PR 00920, 4th floor suite 403
  Attendees: Angel Cintron, Zoraida Fonalledas, Gov. Luis Fortuno, Ricardo Aponte Parsi

- 10:45 AM – 2:00 PM: Lunch
- 2:00 PM – 2:15 PM: Transportation to Public Forum

- 3:00 PM - 8:30 PM: Public Forum
  Location: 100 Blvd. Centro de Convenciones, San Juan, Puerto Rico

- 8:30 PM - 9:00 PM: Transportation to Hotel

Sunday, June 5:

- 8:00 AM – 4:00 PM: Executive Time
- 4:00 PM - 4:30 PM: Transportation to Airport
- 4:30 PM - 6:00 PM: Airport
- 6:05 PM – 9:59 PM: SJU to DCA (JetBlue Flight Number 1348)

Congression Forum in San Juan, Puerto Rico
Forum Transcript
June 4, 2022

Chairman Raúl Grijalva:

OK, thank you, we will shortly begin this forum. But before that, I wish to introduce a team member of the Natural Resources Committee, Margarita Varela, she will be giving you the basic instructions concerning how we will conduct this forum. Margarita, if you please. Yes.

Committee Deputy Director, Margarita Varela:

Good afternoon, I will now begin sharing the instructions for today with you all. We will be conducting a series of panels consisting of six people per panel. Those with tickets allowing them to provide public commentary will be called out by Committee personnel when their panel is up. Once the panel is underway, the Committee will invite the panel to provide commentary from my left to my right. We also request that you provide your full name at the beginning of your comments. Each member of the panel will have five minutes per statement. Considering that the purpose of this forum is to listen to the members of the panel, at the end of panel, all Committee members will be able to direct themselves to certain members of the panel with any questions they may have. There will be a visible timer indicating when the time of each panel member has run out. It is not necessary to speak during the full five minutes. However, if you go past the five minutes, you will be requested to finish your comments. We are profoundly grateful for your assistance here because it is extremely important in order to meet the objectives of transparency and public participation of the Committee that we celebrate today's encounter. Everybody's entries will be transcribed. And we will have it available for all Committee members. And it will be entered into the official registry for future procedures in Congress concerning this legislation. It is also fundamental for the members of each panel to be allowed to present their statements without interruption expressing support or opposition from the audience. We will not tolerate abrupt interruptions, nor expressions of support or opposition from the audience. Anyone who refuses to follow these rules when requested to sit in silence and to respectfully observe the event shall be escorted out of today's proceedings. Chairman Grijalva.

Committee Chairman Raúl Grijalva:

Thank you very much and let me begin by saying good afternoon to everyone. I want to welcome you all to this congressional public input forum held under the auspices of the Natural Resources Committee of the U.S. Congress. I am Raúl Grijalva, and I chair the Natural Resources Committee that has jurisdiction over the legislation relative to Puerto Rico's political status. The purpose of this forum is to listen to the people of Puerto Rico on the Puerto Rico Status Act Discussion draft. The Committee has invited panelists with specific perspectives and expertise relative to this important issue to address our delegation and share their views.

Members of the public have also been asked to share their views as panelists during this afternoon's proceedings and the Committee deeply, deeply appreciates those that we will hear from today and that took the time to register for a speaking opportunity at today's proceedings. The Committee is holding this forum to help inform the legislative process and Congress's action on the Puerto Rico Status Act. Which I will speak … which many of you are familiar with, and we look forward to the information as it will impact us, our decisions going forward. I want to thank you and I want to stress that this forum is one of several mechanisms the Committee has made available to the public in Puerto Rico to share their views and perspectives on the legislation. I encourage stakeholders and the people of Puerto Rico to, that care about this issue to share their perspective with us on the Committee's website at Naturalresources.house.gov; thank you. Good afternoon to all. Welcome to this public opinion forum of Congress held under the Natural Resources Committee of the U.S. Congress. I am Raúl Grijalva, presiding over the Natural Resources Committee that has the authority over this legislation relative to the political status of Puerto Rico. The Committee is celebrating this encounter in order to help inform the processes and actions of Congress concerning the law that dictates Puerto Rico's status. The details of which, many already know, and we hope to become better informed about that document and based on the comments and opinions of panelists. I wish to … This encounter is not the only one. There are other ways to communicate with the Committee but our urgency today is for us to receive, initially, the opinions, the recommendations and also criticisms that some see concerning this document. It is important to the process. Today I am

accompanied by my colleagues: Nydia Velázquez and Alexandria Ocasio-Cortez from New York. And your Congresswoman, Jennifer González Colón. I want to deeply thank Velázquez, González-Colón, and Ocasio-Cortez for their dedication to solve this issue concerning the future of Puerto Rico. I also wish to thank you for the true leadership you all have shown concerning this situation that we don't . . . It has not been an easy process, it has been a difficult process, with lots of risk, but it's also a historical opportunity to take a step forward. I wish to thank you all, and with that, I wish to acknowledge my colleague, Puerto Rico's Resident Commissioner, Congresswoman González-Colón. If you please.

Resident Commissioner Jennifer González Colón:

Many, many thanks Mr. Chairman of the Committee. My colleague Nydia Velázquez and colleague Ocasio-Cortez who accompany us today. Today is a very different day. It is rarely that we have the Natural Resources Committee in the Island holding a forum of this magnitude. In order to discuss a situation that we as Puerto Ricans have been discussing for many decades. The reality is that historically, everybody presents their statements and suggested measures. In our particular case, the people of Puerto Rico voted in favor of Statehood, right, in 2012, in 2017, and in 2020, which caused us to file a Resolution in the Senate, H.R. 1522, which has bipartisan composition and at the same time, Congresswoman Velázquez and Congresswoman Ocasio-Cortez filed House Bill number 2070. Both of these bills are part of the evaluation of this Committee that has held public hearings throughout this process. As part of a real effort to decolonize Puerto Rico, we decided to sit down at the table together, alongside Majority Leader Steny Hoyer, Congressman Darren Soto, who is excused from this hearing, though we have his staff present. Likewise, I . . . For other colleagues, and we decided to prepare a draft bill in those areas where we were able to come to agreements. It is not a perfect bill for any of the ideologies involved, it is not a perfect bill for any of these processes, but nonetheless, it is the first draft that actually provides a mechanism that, to my judgment, has two fundamental reasons. The first, that, for the first time Puerto Rico has a binding vehicle where the Congress of the United States allows Puerto Rico to choose non-colonial and non-territorial status options, which would allow us to be able to pull us out of this discriminatory, indecorous, and colonial situation that the People of Puerto Rico have lived during the past decades. This bill . . . This draft bill meets both of those two precepts. Today is nothing more than a continuation of the work we began on Thursday, yesterday, when they met with the different political parties and today with the national political parties. And what better way than to have the input of people that are in favor, against, or that could represent the ideologies contained in this bill. So once again, I thank Chairman Grijalva, the members of the Committee that are joining us, and that have been listening to what the People of Puerto Rico have to say, and, well, I am welcoming people's comments.

Chairman Raúl Grijalva:

Many thanks. And Representative Velázquez, please.

Representative Nydia Velázquez:

A very good afternoon to the People of Puerto Rico. I wish to thank Chairman Raúl Grijalva, my colleagues Jennifer González-Colón, Alexandria Ocasio-Cortez, and Darren Soto. As we all know, Puerto Rico is a colony of the United States. More than 100 years ago, the United States invaded Puerto Rico and since then, the topic of Puerto Rico's political status has been an inconclusive situation that has always been an issue. We are here today because we are in agreement that we must forward a process of decolonization. Puerto Rico's current status is unsustainable, it is unjust, and it is undignified. The wait for change has been too long for Puerto Rican families. As you know, I introduced a bill jointly with Congresswoman Alexandria Ocasio-Cortez. And obviously, I understand that it was the best possible vehicle to obtain a Constitutional Assembly where the People could have direct participation in that mechanism and to achieve the necessary agreements in relation to definitions of status and transitional plans, and other subjects that are absolutely important. But here we are. I believe we are at a historic moment when, for the first time, factions that were opposing, that had different opinions on how to begin the process of decolonization of Puerto Rico, we have joined together to reach an agreement. I have always wanted to help provide a democratic mechanism which is inclusive and transparent. To move forward a process that could allow the People and all sectors to have wide, democratic, and transparent participation was not the rejection of any particular option. But instead, so we could get participation to all sectors and all options without tilting the balance backing up any given option. So, we are here because it is the People of Puerto Rico that will have to face the

consequences of the solution that the People democratically elect. It is the moral responsibility of the U.S. Congress to tell the people of Puerto Rico what they can offer and negotiate. And here we are. Providing a binding process and that will have three options: Independence, Statehood, and Free Association. In order for this draft . . . And I wish to indicate, that I insisted it be a draft because if we wish to decolonize Puerto Rico, we must begin by providing a process where the People of Puerto Rico feel like they have and are investing in the construction of said process. A process that must respect the right to free participation and that the definitions included may be widely shared, and so we may have a mechanism through which the People of Puerto Rico and every voter can understand the consequences of each and every one of those definitions. I wish to thank all the panelists, because their participation will contribute so that the bill introduced before the Congress of the United States reflects the aspirations and dreams of the People of Puerto Rico. Thank you very much.

Chairman Raúl Grijalva:

Many thanks. I wish to acknowledge my colleague, Representative Ocasio-Cortez for her comments.

Representative Alexandria Ocasio-Cortez:

Many thanks and good afternoon. We are here today because, after more that 100 years with Puerto Rico as a territory of the United States, the federal government of the United States is prepared to recognize, for the first time, their relationship with Puerto Rico. To recognize the colonial relationship. After years of disasters, hurricane Maria, earthquakes, and now with the developments in the Supreme Court, we know that we find ourselves at a moment where we are forced to change and develop the role and status of our island of Puerto Rico. Today, and the point today and our mission today is to listen to the People of Puerto Rico and together we shall build a transparent and inclusive process, with transparency and integrity that anyone in this island can have faith that this is a process that respects the cities and People of Puerto Rico. With that, I wish to thank all the panelists and thank all the people, the audience that are here to participate in this process. Thank you very much.

Chairman Raúl Grijalva:

Thank you. Allow me to invite the first group of panelists, please. And let us begin with introductions, from my left to my right. And let me just say that is not a political opinion and . . . We begin, and many thanks to everybody.

First Panel

Chairman Raúl Grijalva:

We recognize the first panelist, please.

Aníbal Acevedo Vilá:

Good afternoon, for the record, I am Aníbal Acevedo Vilá, former Governor and former Resident Commissioner. I am here in that capacity. As former Governor and Resident Commissioner. Thank you for this opportunity. Although I take full responsibility for the statements, the ideas I will present, to a great extent they are also supported by the Steering Committee of the *Frente Puertorriqueñista*. This draft bill, while not perfect, is a step in the right direction. I will make some general comments on the definitions put forward but will use most of my limited time to make comments on the definition for Free Association. Regarding Statehood, there is a need to clarify that the official language of daily businesses in the state government, especially the courts, will be in Spanish, as well as it will continue to be the official language in public schools. That has been the representation made by the Statehood party to the People of Puerto Rico. But Congress has demanded in the past that states wishing to be admitted to the Union with different prevailing linguistic groups, such as Oklahoma, New Mexico, Arizona, and Louisiana adhere to certain English-speaking guidelines.

Chairman Raúl Grijalva:

True.

Aníbal Acevedo Vilá:

The bill must clarify this. Also, there is a need to have a clear transition plan for Statehood. Especially regarding the negative economic consequences of federal income taxation. Regarding Independence, there is no moral or political reason to impose upon those who decide to keep their US citizenship a different set of rules

to transmit that citizenship to their children than those living in other foreign countries. Moreover, to establish a different set of rules would clearly be unconstitutional. The language on the bill is not clear about that. One of the most important elements of this draft is the inclusion of Free Association as a different status alternative from the others. But because this will be the first time in US history that Free Association will be available to a territory that has been unincorporated for more than 100 years, and whose citizens have been US citizens by birth for more than 100 years, there needs to be more details on the definition and transition plan. Starting point: If the United States is willing to offer Free Association, it is because Congress has made the intelligent decision that this kind of relationship could benefit both. Therefore, the bill must include at least the element that Congress is willing to consider as part of the negotiation of a compact of Free Association. Without those clear elements, Congress will be making an offer without any real context. The main issue regarding the definition of Free Association is citizenship. Free Association means that the US has some strong interest in Puerto Rico, obviously, more than under Independence. The right for Puerto Ricans to keep their US citizenship will open the door to making that citizenship one of the bases of the compact. The current language on the bill is confusing. The final proposal should include language stating that the US is willing to recognize the right to claim US citizenship to those born in Puerto Rico from a US citizen. The language say [sic] in "the transmission of citizenship will be for the duration of the first agreement" is a political poison pill with no legal or constitutional effect. It is well-known that one Congress cannot oblige [sic] another one. If after 25 or 35 years of a compact of Free Association, a future Congress is willing to extend the automatic transmission of US citizenship, nothing in this bill could limit them in the future. Therefore, that language must be deleted. The bill includes the same economic transition for Independence and Free Association. Again, if you are offering Free Association, it's because you are making an intelligent decision that having a special, close relationship with Puerto Rico is good for both. Therefore, the economic transition must be different than the one offered for Independence. It is in the interest of the US to guarantee its farmers, retail, and industrial sectors free access to Puerto Rican markets. Under Independence, that's something that the government of the new Republic will have to decide. But under Free Association it will be, it should be included in the bill, that the permanence of a free and open market will be part of the new compact. Many independent countries use the US dollar as its currency. There should be language clarifying that the US will have no objection that the compact may include US dollars as currency in Puerto Rico. And it is also in the interests of the US under Free Association to maintain its current mutual defense understanding with Puerto Rico. If the US is willing to offer Free Association, all these elements must be part of the offer. Not only because they will benefit Puerto Rico, but because they are of [sic] the interests of the US as well. Two final general comments: To move this process forward significantly, it must really become a bipartisan bill. And after more than two weeks since this draft has been made public, so far, we haven't received much enthusiasm on the Republican side. From the meetings you had yesterday and the testimonies you will hear today, I am sure that you will get that this is a complicated process and that there are many details of the different options that need negotiation and fine tuning. That's why many people, myself, and those who are part of the *Frente Puertorriqueñista* still believe that the status convention as described in our H.R. 27 is the best procedural option. You are trying to do in three days what the Status Convention and Negotiation Committee created by H.R. 27 will have to do with adequate timing. Thank you.

Chairman Raúl Grijalva:

Thank you very much, and let me invite the next speaker please. Thank you.

Zoraida Buxó:

First and foremost, I'd like to thank God for this opportunity and I want to thank you, Mr. Chairman, for this initiative. And of course, a champion of consensus bills, Chairman … Congresswoman Nydia Velázquez and Jennifer González Colón and of course, Alexandria Ocasio-Cortez. I'm going to switch to Spanish because I want to avoid any misquoting's by the local press and people. My name … I am Zoraida Buxó. I am the, I am one of the congressional delegates elected to the Federal Senate and today I appear before you as a spokesperson for two citizens organizations that have spent decades fighting to send out the message of and educate about Statehood as the best alternative for full democracy for all Puerto Ricans of the Island. These are *Puertorriqueños Pro-Unión Permanente Inc*, and *Accion Civil Para El Estatus*. After 124 years under the American flag, 105 years as American citizens, 70 years with a Constitution ratified by the People of Puerto Rico and

supported by federal law; six local plebiscites celebrated between 1967 and 2020, finally, the Puerto Rico Status Act brings to the People of Puerto Rico the right to exercise their self-determination. For the first time in history. We wish to emphasize on various advances on this bill of consensus. First off, the bill is neutral in that it does not favor any of the recognized status alternatives: Statehood and Independence in two different ways. With and without a Free Association treaty. In terms of public policy and after the decisions we all know came from the Supreme Court, the Congress establishes providing an end to the colonial condition. An antidemocratic condition that implies unequal treatment to the citizens of this Island in comparison to our brothers and sisters residing in the states of the Nation. Including yourself, Alexandria Ocasio-Cortez and yourself, Nydia Velázquez. It deprives us from the right to vote for our President or for elected representatives in the legislative bodies of the Federal House and the Senate where they discuss and approve the laws that affect us. It is morally unsustainable for a nation that presents itself to the world as the standard bearer of democracy to continue to keep 3.2 million of American citizens, under a territorial condition of indefinite length, of political subjugation and one repudiated by the vast majority of the citizens of this Island. This bill sets the stage for the end of this condition that has caused injustices which limit our economic and social development. And it is just a relic of an imperialist model relying on colonial forms. Therefore, we support your firm determination to empower the citizens of Puerto Rico, liberating us, once and for all from the territorial clause, and providing constitutionally viable options. These include: Providing Puerto Rico with the same sovereign powers of a state protected by the tenth amendment of the Federal Constitution; or on the other hand, transforming the Island into a foreign country through the recognition of the Republic of Puerto Rico with or without a Free Association treaty. We have no doubt that the natural progression of the territory of Puerto Rico is toward Statehood. That is the true culmination of the current status. The bill precisely reflects the guidelines of Statehood; in a correct and accurate manner, it presents that the only alternative that guarantees American citizenship to the citizens of Puerto Rico, with all rights, responsibilities, and privileges, permanently and in equal conditions with the 50 other states of the Nation is Statehood. This is not the case with the other two forms of Independence that the bill offers. As described in sections 109 and 108, the status of citizenship of those born in Puerto Rico would then end up in the hands of what the Republic of Puerto Rico decides in its constitution and laws. About the American citizenship, it provides a different treatment for the children born posterior to the declaration of Independent Sovereignty and that a son or daughter who wishes to acquire it would have to go through the tedious process of naturalization established by federal laws same as any other foreigner. As for the Free Association option, any representation of permanent union or guarantee of American citizenship is defeated by article 211, which clearly states that treatment of Free Association can end at any moment at the will of either party. The bill is clear. As part of this process of meetings, discussion, and public forums, we understand that you will receive multiple petitions and various guidelines that the bill establishes. And that evidently, they have been exhaustively studied by their authors. I respectfully ask you to evaluate them closely and to refute all language that creates a false expectation in the voters concerning aspects as important as American citizenship. Regardless of whatever clarifications they request, Independence with or without Free Association will continue to be a leap into the unknown for all of those that believe in the permanent union and the preservation of American citizenship in the permanent union and the preservation of citizenship with its protections and guarantees.

Chairman Raúl Grijalva:

Thank you.

Zoraida Buxó:

We respectfully request that you file this bill and obtain overwhelming bipartisan support for it from each of your colleagues in Congress. You can do it. And without taking a step back//

Chairman Raúl Grijalva:

Your five minutes have passed, thank you very much.

Zoraida Buxó:

Of course.

Chairman Raúl Grijalva:

Next person, please.

María De Lourdes Guzmán:

Good afternoon, I am María De Lourdes Guzman, I am the President of *Movimiento Unión Soberanista*, a political-educational organization that supports Puerto Rican sovereignty from the options of Independence and Free Association. In representation of the organization that I preside, I thank you for this invitation and the presence of all of you and your interest in discussing the situation regarding Puerto Rico's status. This subject has historically suffered the indifference and apathy of the federal government of the United States despite the legitimate claims from many sectors of this country demanding it be addressed. In less than a month, it will have officially been 124 years since the United States militarily invaded us, making our citizens believe that they would bring us the liberty and democracy that the Spanish regime had denied us for over four centuries. Nonetheless, we have been utilized politically, militarily, and economically for the benefit of the colonizing power, supported by those who have served it unconditionally to this day. We have been colonized politically, economically, and psychologically for over a century. The same day that marks 124 years of the American invasion also marks the seventieth anniversary of the creation of the *ELA* [Commonwealth of Puerto Rico], which has been nothing more than a disguise for the colonialist regime that we live under, a reality that the very government of the United States has taken pains to unmask. Both of these events must be extremely shameful for a country that calls itself a champion of civil rights and defender of liberty and democracy. Thanks to the *ELA*, Puerto Rico finds itself deprived of establishing commercial relationships with other countries, of controlling its immigration, customs, and borders, the areas, precisely, where the drugs and weapons enter to empower the underground drug trafficking market that is bleeding our country dry. We are forced to use the least efficient and most expensive of Merchant Marines in the world and we have become a country dependent on the markets of the United States, importing more than 85% of what we consume. Nearly half of our population lives below the poverty level. Our youth, the wealth of all nations, has known nothing but precarious survival. Our accelerating poverty has expelled from our country hundreds of thousands of Puerto Ricans that don't find here an opportunity to make their aspirations a reality. After the colossal bankruptcy forced on us by colonial and annexation enthusiasts, we are now placed under a despotic financial control board [sic] that has only managed our budgets for the benefit of speculative investors, threatening our university, undermining the retirement funds of thousands of laborers, our essential services, and our fundamental right to a dignified life. This, in a tight synthesis, is what the *ELA* has represented to our People. A dismal reality that you, as protagonists of this effort must transmit to your congressional colleagues. As we face the complexity of solving this problem of the status of our Country and despite the fact that we favor the mechanism of Constitutional Assembly of Status, we applaud this effort of achieving this draft that excludes definitely the so-called solution that is and always has been a problem: The territorial option. This draft allows us the opportunity to have a deep, mature, serious, responsible, and fearless discussion on a subject that keeps us divided over our preferences; divisions that the United States have used as an excuse to not do anything and conveniently propose for us to get into an agreement, abdicating its moral responsibility that is imposed by their occupation of our Island for over a century and having exploited us for its own benefit. We applaud that, despite the historic old posture of the executive branch of the federal government to defend the territorial option, it not only has been discarded, but it has been included, as a separate option, Free Association, which will give our People the opportunity, in its exercise of its sovereignty the right to negotiate a treaty of Free Association with the United States, like how [sic] that country has done with other islands in the Pacific Ocean. It seems quite accurate that with Independence, the only inalienable right of the People, the right of Puerto Ricans to have free transit toward the United States is recognized; this considering that the conditions created under the ELA have forced over 5 million Puerto Ricans into exile. It has dismembered families and has turned us into a divided nation. We, however, understand that the definition of Statehood must be further elaborated upon. Simply saying that our rights are guaranteed under the United States Constitution seems insufficient. Its self-enforceability is unreal. Especially if we consider the irrefutable fact that Statehood is a concession emanating from the U.S. Congress, who reserves the right to impose the conditions required to enter the Federation of States. Yet nothing is said about the taxation responsibilities nor about our language or the economic feasibility of a Puerto Rican state in such a precarious financial situation. What is more, is a majority of 50% plus one enough to guarantee admission? On the other hand, Puerto Ricans deserve to know what truly represents to keep us as an incorporated territory previous to the admission as a state, which would be catastrophic for our country. As we face the inescapable truth that the United

States has been the architect of the ELA, which has so impeded our development as a nation, it is urgent that a process of decolonization begins, to rescue us from the quagmire we find ourselves in. Puerto Rico cannot continue to be the hostage to stagnation. Thank you very much.

Chairman Raúl Grijalva:

Thank you. Please.

Ramon Luis Nieves:

Good afternoon.

Chairman Raúl Grijalva:

Good afternoon.

Ramon Luis Nieves:

I dedicate my words to William Miranda Marin on the twelfth anniversary of his death. He would have been here. My name is Ramon Luis Nieves. I am an attorney and former Senator for the District of San Juan, Puerto Rico. For the past 25 years I have advocated for Free Association as a status option for the People of Puerto Rico and the government of the United States. Even though I am a member and former Senator of the *Partido Popular Democratico*, I appear before you in my personal capacity. That's said, it's an undeniable fact that thousands of *Populares* support Free Association. Also, for the past 32 years, the *Partido Popular Democratico* has formally advocated for a non-colonial, non-territorial association between Puerto Rico and the United States. I appear before you in support of the draft bill known as the Puerto Rico Status Act. This draft represents an important turning point in the colonial drama between Congress and Puerto Rico. The legislative intent of the draft is to propose non-colonial, non-territorial options to be voted by the People of Puerto Rico. Including or excluding territorial options on this draft is a policy decision made by Congress. I welcome the opportunity of starting a serious conversation on Free Association. This draft closes the door on misleading statements suggesting that Free Association is some kind of Independence. The attack on the so-called two Independences is actually a political lie. Read the bill. Free Association is perhaps the most flexible of status options. Understanding this fundamental characteristic of Free Association is critical. Political will is the only parameter to be followed in shaping a compact of Free Association between both nations. This draft fails to clearly distinguish between both options: Free Association and Independence. It proposes basically the same terms regarding [the] so-called withdrawal of US sovereignty. I propose that even though this language works under Independence, the terms of Free Association actually become effecting . . . Effective after formal signing of the compact, its approval by the voters, a compact implementation act, and a presidential proclamation. I will now address the controversial issue of US citizenship in a compact of Free Association. Perhaps one of the most important myths destroyed by this draft is the alleged impossibility of continued transmission of US citizenship under Free Association. However, the draft imposes conditions on continued transmission of citizenship that make no sense under a Free Association scenario. Puerto Ricans, US citizens since 1917, wish to remain so, and to retain their rights to further transmit such legal status to their sons and daughters. Continued transmission of US citizenship by Puerto Ricans under Free Association is a policy decision governed by political will and the terms of the compact. There are no legal, constitutional, or significant policy constraints on the United States agreeing on continued transmission of US citizenship after the effective date of the compact. Finally, I propose that the Committee engages advocates of Free Association in the following days to further refine this draft. Respectfully, we cannot pretend this process to be serious if advocates for Statehood insist on imposing conditions on Free Association while being quite vague on their preferred option. Perhaps that is why the draft is silent on critical issues such as federal taxation under Statehood, the impact of federal taxes on the recent plan of adjustment to deal with Puerto Rico's post-bankruptcy scenario and the issue of language. This, while including a nonsensical proposal under Free Association to transfer Social Security funds of Puerto Rican individuals to the local government. I imagine that Statehood advocates are already drafting copies for political attack ads using this nonsensical Social Security business. Self-determination principles require that Congress sits down with advocates of non-colonial, non-territorial options and offer the best possible and mutually agreeable conditions to the People of Puerto Rico. Thank you very much.

Chairman Raúl Grijalva:

Thank you. Let me invite the next speaker, thank you.

Zoe Lavoy:

Thank you. Good afternoon. My name is Zoe Lavoy. Since I was a young girl, I've been a Statehood supporter. Throughout my life and in different forums I have been able to defend the belief that Statehood is the best status option for Puerto Rico. Everywhere, from the Puerto Rico Senate to the United Nations, I have had the honor of being able to raise my voice on behalf of hundreds of thousands of Puerto Ricans that, like me, firmly believe Puerto Rico should become a state of the United States of America. Today, I want to start by saying thank you. Thank you for putting your differences aside and making the well-being of Puerto Rico the priority. For the first time, after so many attempts, I really believe that we are closer to ending the current undignified status. Enough of being a colony.

Regarding this draft, based on my experience as a former Senator, I know that there is not [sic] such a [sic] thing as a perfect bill. But I am confident that coming to Puerto Rico to hear, not only from political leaders but also from regular citizens like myself will allow you to improve this bill. And for that, I thank you again. I want to take this opportunity to stress those points that I believe are the most important of Puerto Rico Status Act. With this draft you have achieved five important things. One: To bring closer to resolution what we believe is the basis of our problems. We might be solving this issue once and for all within the next 17 months. Two: To exclusively include non-colonial, non-territorial status options. Three: To demand respect from Congress toward what will be our decision. Our land, our decision. And Congress will have to abide. Four: Providing for the decision to be made through direct vote through a democratic process which will allow all Puerto Ricans to vote. And five: Ensuring Puerto Ricans will be making an informed decision by validating the meaning and the consequences of each alternative through a non-partisan voter educational campaign. Although I am confident that the majority will choose Statehood, truth is that whichever status option wins, that is what we will become. I am pretty sure that one of the main takeaways from this trip will be that Puerto Rico or Puerto Ricans want this problem to be solved. Our current status is the main reason our Island has stalled in its full political, economic, and social development. That is why I believe that those who live in this Island cannot leave all the work in your hands. It is obvious that this bill will be challenged by many Congress [sic], or Members of Congress, particularly, from the Republican party. And that is why, as a *Puertorriqueña*, I know that many of us will ask from our many family members and friends who have had to leave the Island, not out of choice but necessity, to become actively involved in the support of this bill. We will ask from them to call their Congressmen and women and senators to demand their support for the approval of this bill, making this an important issue for the upcoming elections. And due to limitation of time, I will only add one more aspect . . . Actually, a request to all of you. As mentioned, I have been an elected official. Thus, I know that too many times, that decisions are supported by some and rejected by others. But our duty as representatives of the People is to make decisions based on what we believe is the right thing to do. Regardless of their support or rejection. So, my ask [sic]: do not give into demands from a group of people, including leaders, who insist on not resolving our status, who insist on having the *ELA* as an option. As so many of us know, to include what we suffer today will only result in keeping Puerto Rico hostage of an anti-democratic state where others make decisions for us without the right to have a say or a vote. Let me finish by saying: I am a very proud grandmother of two and based on the decisions made at the federal level I worry about their future. This horrendous tendency to try to take away rights, abortion, just to mention one, from minorities, is dangerous. It is because of Valentina and Diego, my grandchildren, and all our children in Puerto Rico that I know that today, more than ever, we cannot be excluded from the right to representation and vote.

Chairman Raúl Grijalva:

Thank you.

Zoe Lavoy:

We are counting on you. Thank you.

Chairman Raúl Grijalva:

Thank you. Sir.

Brigadier General Víctor Perez, retired:

Good evening. Good afternoon. For the record, I am Brigadier General retired Victor Perez. President of the Veterans for Puerto Rico Statehood. Our group visited Congress this past 25, 30th of April and have had audience [sic] with 35 representatives and senators lobbying for Puerto Rico statehood. And we stand ready to go again. We all agree, thank God and Congress, finally Puerto Rico's colonial status

will come to an end. Voted by Puerto Ricans in Puerto Rico. We thank Honorable Hoyer, Honorable Grijalva, Honorable Velázquez, Honorable Ocasio, our Resident Commissioner, Honorable González, and our Governor, Honorable Pierluisi, for coming together and marking history. Presenting the soon to be bill, the Puerto Rico Status Act. Binding Congress to conduct and accept a referendum in Puerto Rico voted by Puerto Ricans in Puerto Rico to choose between non-colonial and I repeat, non-colonial options of Independence, Free Association, and Statehood. This is the expressed will of the People and that is what we want. After 125 years of being a territory colony of the United States we finally see the light at the end of the tunnel. We have debated the subject throughout those 125 years enough to conclude that we are hearing from Congress in this, the Puerto Rico Status Act. Puerto Rico is a colony, that we will not a hide it [sic] anymore, and it needs to be resolved for the good and prosperity of the 3.2 million Puerto Ricans living in this island as well as the other 5 million, among them many veterans who have moved to one of the 50 states looking for equality. How ironic can it be for Puerto Rican veterans living in Puerto Rico that we do not have the same rights that our federal comrades in arms in the States? Listen to this. For all of us that have served and continue to serve, there is no greater honor than to serve our Nation, the United States of America. We have done it in the past, and we will continue to do so, proudly, selflessly, and without hesitation. More than 250,000 Puerto Ricans has [sic] honorably and bravely served our nation throughout its history. All wars, all contingencies, per capita, Puerto Rico has served much more than many other states. Nine Puerto Ricans have been recognized with the medal of Honor [sic], the highest distinction presented by the President of the United States to any service member. Our 65th Infantry Regiment, who fought in World War II and Korea was recognized by Congress with the congressional Gold medal. As said by President Obama, who signed the same [sic], "My hand has more fingers than the amount of congressional gold medals given by Congress." Today, over 100,000 veterans live in this island. Approximately 35,000 men and women currently serve in the Armed Forces worldwide. Yet, even after all our service and sacrifice defending democracy, liberty, and justice, we come back home, Puerto Rico, and we are denied full voting rights and equality which the US Constitution guarantees to all citizens living in the States. How can this be? We are sent to war; we have no choice. We fight, we sacrifice ourselves and our families. Many of us do not return. But when we come back to Puerto Rico, we cannot vote for the President, our commander-in-chief, nor we have representation with voice and vote in Congress. They send us to war. You send us to war. We don't have a Resident Commissioner, Honorable Jennifer González, who you know very well, she is very vocal, she is a great Congresswoman, she has a great voice but she don't [sic] have a vote. The only income for many veterans as well as Puerto Ricans living in the Island is Social Security. But yet, as ratified by the US Supreme Court, Congress can discriminate against Puerto Ricans living in Puerto Rico not to receive Supplemental Security Income, SSI. Clearly discrimination and a matter of human rights. Puerto Rico has been a territory of the United States, it's part of the border, it's part of the continent. But incredibly and for the matter of Tricare we are treated as a foreign country. We do not receive the same Medicare, and we don't receive the same federal funds, as many other states. So why is this? Because we are a colony. For all veterans. For all service members, for all 3.2 million Puerto Ricans living in Puerto Rico, this cannot continue and Congress is finally acting now. Listen, thank you for acting now, right now [scattered applause]. Thank you for giving this Puerto Rico status act, the binding of colonial decisions by Puerto Ricans in Puerto Rico. God bless our veterans//

Chairman Raúl Grijalva:

Thank you.

Brigadier General Víctor Perez, retired:

//And service members. God bless Puerto Rico. God bless our Nation, the United States of America, do you have any questions for me?

Chairman Raúl Grijalva:

I couldn't cut you off in the middle of a "God bless", you know, that would've been very bad of me, but no, let me . . . No, I don't have any questions for the panels other than, my friend, to thank you for your service and the men and women//

Brigadier General Victor Perez, retired:

//An honor//

Chairman Raúl Grijalva:

//And, from Puerto Rico//

Brigadier General Víctor Perez, retired:

//I am accompanied by many veterans here. In the audience here today//

Chairman Raúl Grijalva:

And thank them as well. Thank them as well. With respect and admiration. Any questions for the panelists? Let me turn to my colleagues, I don't have any questions.

Representative Alexandria Ocasio-Cortez:

I have one question, actually.

Brigadier General Víctor Perez, retired:

Please.

Representative Alexandria Ocasio-Cortez:

Mr. Aníbal Acevedo Vilá, you had mentioned an assertion about clarification regarding maintaining the official language as Spanish in the event of a Statehood option. Are there any other linguistic or cultural ascertainments that you would like to, that you wanted to point out, or is it solely language?

Aníbal Acevedo Vilá:

Well, I am against Statehood. I just wanted to let you know that the way the Statehood party has presented to the People of Puerto Rico the alternative of, of Statehood, it means that nothing is going to change in terms of our cultural identity. Sometimes they even say that we will, that we might be able to keep our Olympic team because the Olympic team is a private organization, the International Olympic Committee. And so, language is the more clear one because you have in the past experiences. And I mention some of the states. If you look into the admission act of those states, Congress back then said, "You have to guarantee that public schools are going to be in English. You have to guarantee the legislative process is going to be in English." So, being silent on that issue, I don't think would be fair for the People of Puerto Rico to vote for Statehood and then later on realize that what we have today//

Chairman Raúl Grijalva:

//Sir//

Aníbal Acevedo Vilá:

//And I'm going to give you an example. God bless you. But if you have a car accident, here in Puerto Rico, and we have to take you to court, we are going to try you in Spanish.

Representative Alexandria Ocasio-Cortez:

Mhm.

Aníbal Acevedo Vilá:

We will provide you a translator, but it's going to be in Spanish. And they make believe [sic] the people of Puerto Rico that if we become a state, that's going to be the case. That the courts are going to be in Spanish and everybody . . . So that is the main issue. But the whole issue, is to protect the identity//

Representative Alexandria Ocasio-Cortez:

//OK//

Aníbal Acevedo Vilá:

//The sense that we are unique. That is one of the problems with Statehood.

Alexandria Ocasio Cortez:

And I'd like to just open the opportunity for any other witnesses regarding language and culture as part of any of the status options presented in the draft legislation. OK, thank you.

Chairman Raúl Grijalva:

You are all invited to comment. If you … If I'm correctly reading Ms. Ocasio-Cortez's intention, of … I think any panelist who wants to speak to the issues of language, identity, or culture is … Please.

María De Lourdes Guzmán:

Well, I believe it is an issue that, as I stated during my presentation, should be discussed. Because … There are many myths in relation to what the state of Puerto Rico might be. We in Puerto Rico, 90% of our people speak Spanish. To say that

we are bilingual, is not correct. And in the United States you speak English, even if it is said that there is no official language, they speak in English. Our Puerto Rican brothers and sisters move to the United States and must speak English. They speak Spanish at home, within their communities, but the reality of the fact is that in order to insert themselves into the labor market and the rest of what American society is, they must speak English, including at the schools that children attend. And I believe there is a void there and that's why I say that this must be discussed with a lot of maturity and a lot of responsibility, without trying to scare people about losing this or that or that. But that one of the things we could actually lose is our language.

Chairman Grijalva:

Yes.

Zoe Lavoy:

If I may, in Spanish or English, it doesn't make a difference. But as far as I understand, there is no official language in the United States. So, at [sic] the end, we wouldn't be required, as far as I understand. But I do believe, though, and I have to [applause and cheers from the audience]. But if I may. If there's one thing that I love about this bill//

Speaker:

//No//

Zoe Lavoy:

//Is that on this draft, nobody is going to be lied to. So, I'm going to have to join their request and I think that, again, starting from the point that there is no official language, we do need to take a look at this and any other doubt. Because at [sic] the end, that campaign that you guys are going to do for the voters need [sic] to be clear as to every aspect for each and every of the options.

Chairman Raúl Grijalva:

Thank you. Nydia Velázquez?

Representative Nydia Velázquez:

Yes, I have a short question.

Committee Deputy Director, Margarita Varela:

About the same question? About the same subject?

Representative Nydia Velázquez:

No, another subject.

Zoraida Buxó:

If I may be allowed to express myself on that subject?

Chairman Raúl Grijalva:

Please.

Committee Deputy Director, Margarita Varela:

Mr. Chairman?

Zoraida Buxó:

The United States is a multicultural nation. To wonder what the United States is going to do in the 21st century, to believe that a nation would impose a single language over a people is a fallacy. It is a total disconnection from the reality that we are living. In addition to, the issue of language is one of the rights reserved for the states under//

Chairman Raúl Grijalva:

If you may, please//

Zoraida Buxó:

Underthe tenth amendment.

Chairman Raúl Grijalva:

If you allow me. Please, I know that everybody has their own way of expressing themselves concerning the opinion that you are listening to as well as the support to that opinion. However, if you please … If we may continue in this encounter in a professional manner, applause, commentary from the public, please resist the desire to. If possible. Now, Ms. Nydia? You had a question?

Representative Nydia Velázquez:

Yes. Either to Mr. Ramon Luis Nieves or Aníbal Acevedo. So, what would be, in your opinion, a couple of examples of areas where the US will keep jurisdiction in a Free-Associated Puerto Rico?

Ramón Luis Nieves:

Well, first of all, I think that precisely one of the problems with the draft is that it fails to identify some of those areas.

Representative Nydia Velázquez:

Mhm.

Aníbal Acevedo Vilá:

For instance, the bill doesn't address what are the security obligations of the U.S. under Free Association, for instance. It is silent on that subject, for instance. That's very important. However, I propose that maybe this bill is not the place to legislate the whole compact of Free Association. That's another process//

Chairman Raúl Grijalva:

//Thank you//

Ramón Luis Nieves:

//And it is very important to identify that. And I understand that some people are, could be worried we could be voting for something that we don't have the whole details of the compact. And it's fair to be preoccupied with that. But it is … We have to, at least include several areas that are missing there and we can work with the Committee and we can work with Congress in order to address that. And , very important, the … However, the areas that are mentioned on the bill are quite similar in, regarding Independence and Free Association, as I said in my testimony. And, in some areas it doesn't make sense. And as I mentioned, under Independence, after a presidential proclamation as proposed by the bill, Puerto Rico is independent. But that's not the process under Free Association. And Congress has already done several … Has authorized several compacts of Free Association. Has authorized the renegotiated terms of those compacts and maybe we can learn from that experience but applied to our experience here in Puerto Rico.

Representative Nydia Velázquez:

Thank you.

Chairman Raúl Grijalva:

Thank you.

Zoé Laboy:

May I//

Aníbal Acevedo Vilá:

//Thank you, I want to address … The question that was directed to both of us. I mentioned some of the areas on my testimony, but, it has to be, we have to identify those who [sic] are for mutual benefit, both for the United States and for Puerto Rico. And the starting point should be the compacts of Free Association that the United States has with the islands in the Pacific. All of the areas I mentioned here are part of those compacts. So, it makes no sense to offer the People of Puerto Rico the alternative of Free Association and don't start even with what already has worked for the US and those islands. It's common defense, it's done there. They use the dollar. You know? So, so, how, how, in terms of international relations, of course, Puerto Rico will have its own personality but we//

Staff:

//We hardly//

Aníbal Acevedo Vilá:

//But maybe the United States would like to have some way, in terms … Because we are not independent. It is a Free Associated alternative, so the starting point should be the compacts of Free Association and then sit down and identify the other areas//

Representative Nydia Velázquez:

//Thank you.

Ramón Luis Nieves:

Chairman, if I may, very quickly, very quickly.

Chairman Raúl Grijalva:

This panel will take longer than the other five, but please.

Ramón Luis Nieves:

OK, very quickly, very quickly. One area which is critical for Puerto Rico, under the Council of Security is the area of drug enforcement. 80% of the drugs that come here into Puerto Rico go to the United States. This is a national problem of the United States [sic] which Puerto Rican people are dying every day on the streets but that's one of the areas.

Representative Nydia Velázquez:

Thank you.

Aníbal Acevedo Vilá:

Thank you.

Resident Commissioner Jennifer González-Colón:

Mr. Chairman, just to clarify.

Chairman Raúl Grijalva:

Please.

Resident Commissioner Jennifer González-Colón:

It's 10 seconds and it is that under [sic] tenth amendment the state … Reserve [sic] the right to select the language.

Chairman Raúl Grijalva:

Thank you. Now we are going to invite the next panel, thank you very much.

Second Panel

Chairman Raúl Grijalva:

Let me welcome the next panel and thank you very much.

Eliezer Molina [protesting from the audience]:

Two years ago I was here with you. I told you they would sell you a PROMESA law that doesn't exist. They bankrupted this country [unintelligible comment and jeers from the audience].

Chairman Raúl Grijalva:

Please. Please. Have some courtesy. Please. Please, if you will kindly allow us to continue this encounter, the opinion … Everyone here is in agreement with that position because [protests]. Please. The courtesy to allow this encounter to continue, please. No? Let us have a 10-minute recess, please. Let's try and get them out.

[Protests intensify] What did you tell them? Ready? May we begin again? Many thanks, it's just that … Democracy is not always pretty, but it is necessary. And I respect the right to protest and opinion but also the right to have this encounter with all the appropriate seriousness of the issue in front of us. I would appreciate that, as well. Well, many thanks.

Resident Commissioner Jennifer González-Colón:

Close the door.

Chairman Raúl Grijalva:

Please.

Natalia Catoni:

Good afternoon.

Chairman Raúl Grijalva:

Thank you.

Natalia Catoni:

My name is Natalia Catoni, I speak on behalf of the Puerto Rico Young Republican Federation. I have given a lot of thought to what I'm going to say today. And I'll settle on giving a very brief understanding of the bill and what I believe. And that I believe that the draft should be formally introduced to the Committee and be voted for. I don't aim to be obvious about my pro-statehood stance, which I'm very much pro-statehood. But at the end I am a millennial, I believe that my personal context will provide some idea of why I believe this bill should be introduced and why it's an opportunity for my generation to be heard. I was born into a pro-

status quo, pro-colonial family. To give you an idea, my mother's childhood home became the Popular Democratic's Party [sic] headquarters in the municipality of Vega Baja. My first political rally was the 1996 campaign closure for the Popular Democratic Party. And I was part of the fifth column against statehood rallies. All of them. My mom took me to all of them. But with time, when I started to learn how to think for myself and I started seeing different things, my perspective changed. My political perspective changed. I have studied the topic, and I understand that in the 1950s, my mother's generation, my grandparents' generation had the opportunity to express themselves through a democratic, congressional approved process in which they voted and they were heard and the status quo was imposed. My generation has lived under a political status that was imposed to us. That we have not chosen. And that we all know is wrong. Colonialism is old, and it's bad. My generation deserves a right to be heard regarding the political status. I'm not going to say that the bill is perfect. It's not. I have my opinions on whether things should change or not. But I do agree with two things. No. 1, it's binding and No. 2, the current status is not included, and it should never be included. Puerto Rico needs to move forward, it needs to move forward now. So this bill should be properly introduced and then we should go through the proper democratic process, and all be heard, and all allowed for changes in the bill. But it needs to be introduced. With that, I give you my thanks. Very short statement.

Chairman Raúl Grijalva:

Thank you very much. Sir?

Carlos Vizcarrondo Irizarry:

Before I speak, I must present myself and say that as a Puerto Rican, I feel very pained to see the incident that just occurred here. Good afternoon, Mr. Chairman, and distinguished members of this Committee. For the record, I am Carlos Vizcarrondo Irizarry, former speaker of the Puerto Rico House of Representatives and former Judge of the Court of Appeals of Puerto Rico. Today, I would like to address this Committee regarding Title Two; transition and implementation of sovereignty in Free Association with the United States. First, I want to state for the record that in the years I participated in active politics in the Popular Democratic Party, I always favored the enhancement of the present Commonwealth status toward a relationship of autonomy between Puerto Rico and the United States in accordance with international law. More precisely, I was the author of a proposal to define the Commonwealth alternative to be defended in a future plebiscite which was proposed to be held in 1991. The PDP was in control of the executive and legislative branches. Governor Rafael Hernández Colón, who chaired the PDP, gathered the party in a general assembly held on 17th of November, 1980, in Ponce, Puerto Rico. I submitted my proposal to vote which was approved by an overwhelming majority. My proposition stated, required that the status project makes viable the exercise of free determination of the people of Puerto Rico under the laws of the Commonwealth. Between political formulas of equal dignity, not subordinated to the plenary powers of Congress of the United States under territorial clause of the Constitution to be presented to the People of Puerto Rico by the Congress of the United States. Since 1990, the PDP has recognized this proposal to be its official position regarding the enhancement of the Commonwealth status. In my opinion, the referred enhancement of the Commonwealth status is perfectly consistent with the proposition of sovereignty for the People of Puerto Rico in a compact of Free Association with the United States like the one you are presenting to us in discussion draft, before us. Finally, I want to summarize my more important recommendations: Add a new subsection D to section 207 to establish accord [sic] of the compact. I explained it in detail in my written statement. Second, clarify . . . Section 208 to state that US citizenship [sic] living in Puerto Rico at the time of the proclamation of Free Association will continue to be citizens of Puerto Rico and citizens of the United States. A third, clarify subsection A2 with respect to the persons born in the Free-Associated state of Puerto Rico from parents who are both US citizens. They will acquire US citizenship automatically. Fourth, request that the government of the US abide to its legal obligations pertaining to the services related to the vested rights of American citizens in Puerto Rico instead of referring those services to be provided by the government of Puerto Rico and finally, demand the same treatment given by the Social Security Administration to American citizens living outside the jurisdiction of the US to the American citizens living in the Free-Associated state of Puerto Rico instead of referring those services to the government of Puerto Rico. Mr. Chairman, thank you for this opportunity to address the Committee. Thank you.

Chairman Raúl Grijalva:

Many thanks. Let me turn to the next speaker, thank you.

Lisa Muñoz:

Thank you. My name is Lisa Muñoz and I'm the president of the Young Democrats of Puerto Rico. First and foremost, I would like to thank you, Chairman Grijalva, for allowing me to address the members of the Committee. I also wish to commend Congresswomen Jennifer González and Nydia Velázquez for putting aside their ideological differences and working on a consensus bill to establish a federally binding process that will finally allow the Americans who live on these islands of Puerto Rico to have our voices heard in Congress about the type of political relationship we aspire to achieve with the United States, which I firmly believe will be Statehood. I would also like to recognize Congresswoman Alexandria Ocasio's presence today and her steadfast support for young people and for this process. A large majority of us, the 3.2 million Americans who live in the oldest colony in the world believe in decolonizing Puerto Rico and that we must continue causing good trouble to achieve our full civil rights. The national platform of the Young Democrats of America recognizes our desire for political equality and states as follows, "We believe Congress must act on the will of the People of Puerto Rico and approve an enabling act with terms for Puerto Rico's admission as a state of the Union. The People of Puerto Rico have exercised their right to self-determination resulting in overwhelming support for Statehood. Thus, we support granting the full admission of Puerto Rico as a state of the Union. YDPR believes that our rights as American citizens should be fully secured and that no American in this great country of ours should have to choose between remaining in the land of their birth or the opportunity for a better life in some far-away land. As has been well documented, Puerto Rico has been suffering from a major brain drain since our recession began in 2006. Which has only worsened after hurricane Maria. According to the 2020 census, over 300,000 people between the ages 25 and 65 have left our shores. My peers continue to seek a better quality of life and struggle with job, health, and food security after the Covid crisis. And we believe that if Puerto Rico were a state, we would not feel the need to seek better opportunities away from our families. We are tired of being treated worse than any other American in the Nation. If Puerto Rico were to become a state, we would have the political power to have our voices truly heard in our Nation's capital when legislation is being considered and approved in Congress. For example, our current colonial disenfranchisement silences the voices of the women of our islands on the matter of reproductive rights. It silences everyone in our island on the matter of climate change, which has severely impacted our coasts during the past five years. There may very well be parts of these islands that will be underwater by the time I am eligible to receive our second-class Medicare benefits. As the daughter of a Bronx-raised, US Army Purple Heart recipient, Vietnam veteran, may he rest in peace, and as a type I diabetes patient since I was 6 years old, I can give testimony of the immense suffering that our family has had to endure because of the discrimination that the Congress and the federal government have imposed upon us by limiting our access to federal healthcare and other social programs. This discriminatory treatment and the burden that it has placed on the very people that these programs are meant to assist have had a cascading effect on the ability [sic] of quality healthcare for and of the social well-being of all Americans in Puerto Rico. Puerto Rico has been a colony of the United States for 124 years. And this is the longest any territory has gone without being admitted into the Union. This is not just morally wrong, it is plainly un-American and our country, through its leaders like yourselves, needs to rid itself of this stain in its moral fabric. In the words of President Kennedy, "I beseech you to not seek the Republican answer or the Democratic answer, but the right answer." The right answer is equality through Statehood for the 3.2 million Americans that call these beautiful islands their home. The consensus reached between the Puerto Rican members of this Congress contained in the federally binding status legislation being considered by this Committee is a step in the right direction. I thank you for your time.

Chairman Raúl Grijalva:

Thank you. Sir? Recognized?

Rolando Emmanuelli:

My name is Rolando Emmanuelli and I am here in a personal capacity due to my knowledge of the PROMESA law and my experience as a litigating attorney in Title Three cases under PROMESA law. Among the merits of this bill, I emphasize the draft of the definitions and transitional project toward Independence. As for the negative aspects, it is indispensable to reiterate that the draft contains the seed of its

own destruction and will make its approval impossible before the Senate of the United States. This seed is Statehood. Therefore, if we wish to work on this process in a trustworthy manner and in a way that solves once and for all the ignominy of our colonial situation, Congress must undertake an initial determination prior to approval of this bill concerning the viability of promising Statehood to Puerto Rico. Without that threshold determination, we will all be wasting our time. On the other hand, the Proconsuls' Board imposed upon us by PROMESA law has just confirmed a plan of debt adjustment for the central government. The adjustment plan has deficiencies and problems that could result in Puerto Rico going into a second bankruptcy, because the growth estimates that the Board has prepared bury us in negative territory as soon as the year 2024. With this plan, the debt service increases to 3,350 million dollars annually considering the payment to pensioners who are also creditors. A colonial Puerto Rico will not be able to collect those annual 3,350 million for debt service. We must also not allow the injustice and violation of international rights where a sovereign Puerto Rico would have to continue to put of with and finally collapse under an odious colonial debt. The adjustment plan to Puerto Rico's debt is not viable because it promises far too many resources for the payment of the debt under a colonial scenario of minimal or zero economic growth. Nobel winner in Economic Sciences, Joseph Stiglitz has stated and reiterated on his visits to Puerto Rico that a country without economic growth cannot pay off its debt, and that 50% of countries that adjust their debt default on their payments within five years. The straw that breaks the camel's back is that the plan to adjust the debt has tied the hands of Puerto Rico's colonial regime because it amended the Constitution of the Commonwealth, changed retirement systems into one of defined payments that at the end of the path will become insufficient to sustain future retirees and prohibits, at least for 10 years, the improvement of pensioned citizens' situation, or reinstate pension systems with defined benefits. These conditions would limit the sovereignty of Puerto Rico to alleviate poverty and inequality among our retirees and render them unable to be part of its state of rights. Remember, in order for the Republic to be viable, it must create a new constitution. That is part of the draft under our consideration. This Constitution could redefine the odious debt and establish prohibition of payment, which could open the door for laws that allowed the bonds to be declared unconstitutional. Puerto Rico's debt is odious due to its origin, process, and execution for it was produced counter to the interests of the People of Puerto Rico. First off, colonialism is an international crime, and this debt was produced under the auspices of the colonial regime. Second, it was produced in violation of local and federal laws and with full knowledge that it is unpayable. Finally, the debt is illegitimate because it was used to refinance debt with the purpose of keeping Puerto Rico's colonial apparatus afloat. If you wish to see proof of this, read the infamous report by Kobre & Kim that the Financial Control Board prepared that documents this entire scandal. This debt is unlawful, unpayable, and a sovereign Puerto Rico should not pay it. The draft bill must include specific dispositions that free the Republic of Puerto Rico from the effects of this odious law. Ironically, this odious debt could only be maintained if Puerto Rico becomes a federal state, because Statehood is the culmination of colonialism and the Constitution of the *ELA* would continue and be bound by this debt adjustment plan. As a state, we will be condemned to pay for this and in its moment, the federal government would have to manage this issue when the state of Puerto Rico once again defaults on its payments to its creditors. It is urgent that Congress assume any responsibility established by the debt adjustment plan. It is not possible to go forth with the decolonization of Puerto Rico if the Republic of Puerto Rico still has to carry the weight of an odious and unsustainable debt. Without such reparations, any process of decolonization would be destined for failure. Thank you very much [applause].

Chairman Raúl Grijalva:

Thank you. Sir?

Néstor Duprey:

Good afternoon. Mr. Chairman Grijalva, members of the Committee, my name is Nestor Dupree. I submitted my statement both in English and in Spanish. For the benefit of our compatriots I will read it in Spanish. I thank the invitation extended by this Committee to share with you a brief reflection in regard to the draft bill concerning the future of relations between Puerto Rico and the United States which are under your consideration. First off, I wish to leave it completely clear that my opinions and comments reflect the dictates of my conscience and my mind and only represent me both as Puerto Rican historian and political scientist. I believe in the recognition of Puerto Rican sovereignty under a pact, convention or treaty of Free Association between the People of Puerto Rico and the United States of America

with whom we share a common history that is over 100 years in the making along with human, geographic, and economic ties that force us, despite the colonial reality, into a mutual understanding that precisely solves the colonial character of our current relationship. Free Association is not an option lacking support; it is backed by men and women in Puerto Rico who, beyond partisan lines, recognize it as the best path for the People of Puerto Rico in their relationship with the United States. I have defended and I will continue to defend Free Association not because of convenience, but out of conviction. That is why I am here. Second, I believe in the justice of thanking both the interest shown not just by the Chairman of this Committee, Representative Grijalva, as well as Majority Leader Steny Hoyer in being able to obtain a document of consensus between all measures presented by the Resident Commissioner, dear friend Jennifer González and Representatives Nydia Velázquez and Alexandria Ocasio-Cortez. This document, which we hope becomes legislation in the next few days, is the starting point from here onwards in the inescapable negotiation that ends in a process of mutual determination concerning the future of the relationship between Puerto Rico and the United States. I speak of mutual determination and not of free determination because decisions of public policy that will be reflected on this legislation that shall be discussed and approved eventually by Congress will express determinations of public policy of the federal government as well as the will of the People of Puerto Rico. There are three core issues that require, to my view, a determination of public policy from the federal government. A policy decision. And one that will affect the final content of this present legislation which is currently under a state of draft. How we address these issues will condition the response of the People of Puerto Rico toward these constitutionally viable options offered. First, the bill under consideration forces the United States to decide that its policy toward the territory of Puerto Rico and, by extension, toward its population and the particularities of its relationship require a different treatment from the other territories in regard to the possibility of maintaining the territorial option. What may be desirable and even convenient to other territories due to its particularities and interests, is both undesirable and nonviable already. And I suspect that it is the same for the United States. The territorial option under any other name is contrary to the best interests of the People of Puerto Rico and delays, for the United States, the resolution of its problem: how to dispose of the territory by offering decolonizing options. Second, the United States as a government, through its political branches must decide if it offers the option of Statehood to Puerto Rico with promises to grant it and under which terms and conditions. The disposition of self-executability contained within this draft explicitly conveys the acceptance of a petition of admission from the territory of Puerto Rico as a state of the Union without first knowing the terms and conditions of said admission. And we all know that the clause of self-executability has been the cemetery where past efforts to promote legislation and address this problem have been put to rest. Third, the option of sovereignty for Puerto Rico concerning Independence or Free Association imply a decision of public policy from the federal government concerning the future of US citizenship of Puerto Ricans. Everything is possible. Everything may be agreed upon if there exists enough political will for it. Those are, in brief, my comments toward these measures. The People of Puerto Rico and the United States must decide the future of our relationship in a manner that recognizes our mutual interests. This bill is a step in the right direction. The conversation has begun, so it must be continued.

Chairman Raúl Grijalva:

Thank you. Thank you. Please?

Karina Claudio Betancourt:

For the record, I will speak in Spanish and also with inclusive language. Greetings, esteemed Congress persons and the personnel of the Natural Resources Committee of the House of Representatives of the United States. Thank you so much for giving me the opportunity of being able to address you today. My name is Karina Claudio Betancourt. I am a resident of San Juan, Puerto Rico and as many young and queer people in this island, I live the ravages of colonialism every day. We do not live in this colony. We scrape by. It is a constant negotiation between the mediocrity of austerity and the losses of services imposed upon us by the Financial Control Board and the desire to truly be happy and live fully in this country. I think that this is one of the things that hurts the most about being a young person in this colony. We love it, we treasure it, we fervently defend its beaches as you could see today [laughs] and its land. Our right to be and to love who we wish and be who we are, right, but the colony chokes us. Therefore, I believe that in this panel we are in agreement that the issue of colonialism is unsustainable. That is

why I joined the conversation concerning the Puerto Rico Status Act. Because I understand that the time has come to solve the problem of the colonial situation of Puerto Rico, but I also urge you that this process should not be rushed and, on the contrary, we don't repeat the same mistakes that with PROMESA, when in a non-democratic manner it was imposed on us a Board that has made us miserable. Although I am thankful personally and representing the organization Open Society Foundation, for the leadership of Congresswoman Nydia Velázquez, Alexandria Ocasio-Cortez for pushing forward a Convention of Status that would have been, right, the ideal manner to solve this issue . . . I understand that there are many ways to look at the draft of this legislation bill and see how we can improve this legislation bill, as well as the way that we continue our dialogue. Particularly to involve and listen to Puerto Ricans most impacted by the tenacity of the colony. The problems that our organization and our community of local allies have identified in this draft bill includes the lack of detail and clarity concerning certain options of status, a language that attempts to make the Puerto Ricans lean toward one particular option of status, which is annexation, and that Congress wants to dictate, for example, what type of Republic Puerto Rico would establish under Independence. There are also issues with the definition of US citizenship, yes? As mentioned before, under the status of Free Association, and various other things that the draft neglects to mention, such as: What will happen to the debt of Puerto Rico, yes? As our colleague, Mr. Emmanuelli had mentioned, concerning the different options for status. What will happen, for example, with the language that controls our laws, our schools, our courts; federal taxes, as many others have mentioned today, right? And, besides that, there's no mention of the participation of the Puerto Rican diaspora in this vote. As another colleague said, there are many of us who have had to leave Puerto Rico but we keep going, yes? We follow what happens here politically. It also fails to mention the applicability of the Jones Act, or the lack thereof in the different options of status. The Jones Act increases the cost of a lot of products in Puerto Rico and, right, it truly impedes the economic growth, as mentioned previously. Lastly, I wish to reiterate, right, our desire to have congressional hearings in Puerto Rico, in Spanish, and in Washington DC in a bilingual manner in order to maintain an official record of the different opinions of the Puerto Rican People concerning this project. As a young person, I also wish to reiterate that the youth of Puerto Rico no longer trust the traditional political parties. I don't know if you saw yesterday, but the Governor of Puerto Rico was booed at the University, yes and so, any process that occurs in Puerto Rico must have an element of neutral outreach and it must be financed by the United States government to reach out to youth and to also oversee the role of the colonial parties, whether it be the PNP or the PPD, in this process, since many of us have already seen how the traditional parties have used past referendums to favor their own status options and advance their partisan agendas.

Thank you again for your time and I remain attentive.

Chairman Raúl Grijalva:

Thank you. I turn to my colleagues, are there any questions? No?

Representative Alexandria Ocasio Cortez:

A question. For Karina Claudio Betancourt. You spoke about the perspective of young people concerning political parties here in the Island. And I wanted to know, are there any alternative mechanisms in which Congress could also receive other perspectives on top of the ones . . . Besides those of the parties that we have . . . That have already offered their perspectives?

Karina Claudio Betancourt:

Yes, hello?

Chairman Raúl Grijalva:

Please.

Karina Claudio Betancourt:

Well, I believe that speaking to the rest of the civil society is very important, especially with groups that are not affiliated to political parties, with people that live at the margins of this archipelago and I would gladly, through our organization, we might be able to arrange some of these conversations which may lie outside of traditional Puerto Rican partisan politics.

Representative Alexandria Ocasio-Cortez:

Thank you.

Chairman Raúl Grijalva:

Thank you. Anybody else? Thank you very much.

Karina Claudio Betancourt:

Thank you.

Chairman Raúl Grijalva:

Anyone else? Appreciated. Thank you very much. Let me invite the next panel up.

Third Panel

Chairman Raúl Grijalva:

I understand that there is much discussion between the audience included here, and I'd like to request, please, keep conversations at a low volume or if it is a slow conversation to continue it outside, because we, here, we can hear exactly the conversations going on in the audience and we will not be able to hear the panelist as we should. So, if you would kindly do me the favor. Thank you. Let me now … You are invited to your comments. No? Well … It's time for commentaries, your opinion?

Yvette Chardón:

May I?

Chairman Raúl Grijalva:

Absolutely, it's your turn.

Yvette Chardón:

Very well, good afternoon, distinguished and honorable members of the panel. Mr. Robles and Ms. Varela and Mr. Brian Modeste. Welcome to Puerto Rico, this is the pearl of the Caribbean. My name is Yvette Chardón. I am a Puerto Rican baby boomer from Ponce, Puerto Rico who feels honored …

Committee Deputy Director, Margarita Varela:

Yes, we cannot hear you.

Yvette Chardón:

I'm sorry.

Chairman Raúl Grijalva:

You need to talk into the mic for the record.

Yvette Chardón:

I'm sorry. Well, my name is Yvette Chardón. I am a Puerto Rican baby boomer from Ponce, Puerto Rico who feels honored by this unique opportunity to express my feelings and beliefs about my Island's situation. I thank all of you for your effort and dedication to reach consensus and design this compromise draft. I am a very proud US citizen like most of my fellow Puerto Ricans on the Island. Yet I cannot feel proud of the fact that my Nation, maintains 3.2 million disenfranchised second-class US citizens living under colonialism in the 21st-century. Being a baby boomer, I have lived the history of this colonial status and have seen how the economic and social development model of the Commonwealth of Puerto Rico has not worked. It has failed. It has kept us stagnant and poor. It has driven us into bankruptcy. My Puerto Rico has become the tax haven tropical paradise for others. Thank you, Representative Velázquez, you could not have described it any better when you said, and I quote, "The current status is unsustainable, unjust, and undignified." You have made my day, Nydia Margarita. I know you must have looked deep into your heart, into your Puerto Rican heart and as Jennifer González-Colón, Resident Commissioner said, "I respect you more." Um, doing some little [sic] research I learned that Puerto Ricans have loyally and bravely sacrificed. They have shed sweat, blood, and tears to defend our … Oh, my God. I'm nervous. Our noble flag ever since the Revolutionary War and even during the Civil War. As I speak here today, 35,000 Puerto Ricans are on active duty. And 330,000 veterans have bravely and proudly served in every single military conflict since World War I. But the military is not the only place where Puerto Ricans have excelled themselves [sic]. They have received the Congressional Gold Medal and multiple medals of honor. But us Puerto Ricans have also excelled in science, the arts, music, Grammys, Oscars, NASA, even a Judge in the Supreme Court and a Surgeon General. These last two, Puerto Rican women. Can you imagine how much more we would contribute if we were to enjoy full equality and democracy? Like our fellow citizens do in the States? Puerto Rico is the southernmost border to this Nation. We are the bridge to South and Latin

America. As a state, we would not be a burden to our Union. To the Union, I'm sorry. Au contraire, we would add another flag … Another's star to our noble flag, assuming all the responsibilities and rights it implies to be a state of the greatest, most democratic nation on Earth. As a woman, wife, mother, and grandmother, I respectfully ask of you today to allow us to reach our dream. The American dream. Without the need to split our families and without feeling forced to move stateside to search for equality, voting rights, better opportunities, and a better quality of life. Our families are the nuclei of our society. And this colonial territory is tearing them apart and this has to stop. I respectfully ask of you today, please be on the right side of history and make it part of your legacy in Congress to give us Puerto Ricans the opportunity to democratically express ourselves in the ballot box and define our political future.

Chairman Raúl Grijalva:

Thank you.

Yvette Chardón:

You have the power to stop 124 years of colonization, discrimination//

Chairman Raúl Grijalva:

//Thank you. We need to go onto the next speaker, thank you very much. Please?

Yvette Chardón:

Well, thank you.

Chairman Raúl Grijalva:

Thank you.

Irma Rodríguez:

Do I begin?

Chairman Raúl Grijalva:

Yes, please.

Irma Rodríguez:

Esteemed Chairman Grijalva, and all esteemed members of the Committee, my name is Irma Rodríguez, President of Puerto Rico Pro-Statehood. We wish to express our most sincere gratitude for the time you have all dedicated to help the American citizens that live in this island solve the colonial situation that has defined our destiny since 1898, quite a long time ago. The conditions of deterioration, economic and social decadence in which our Island finds itself in demonstrates that the utilized formula does not work. Since it does not provide the necessary economic tools to grow at the same rate as a state. It is time to decide, it is time to solve this dilemma. As you all know, Puerto Rico is subject to the plenary powers of Congress in virtue of the territorial clause. We are a territory, yes. We are a territory of the most powerful nation in the world. We are a territory of a nation that symbolizes equality and defends the liberties of all human beings in all corners of the planet. We are the territory of a great nation. A nation of opportunities for whomever wants to better themselves. A nation of equal protection under law. A nation where you can wake up with the hope that the efforts of our work will provide a better future for ourselves and for our children. And for our grandchildren and great-grandchildren. We wish to be part of the American Nation, but this great nation has forgotten us. It has kept us under a condition of social disadvantage. We are American citizens, and we want that full citizenship with all the rights and responsibilities. It is not about the aids we will receive once Puerto Rico becomes a state. It is also not about the safety we will have in our borders or how the government might improve or the stability that Statehood will bring us. It is about giving us the opportunity of declaring fully who we are. We are Puerto Ricans, American citizens, a part of this great nation. Sorry, my mouth is dry. We do not exist under equality of conditions that our co-citizens of the United States; all you need to do is take a walk through this beautiful Island to realize that this inequality has had a significant impact on our quality of life, on our infrastructure, and our economic development; on our health, on our education, on our security. Our great American Nation has forgotten that it must allow us the opportunity to choose what path we wish to take, with no more excuses; we dream of the path toward equality and progress. That is the hopeful future that we all want, along with all the rights and responsibilities that this includes. So, in the end, we will obtain the respect and social justice that we deserve. That is why many Puerto Ricans have opted to relocate themselves to one of the 50 states. At the moment, it is the only way to enjoy a full citizenship and to share in the benefits that the rest of our co-citizens, our

brothers and sisters in the North enjoy. The Island is the oldest colony in the world, but our soldiers, who are also American soldiers have been fighting and dying with bravery and selflessness to defend the principles of liberty and equality since World War I. It is inconceivable that the nation that is the world leader in democracy across the world, that has been an inspiration, to this day has refused to support clearly and vigorously the same rules for its citizens in Puerto Rico. The struggle for Statehood is a fight for civil rights, therefore, this subject transcends political partisanship. It is neither liberal nor conservative because it is a single cause. And this cause is equality. After 124 years of inequality, which has continually manifested itself, we understand that it is far past time that we are granted the same rights and responsibilities as our American co-citizens. In 2012, 2017, and in 2020, it was demonstrated that a vast majority prefer Statehood amongst the possible alternatives. It has been demonstrated through past electoral events that Puerto Ricans wish to end the current territorial status of the Island. I wish to make the best of this opportunity that we have to improve our quality of life by taking up the tools that permanent union provides us. We wish to evolve at the same rate as our fellow citizens in the United States so we can push forward. I am an example of this desire for progress that we Puerto Ricans have. Allow us the opportunity to decide. On the referendum of November 2020, we were asked, "Should Puerto Rico be admitted immediately into the Union of States? Yes or no?" This provided the voters with the option to vote in favor of or against becoming a state of the United States during an unprecedented election where the Island's candidates won with a very narrow margin, the result for"Yes" reached 53% of the votes which is a clear mandate leaving no room for excuses nor interpretation. We must keep moving forward so we can end this political stagnation so we can achieve equality and demand Congress put an end to unjust treatment and give Puerto Rico//

Chairman Raúl Grijalva:

Thank you.

Irma Rodríguez:

Into the 21st century the respect. I will finish by saying that I approve this legislation for consensus that will allow us to choose between options of decolonization with non-territorial alternatives, constitutionally accepted to definitively end the colonial status.

Chairman Raúl Grijalva:

Thank you. Thank you for your commentary. Sir, please?

Francisco González Magaz:

Chairman Grijalva and distinguished members of the Natural Resources Committee, thank you for the opportunity to express our position regarding the Puerto Rico Status Act. My name is Francisco González Magaz. I appear on behalf of the League of United Latin American Citizens, Puerto Rico chapter. LULAC is dedicated to protecting and promoting the civil rights of Hispanics in the United States. On April 30, 2022, LULAC Puerto Rico approved a resolution expressing its opposition to Puerto Rico's political status under the territory clause. Also, LULAC's National Assembly has, on multiple occasions, approved resolutions advocating for admission of Puerto Rico as the 51st state of the Nation, reflecting the will of the People Puerto Rico as expressed in 2012, 2017, and 2020. Our status as a territory hinders any significant efforts at economic growth. We have no voting representation in Congress, and although Puerto Ricans proudly serve in the American Armed Forces, we cannot vote for our commander-in-chief. Between 2010 and 2020, the population of Puerto Rico fell by 11.8%. This is only a small sampling of the impact colonialism is having on Puerto Rico. Furthermore, colonialism is contrary to what the framers of the Constitution had in mind. The Constitution of the United States does not contain any provisions for the administration of colonies. Rather, it has Section 3 of Article 4, also known as the Territory Clause. It is revealing that this is the same section of the Constitution where the process for admission as a state of the Union is established. Territories were not meant to be retained indefinitely. They were meant to become a state. In 1898, Puerto Rico and other territories raised the Star-Spangled Banner for the first time. Legal questions and controversies regarding how these territories would be governed quickly arose and ultimately reached the U.S. Supreme Court. Although there are a number of what came to be known as "The Insular Cases", particular attention should be paid to Downes v. Bidwell, where the distinction between incorporated and non-incorporated territories was first made. And in Balzac v. Puerto Rico, which held that Puerto Rico was not an incorporated territory and Congress could therefore decide which parts of the Constitution would apply. It is because of this judicial distinction that Puerto Rico's

current colonial status has been upheld and has endured for 124 years. In 1952, by virtue of Public Law 600, the Constitution of the *Estado Libre Asociado* of Puerto Rico or the Commonwealth, was ratified. This created the illusion of autonomy and a false narrative that a bilateral agreement existed between the United States and Puerto Rico. However, this carefully created fiction of the Commonwealth as anything other than a colony began to unravel. In 2005, the President's Task Force on Puerto Rico's Status issued a report reiterating that Congress retains the constitutional authority to revise and even revoke the powers of self-government currently exercised by the government Puerto Rico. In 2012 local referendum, the first question asked citizens whether they wished Puerto Rico to remain subject to the territory clause. A clear majority of almost 54% voted no. And, in 2016, by virtue of the territory clause, Congress passed PROMESA. Now, one can argue the merits and flaws of PROMESA. However, its authority over any local law, including Puerto Rico's Constitution, is unquestionable. PROMESA is there for the practical manifestation of Congress' plenary powers over Puerto Rico. Also, in 2016, the Supreme Court issued the opinion on Puerto Rico v. Sanchez-Valle. The Court reasoned that federal sovereignty was granted by [sic] the states, whereas Puerto Rico's sovereignty was granted by the federal government. And concluded that Puerto Rico's self-government was subordinate to the federal government in general and to Congress specifically. This holding was reiterated as recently as two months ago in United States v. Vaello-Madero. In the last two decades, all three branches of the federal government have declared that we are a colony. However, although we cite Vaello-Madero as an example of this, we must, we must also note that it revealed the precarious footing that the "Insular Cases" currently have. Both Justice Gorsuch and Justice Sotomayor strongly criticize the Insular Cases heavily. Justice Gorsuch went as far as stating that he hoped one day soon it could be overturned. Two conclusions can be drawn from this. The first is that Puerto Rico's current political status is colonial in nature, definition, and effect. The second is that Puerto Rico's colonial status is unsustainable. Final resolution of Puerto Rico's status is proper and necessary and it cannot happen under the current *Estado Libre Asociado*. The *Estado Libre Asociado* is the problem. It cannot also be the solution. The resolution of Puerto Rico's status is beneficial to the United States as well. The advantages of a prosperous Puerto Rico serving as a bridge between the United States and the Caribbean and South America are evident. And in answer to the question of Puerto Rican status will serve to reassert America's place in the world as an example of democracy, the Puerto Rico Status Bill is a democratic and viable mechanism for the final resolution of Puerto Rico's political status. But it can only be so as long as it calls for a direct vote, the options given are non-territorial and the result is binding. Given that these elements are present in the consensus bill being discussed, we believe it to be an historic milestone.

Chairman Raúl Grijalva:

Thank you.

Francisco González Magaz:

And pursuant to our resolution, we endorse and support it and lastly, I thank you again for the opportunity.

Chairman Raúl Grijalva:

Sir. Good afternoon.

Lefranc Fortuño:

Good afternoon, Mr. Chairman, and other distinguished members of the Congressional delegation, I recognize the efforts of Congresswoman González-Colón and Governor Pierluisi and I thank each one of you for working together and finding common ground to create a draft discussion bill on the status of Puerto Rico. I thank you as well for visiting our Island and to hear firsthand from the People, as well as the local committees of the national parties. My name is Delegate Lefranc Fortuño. I am a Shadow Representative elected by the People of Puerto Rico to US Congress to fight for full equality and democracy for the US citizens living in Puerto Rico. But today, I stand before you among many Puerto Ricans who, like me, are concerned about the dark path that Puerto Rico has been subject to for the last couple of years. Like if it wasn't enough that Congress imposed an undemocratic, unilateral fiscal control board on the Island, our People have been subject to discrimination on numerous federal programs like Medicare, Medicaid, and most recently, SSI. Nevertheless, it makes no sense for the US to hold 3.2 million American citizens hostage of democracy. We've been US nationals and citizens for over 120 years. And it is about time we are treated as such. Therefore, this Committee must stay firm and deny any remote possibility of including the current colonial

territorial condition as an option going forward. After all, we can't decolonize Puerto Rico by including a non-democratic [sic] colonial option. Statehood is the only option that will give the People a right to have a say on their president, two US senators, and members of Congress with full voting rights; same funding and inclusion as the rest of the States, and first-class US citizenship for generations to come. Our veterans will be able to have a say on who their commander-in-chief is. This is simple, and the People of Puerto Rico know it. That's why, on the last three locally legislated plebiscites, the majority has rejected the current colonial condition and has voted for Statehood overwhelmingly. Independence and sovereignty in Free Association with the United States of America are two modalities of Independence. This has been recognized by the DOJ on numerous occasions. But they are both decolonizing and democratic options for the People of Puerto Rico to choose from. And even though when asked, I am sure that we will vote in favor of Statehood overwhelmingly, once again, this Committee needs to revise the language of citizenship included in Section 208 of this draft bill. Congress should not impose US citizenship on residents of an independent, separate sovereign nation. The procedure should be uniform to any other immigration request done by a son [sic] of two American citizens. After all, if you are a US citizen living outside of the US, you are obligated to pay federal taxes. Is this the intention of the Committee? What about the citizenship of the Nation of Puerto Rico? Is Congress considering a dual citizenship for the residents of Puerto Rico under this compact? These questions remain to be unanswered. If we want to make sure that Puerto Rico has full sovereignty, and has the tools to prosper economically, and stop young professionals from leaving this Island every single day and moving stateside looking for better opportunities for them, their families, let's work together to perfect this bill so Congress can act now and convert it into US law and leave behind in history the oldest colony in the world. Thank you, Mr. Chairman.

Chairman Raúl Grijalva:

Thank you. Sir?

Ángel Cintrón Jiménez:

Hi, and good afternoon to all. I am Ángel Cintrón Jiménez, finding myself grateful for the privilege of addressing the esteemed Committee today in a dual capacity. Both as the CFO of the Young Democrats of Puerto Rico and I'm a concerned father seeking equal rights under the Constitution. First, as a board member of the Young Dems, I have defended many liberal causes with one of the most critical being equal rights for all US citizens. This includes defending the democratic will of the majority of Puerto Ricans for admission to the Union as an equal and sovereign's state. Now, as father to 10-month-old Angelito, who along with his mom, make up my whole world, I have to act. With both Louisiana and Puerto Rican roots, Angelito could be considered an authentic Cajun-Rican born here in San Juan. Living proof that the American and Puerto Rican melting pots are not only a theory, but a tangent [sic] reality for many. I cannot begin to tell you the complications that his mother and I have had to endure from healthcare and banking as far as retirement and family planning. All made burdensome under the weight of colonialism. The knowledge that we are suffering from a lack of sovereignty which hinges on the sole fact that we live on this Island, my home, spurs me to action in the hopes of achieving equality through self-determination. In that spirit of progress, I propose we call this draft bill the Puerto Rico Self-determination Act. Since it is a real and binding process to ensure the supreme definition that is a final solution to colonialism and the lack of sovereignty that ails us. I also humbly propose that Title Two be amended to read Independence in Free Association with the United States. In the name of honesty and transparency, either Title Two is amended to read Independence in Free Association or Title One is amended to read Sovereignty Without Free Association. In the alternative, and just to drive the argument home, both could be renamed. Title One could be Independent Republic and Title Two could be Associated Republic. All that matters is that they are named the same at their core. Since they are, in essence, the same. In that spirit, everywhere in the PRSDA, and most importantly in the plebiscite, it must be made clear that Free Association is Independence and naming it something else is incorrect and misleading. In truth, I believe the options should be reworded to a choice between Independent Sovereignty, Independence; Associated Sovereignty or Free Association, and Federated Sovereignty, Statehood. To clearly distinguish between the options. But any synonym will suffice so long as it is expressed identically in all variations of the same essential option. Yesterday afternoon, the proponents of Independence expressed to this Committee that as long as the draft bill was self-executing with respect to Statehood, they would not support it. Although they did not express the same concern on the self-executing

nature of Independence or Free Association. I think that speaks for itself. In fact, I will go just a bit further to argue that the Independence Party is actually seeking Sovereignty with Free Association. According to their party platform, which under status outlines some of the crucial concessions that Title Two of the PRSDA contemplates like foreign affairs, trade, finance, taxation, security & defense, dispute resolution, immigration, economic benefits, grants, and determination of the Free Association. The first item on the status portion of the Independence Party's platform is to maintain friendly ties with the US, and it does not get friendlier between two sovereigns than Free Association. It is known that very few seek the total Independence contemplated in Title One largely due to citizenship. And the main objective of the Independence Party's status transition strategy as outlined in their own party platform are largely those contemplated under Title Two's Free Association. The implications of SCOTUS' historical but not surprising Sanchez-Valle case, which made clear that this territory and every territory lacks a sovereignty that a Republic or a Federated State possesses, leaves no room for interpretation other than the current colonial status is unyielding, leaving only two real options: Independent Sovereignty with or without Free Association; and Federated Sovereignty, or Statehood. The outbursts of disapproval from the status quo PPD party to the honest consensus contained in the PRSDA with respect to its decolonizing effect should speak for themselves, since it correctly rejects the current territorial and colonial status quo. This historic compromise, the newly minted PRSDA makes me proud to believe in the democratic process and proud of these United States of America. For I truly believe that the addition of Puerto Rico will only strengthen the Union with diversity, culture, and fresh blood in Congress. Thank you all for the time and effort invested in solving the sovereign status of the world's oldest colony and my family's home of Puerto Rico//

Chairman Raúl Grijalva:

Thank you very much. Sir? [Applause]

Luis Herrero Acevedo:

That was great, Angel. My name is Luis Herrero Acevedo, I am a lawyer, political consultant, and commentator. I would like to start by commending the draft proposed bill and the process led by Majority Leader Hoyer and Chairman Grijalva. Getting proponents of Statehood and Sovereignty to discard old tropes and bring forth new ideas and processes to resolve Puerto Rico centenary political conundrum is no small feat. Thank you, Nydia. Thank you, Jennifer, for sitting down to talk. In theory, this is how the democratic process should work. Thank you once again for getting it done. If approved by Congress, this draft bill will send a clear signal of what a democratic majority in the House of Representatives is willing to offer Puerto Ricans. The draft is a starting point for future discussions and a solution to the status issue. But, as we all learned in elementary school, a bill does not become a law until approved by the Senate and signed by the President. And therein lies the problem. As a political consultant, I understand very well how politicals [sic] talk on the record, especially in the Congressional record, vis-à-vis how they talk behind closed doors. Every one of these guys and every politician who has served in the Natural Resources Committee since the United States took Puerto Rico by military force has had multiple off-the-record conversations about Puerto Rico and every one of these guys must agree, off-the-record of course, there are no votes in the Senate to make Puerto Rico a state. Not to date, not yesterday, not tomorrow. Since 1898, Puerto Rican Statehood has been a mirage. Lip service to score cheap political points or raise a few dollars for a campaign. I compare it to a mythical animal. Much talked about, but never seen. A unicorn. Through all its stages as a US colonial territory, there has never been 51, much less the 60 votes needed in the Senate to make Puerto Rico a state. Puerto Rico has been many things to the United States: a naval base and shooting range, a profitable sugar plantation, a tax haven, a biolab, a cold war theater used to foster revolutions and counter revolutions in the Caribbean, a winter vacation spot, an *Estado Libre Asociado*, and much more, but it has never been nor will it ever be a state. And that is the truth off-the-record. So let me be the first to say on-the-record, Puerto Rican Statehood is impossible in the Senate. It is a unicorn. Why will Puerto Rico never become a state when 37 other territories were able to join the Union? The reasons are many and my time is short. But my preferred theory is that although Puerto Rico is owned by the United States, it has never been successfully Americanized. All histories on how territories become state have the same protagonist: a white American man. It is no coincidence that the last names of the fathers of Texas Statehood were Austin and Houston, and not González or Hidalgo. The last names of the fathers of Alaskan Statehood were Grooming and Bartlett, not Kaitac, or Kiluki. In its 172 years as

a state, California has never had an elected governor with a Spanish surname. I wonder why. No congressperson will say this on-the-record. Especially those with a couple thousand Puerto Rican voters in their district. But you know it to be true. Even with a Democratic majority, there is no filibuster-proof coalition to make Puerto Rico a state in the Senate. No matter when you read it. Even this draft bill confirms the unicorn theory. To this date, except for our Republican Resident Commissioner González, not a single Republican in the House or Senate has endorsed the draft. Senators Marco Rubio and Rick Scott, who represent over a million Puerto Ricans from Florida do not even bring the subject up. The mere possibility of adding Puerto Rico as a state dooms this or any other draft in the Senate. If the, if politics is the art of the possible, then Puerto Rico's Statehood politics is the art of the impossible. To end this Gordian knot, Congress must design a process that can garner the 60 votes needed in the Senate. We need to bring Republicans to the table and hammer out a deal. Puerto Rican politicians have used status as a political tool for decades. A cure for all our diseases; a handy excuse to justify their many terrible local governments. Millions of Puerto Ricans truly believe Statehood is possible because five generations of pro-Statehood politicians have promised that. "Statehood is right around the corner." Only Congress and this Committee can tell Puerto Ricans the truth. Puerto Rican Statehood is not in the cards. The same way that after many years you are now saying, for the record, that *Estado Libre Asociado*, as it was originally conceived, is not viable, you should be as straightforward with Statehood. The wording can be simple and succinct. "Puerto Rico, it's not you. It's me. Let's stay friends. Signed, US Congress." Puerto Rican politics are changing, a new generation is ready to partner with Congress and design a process that can bring Democrats and Republicans together and make Puerto Rico a prosperous, democratic, and independent nation. But first, you must speak the truth to us on-the-record. Thank you for your time [applause].

Chairman Raúl Grijalva:

Thank you. Let me begin there if I may, Mr. Herrero. A question: And your analysis of the Senate … And why that is vital is … That's true. Absolutely. But let's just talk about the role that we have. e Resources Committee and the House of Representatives. Shouldn't we do our job, too?

Luis Herrero Acevedo:

Yes, of course.

Chairman Raúl Grijalva:

OK. And shouldn't we produce a product that has some level of consensus?

Luis Herrero Acevedo:

Of course.

Chairman Raúl Grijalva:

If we do that, then, the responsibility for people doing their job shifts, que no?

Luis Herrero Acevedo:

Of course.

Chairman Raúl Grijalva:

OK. Just wanted to make that clear. We are here to do our job, whatever the Senate does//

Luis Herrero Acevedo:

//I know, I only//

Chairman Raúl Grijalva:

//They need to do their job.

Luis Herrero Acevedo:

That's why I commend this process because you are doing something good [applause and cheers].

Chairman Raúl Grijalva:

Any questions? Any? Yes? Please, Ms. Ocasio?

Representative Alexandria Ocasio-Cortez:

It's Francisco, right?

Luis Herrero Acevedo:

No, Luis.

Representative Alexandria Ocasio-Cortez:

Luis? Pardon?

Luis Herrero Acevedo:

Luis, Luis.

Representative Alexandria Ocasio-Cortez:

Luis, Luis, pardon. Well, I will say on-the-record the points you make about the Senate are completely legitimate. And, and we have been a colony for over 100 years for one reason. Because this is difficult, right? It's not easy//

Luis Herrero Acevedo:

//Correct//

Representative Alexandria Ocasio-Cortez:

//And I think your points are absolutely well taken. I think what we are in now, as a Puerto Rican from the Bronx, with Puerto Ricans here from the Island, we have to . . . We are in the messy process of trying to exercise some form of self-governance. It is imperfect, we will get to dead ends, there will be disagreements. I think what we need to figure out for ourselves, at least is what does a legitimate process for us look like? And if we can figure out a process that has legitimacy, that at least we can agree on first, regardless of ideology. need to figure that out because the negotiations shouldn't be in Congress. It should not be up to the imperial power to impose a process on us. It should be us who create a process for ourselves. And so my question is, and I don't say this even as a criticism or a rebuttal to your remark, but one of my questions here is like . . . What parts of this process do you think should be added, amended, changed, removed?

Luis Herrero Acevedo:

The problem is how do we get to a bill that can be made into a law.

Representative Alexandria Ocasio-Cortez:

Mhm.

Luis Herrero Acevedo:

And the thing is that using Statehood as a valid option, which it is, there are 50 states, we all understand that legally, politically, legitimately, Statehood exists. But there's no right to Statehood. There's no intention of the United States to give us Statehood. What that does, by putting Statehood here in the process, is guaranteeing that we are going to be a colony for another 122 more years [applause].

Representative Alexandria Ocasio-Cortez:

Mhm, mhm.

Luis Herrero Acevedo:

That's the issue. How do we get this bill to the President? How do we make a law? I love this bill, I am in favor of it, I have been in favor of it since the first time I saw this draft. I understand how the process works, I read every single article, I've talked to whoever . . . And he who has been available and let me know how the process was made. I know it was hard.

Representative Alexandria Ocasio-Cortez:

Mhm.

Luis Herrero Acevedo:

But how do we get to the White House in the first place//

Representative Alexandria Ocasio-Cortez:

//I think, um, Chairman, it's . . . I don't know what impact this has on the legislative text itself, but I just think it's important to underscore the point that's being made here. That we have an imperial power that has de facto//

Luis Herrero Acevedo:

//You do//

Representative Alexandria Ocasio-Cortez:

//Jurisdiction . . . Over a colony//

Chairman Raúl Grijalva:

//No question//

Luis Herrero Acevedo:

//We are a territory. are in the presence of the Natural Resources Committee. We are not in the Puerto Rico Committee//

Representative Alexandria Ocasio-Cortez:

//UN//

Luis Herrero Acevedo:

//Or in the foreign relations//

Chairman Raúl Grijalva:

//No, no, and you are absolutely right. The central premises of this legislation and the difficulty in getting to where we are right now … It's around two points that there is agreement on this table.

Luis Herrero Acevedo:

Yes, mhm.

Chairman Raúl Grijalva:

That is decolonization.

Luis Herrero Acevedo:

Correct.

Chairman Raúl Grijalva:

And the other one is the agreement to use that imperial authority for a binding authority for the vote that the People in Puerto Rico take. That Congress is bound to use that authority to make sure that that happens.

Luis Herrero Acevedo:

And I want to make a very important point, since we are a colony owned, wholly owned by the United States, Puerto Ricans, we cannot go to the U.N. We cannot go to the Organization of American States, we can only come here, to the Natural Resources Committee, you are our sovereign. You literally are the sovereign of our People. So here we are, addressing our grievances, and trying to please … I commend the process and the progress that has been made with this bill. But the real alternative has to be to create something that can be made into a law and that can change Puerto Rico's status.

Francisco González Magaz:

May I make … Can I comment, can I make a comment about the discussion that is going on right now? About his argument?

Chairman Raúl Grijalva:

Of course. I mean, I've lost pretty much control of it anyway, so go ahead.

Francisco González Magaz:

Sorry. It's just that, I am in favor of Statehood, and I have been my whole life. And I've heard this argument many, many times before. Statehood is a nonissue, it's a nonstarter. There's no environment for it in Washington. There is no environment for it in the House, and there is no environment for it in the Senate. It is an age-old argument against Statehood that has been made by pretty much everybody who is against Statehood in Puerto Rico. But the problem is we have an opportunity here, now. And it cannot be wasted away just because it seems difficult to be in the Senate. If a year ago you had told me that we would be sitting here right now discussing a consensus bill reached by Representative Nydia Velázquez, who traditionally has supported the Commonwealth and agreed to by the Resident Commissioner Jennifer González, who is a lifelong supporter of Statehood, I would've said that's impossible. But it isn't. We are here now. And to listen to it again, to the argument that it's impossible in the Senate//

Chairman Raúl Grijalva:

//Thank you very much. Appreciate it.

Yvette Chardón:

May I?

Chairman Raúl Grijalva:

Could we invite the next panelist please? Thank you.

Yvette Chardón:

Oh, they didn't let me finish my//

Chairman Raúl Grijalva:

We will take a 10-minute recess, thank you very much, and then we'll start with the next panel.

Fourth Panel

Chairman Raúl Grijalva:

Thank you for your patience, we are going to begin again, if you will please. Is it on? [Taps microphone].

Alba Iris Calderón Cestero:

To all the members of the Natural Resources Committee, good afternoon and welcome to Puerto Rico. My name is Alba Iris Calderón Cestero, and I am a professional woman born and raised in Puerto Rico. A mother of three, and I am here to make my comments for this draft for Title Three Statehood. I want to thank all of you for addressing this important issue and provide us with an alternative in consensus to finally end the colony, the status that prevents our Island to develop in every way possible. Now I present my comments for this draft. On page 4, line 22, it reads, "Majority vote required. Approval of a status option must be by a majority of the valid votes cast." I believe that the word majority needs to be defined clearly. For example, if one option receives 1,000 votes and the other option receives 998 votes, will the 1,000 votes be considered a majority? On page 5, line 1 through 6, section 4, it reads, "Runoff plebiscite: if there is not a majority in favor of one of the three options defined in this Act, then a runoff plebiscite shall be held on March 3, 2024, which shall offer eligible voters a choice of the two options that received the most votes in the plebiscite held under paragraph one." The word majority has to be defined clearly. What constitutes a majority for this plebiscite? As the paragraph was written, the only way that a runoff plebiscite has to be held is if there is a tie? Otherwise, one of the choices will have the majority of the votes. On page 10, line 9, it reads, "Jurisdiction of district court: The United States District Court for the District of Puerto Rico shall have original and exclusive jurisdiction of any civil action alleging a dispute or controversy pertaining to electoral processes conducted under this section." There is a need to specify the extension of the court's jurisdiction, define what is an electoral process, and to what extension it's considered an electoral process. If a delay in submitting a certification, for example, is considered an issue to submit to the court and still be a part of the electoral process. Page 12, line 13 reads, "After the last word, general, there is a need to add this wording and make the changes and/or corrections given by the general if any." Page 42, line 22, subsection 4 reads, "Incorporation: Puerto Rico shall remain unincorporated until its admission as a state of the Union under paragraph three." I believe the best wording for this paragraph should be, "Puerto Rico shall remain with the same status that it has until its admission as a state of the Union under paragraph three. Once again, I thank you for making this happen. Please make this draft become a bill. Convince your colleagues in the Senate to do the same. This is about equal rights, equal citizenship, and equal responsibilities. Puerto Rico has been a territory for too long. We are US citizens and we treasure our Nation, our flag, our pledge. Before I finish, let me ask you to just think for a moment, if you had to stay in Puerto Rico for a period of time, are you aware that you lose a lot of rights that you have had for all your life? Are you willing to give them up? It doesn't matter if you just answer no in your head; just by being here, you have already lost them. Statehood for Puerto Rico, it is our best option. Thank you.

Chairman Raúl Grijalva:

Thank you very much and thank you for the specificity of your comments to the sections, thank you. Sir?

Salvador Vargas Ruiz:

My name is Salvador Vargas Ruiz. As a Puerto Rican American, Statehood is genocide. Statehood is genocide. The Puerto Rican Status Act deprives 5 million Puerto Ricans living in the United States to cast their vote. The Natural Resources Committee is racist. Let's move on. The U.S. Congress doesn't need a Puerto Rican Status Act to emancipate the Puerto Rican People under so-called decolonization bill. The United States of America withdrew from the Philippine Islands and Cuba in the 1930s and 1940s and emancipated the Filipino People and the Cuban People without enacting any plebiscite of any kind. Puerto Rico must be given the same treatment and be granted emancipation immediately. The eyes of the world and the

United Nations will be focused on the so-called Puerto Rican Status Act bill. For those few Puerto Ricans who cry inside the PNP party, that I am a United States citizen. And I have rights. Yes, you do have the right to enter into any of the 50 states of the United States without refusal under the accord signed between the People of the United States of America and the People of Puerto Rico, titled *Estado Libre Asociado*, 1952, that has given Puerto Rico five Miss Universe and two gold medals in the world Olympics as a sovereign nation, separate from the USA. The Puerto Rican PNP members have the right, as US citizens to live in the tent cities of California. You have a right to live under the bridges of Florida. And even fish for your food. You have a US citizen's right to live in the drug infected Philadelphia, Kingston, Chicago slums, Newark slums or you have the right, as a US citizen and PNP to live in New York City, the crime capital of the United States of America. My idea, US Congress, I can't be any clear, United States citizenship doesn't allow you, PNP from Puerto Rico and the U.S. Congress to mandate an act of self-genocide. Under the biased, contaminated Puerto Rico Status Act draft by the Natural Resource Committee that still holds the Puerto Rican People as an object of the United States of America. The Puerto Rican Status Act states that 51% outcome in the results will constitute a win for that option. That would be ridiculous. And very dangerous. Puerto Rico can erupt into a full-blown revolution. Has the United States of America forgotten the Puerto Rican attacks on Congress in 1950? Much before January 6, 2020? Has the United States of America forgotten the Puerto Rican assassination attempt against United States President Truman? Or have we forgotten the seven F-16 United States jet fighters burned to the ground in San Juan airport? Luis Muñoz Marin? The United States citizenship of anyone doesn't give the rights to genocide the Puerto Rican people. Furthermore, listen! Only the Puerto Rican born and first generations can participate in all plebiscites. No other nationality found in Puerto Rico can cast a vote. Meaning Dominicans, Cubans, Mexicans, and Spaniards, Venezuelans, Colombians, Americans, are expelled from the Puerto Rican Status Act. We must seek peace. We must seek peace. Between both of our countries. And not revolution. Thank you very much.

Chairman Raúl Grijalva:

Thank you. Sir?

José Rosselló:

Good afternoon. Thank you, Mr. Chairman. Distinguished Members of Congress. Resident Commissioner, Honorable Governor of Puerto Rico, Democratic Party, Young Democrats of Puerto Rico, local parties and my young colleagues, and US citizens of Puerto Rico. My name is José Rosselló. I am an active member of the Youth of the Progressive New Party, and the Young Democrats of Puerto Rico and I rise to discuss the political status of Puerto Rico, which is home to 3.2 million US citizens. As many of you may know, many attempts have been made in the past to proceed with federal legislation to try to move forward and resolve the Island's territorial, colonial status that has been imposed on our people for more than 500 years. First under Spain, and now under the United States. However, it is the first time the Federal Congress has not only taken into consideration but action to legitimately decolonize the Island in a fair and binding process. The options provided are non-territorial and full self-governing for the people of Puerto Rico to finally obtain a just and democratic government. I am pleased to have an objection on Title Two Sovereignty in Free Association with the United States. In the past, locals in Puerto Rico were impregnated [sic] with the fact that we were actually a Commonwealth, or in Spanish, the *Estado Libre Asociado*. Where a utopic fallacy status was believed to be witnessed before the Supreme Court of the United States had taken multiple, multiple decisions in the past 10 years where it was evident that the Island of Puerto Rico was and always has been an unincorporated territory since 1898 subject to the plenary powers of Congress, with no say, no vote, no consentment [sic] and no decisions taken in Congress that benefit or affect Puerto Rico negatively. With that said, Sovereignty in Free Association is a total, complete opposition status than territorial colonial status, obviously. As the draft bill states in Title Two and Title Three, and I quote, "Puerto Rico is a sovereign nation that has full authority and responsibility over its territory and population under a Constitution of its own adoption that should be the supreme law of the Nation." This clearly emphasizes that Puerto Rico would be totally separated from the United States as an independent republic or if not, an associated republic or, in Spanish, an Associated Republic. With a pact under the titles of Free Association with the Federal Constitution which establishes a termination and a due date that could be subject to a big risk and fully separating its ties with the United States. By that I mean, that the US Postal Service may be at risk, federal courts, FBI, social federal benefits for low-income

and middle-income citizens on the Island, and numerous other federal programs and entities. As stated in the language of the project under Title II, this would be up to negotiation under the pact of the Titles of Free Association with no pre-guarantee of [sic] whatsoever of all of them being implemented and secured in the Island or even renovated if so implemented under the articles of Free Association. With that said, I invite those local citizens in the Island who unquestionably support the permanent union with the Nation and having totally guaranteed of securing the most sacred rights under the Federal Constitution programs, medical benefits, and full priority toward a working class or middle class and low-income families in our beloved Island by voting for Statehood. In addition, when it comes to the political destiny of a place, the views of the minority cannot trump or take precedence over the views of the majority. That would turn the concept of democracy over its head. Votes matter. This is why I say this, because Statehood has won the past three local plebiscites held on the Island which clearly impacts the majority of the population in favor of Puerto Rico becoming the 51st state of the Union. I reject the notion that Statehood would weaken the cultural Puerto Rico or its proud traditions or affect the Islands of the People of Puerto Rico. Summing up my presentation, I have no doubt that we will become the 51st state of the Union. I will work tirelessly, tirelessly with the Young Democrats of Puerto Rico, with the President of our organization, Eliza Mũoz, and other members. Extended delegation of shadow elected congressional delegates, including Ricardo Rosselló and Roberto Lefranc Fortuño, and others elected in May 16, 2021 and the Youth Progressive, the Youth of the Progressive New Party to get this consensus moving forward and approved in both the House, the Senate, for it to be delivered to the President's desk and finally have a binding federal consensus plebiscite held on the Island as stated in the language of the project in November 5, 2023. With all due respect, putting aside our preferences, ideologies, and opinions, I call for every Puerto Rican to vouch for this process of decolonization, because if some don't, they simply don't support the decades of colonial conundrum as said by Congresswoman Velázquez at her press conference on May 16, 2022, thank you.

Chairman Raúl Grijalva:

Thank you very much. Sir?

Edwin Francisco Rivera Otero:

Hi, my name is Edwin Francisco Rivera Otero. I am a young professional who came here to address my support of the Puerto Rico Status Act in this honorable Committee. It is the first time that the US Congress is considering a binding process to solve Puerto Rico's political status, which has been a colony for 124 years. At the present time. It is important to note that on the Island live around 3 million of [sic] US citizens that do not have the same rights as the fellow citizens in the mainland. It is time that Congress makes [sic] an action to treat us equally. Why is it more important solving noncitizen issues than to solve the colonial issue of the American citizens living in Puerto Rico? Why? The importance of this binding process, is the message that Congress is sending: The US wants to solve this important issue for the Nation. It is important to mention that several fellow Puerto Ricans live in the mainland and some local politicians are denying us the right to be treated as equals and have the same rights as our fellow US citizens. But those Puerto Ricans enjoy the benefits of Statehood. Some fellow Puerto Ricans living in the mainland want to vote on this plebiscite. But the Puerto Rico Status Act states that a definition of eligible voters as a bona fide residence in Puerto Rico who are otherwise qualified to vote in the general elections in Puerto Rico. The Puerto Rican residents of the mainland don't comply with the definition expressed in the bill. Actually, Puerto Rico's political status is discriminatory [sic] with the Supreme Court decisions such as Vaello-Madero and with Congress passing PROMESA, it is evident that the colonial situation is detrimental to Puerto Rico's well-being. It is important to mention that as a colony, the sovereignty of Puerto Rico lives in US Congress. Why can the 3.2 or 3 million US citizens living on the Island not vote for the President? Why can the 3.2 or 3 million of US citizens living on the Island not have representation with vote in Congress? That's unequal for the land of the freedom. I encourage US Congress to act on this draft bill and bring a complete definition of Puerto Rico's political status. It's time to act about this issue for our future generations of US citizens. Thank you for your time. I want to say in Spanish some words. I know that there are Congressmen in the United States that campaign in Spanish. I do not believe that language should be a stone in the path blocking this bill either in the Federal House of Representative or in the Senate. There are Congressmen that represent Puerto Ricans that campaign in Spanish, what's more, both from Republicans and Democrats. I believe that should start resonating deeply with

congresspersons. Additional to that, here in Puerto Rico, we have signed and presented projects in the House of Representatives, I mean in the Senate. The last one was in 2014. Senate project number 11-77, which was presented to discuss the language of Puerto Rico as Spanish only in order to once again hold back the concept of Statehood. I do not believe that to be fair because those very same members that prefer telling people to only speak Spanish, many of them studied in expensive private schools in Puerto Rico, where they learned English, went to American universities, studied in the United States, in English, and they live in Puerto Rico or they live in the United States quite comfortably and enjoying the benefits of statehood. I believe that is the most elitist way to teach people that they cannot advance in life. And that should not be like that. I believe that should truly start to change. Because Puerto Rico deserves the best.

Chairman Raúl Grijalva:

Thank you.

Committee Deputy Director, Margarita Varela:

Call for order. Ask for order.

Chairman Raúl Grijalva:

Please.

Keren Riquelme Cabrera:

Honorable Chairman and members of the Congress, thank you for being here. Thank you for your time, for being here. For the record, my name is Keren Riquelme Cabrera. I am Senator at large for the government of Puerto Rico. And on behalf of my constituents, and on my own behalf as an American citizen, resident of Puerto Rico, I express deep gratitude for promoting the proposed draft of the Puerto Rico Status Act. Puerto Rican lives matter. Yet after 123 years of political history under the plenary powers of Congress, American citizens residing in Puerto Rico continue to be subjected to a discriminatory and unjustifiable unequal political relationship that denies us the full recognition of our constitutional rights. Our soldiers, many who are here today, have served, fought, and bled like any other American soldier in armed conflicts as members of the United States Armed Forces and have participated in more than 100 armed conflicts throughout history and remain serving actively today. Nevertheless, Puerto Rico remains the oldest existing colony [sic] the Western Hemisphere and a territory of the United States. Subjected to the territorial incorporation doctrine established by the "insular cases", a doctrine developed by Justice Edward White, who expressed concerns over "the evils of admitting millions of inhabitants of unknown island people with an uncivilized race believed to be absolutely unfit for citizenship." And by Justice Henry Billings, who considered that America's territories were inhabited by "alien races different from us in religion, customs, and modes of thought." And by this very doctrine which is still being used as a legal basis to perpetuate a treatment to American citizens living in Puerto Rico that includes denial of voting rights, denial of congressional representation, and denial of equality in federal programs. As American citizens, we have long paid our dues in the century past. I fully support the proposed draft of the Puerto Rico Status Act. In the name of democracy, in the name of justice and civil rights but most of all in the name of decency to do what is known to be right. During the last three plebiscites on the political status of Puerto Rico, [sic] Puerto Rican electorate has consecutively expressed its unequivocal preference for Statehood. During the last plebiscite, the 53% of the electorate issued a clear mandate to the government of Puerto Rico to move legislation with the purpose of achieving Statehood as a permanent political status for the future of Puerto Rico. Regarding the substantive text of the legislative measure, I wish to express my support for Statehood. But I also say that I can say that I agree with the definition, just the definition of the other two status formula as proposed in the Puerto Rico Status Act Draft. Even though there have been requests for the inclusion of the current Commonwealth formula in the bill. Under the current Commonwealth formula, Puerto Rico cannot be considered a state since it lacks sovereignty, that being one of the essential elements of the state. Under such status, Puerto Rico is under the plenary powers of the United States Congress so that the fundamental government decisions are made by the Congress. The Puerto Rican Constitution and laws are also conditioned by the North American legal system. Finally, I wish to express my opposition to the celebration of a runoff plebiscite as required under the [sic] section 584 of the Puerto Rican Status Act draft. Under section 5C, the Puerto Rican Status Act draft clearly states that the plebiscites authorized by this section shall be implemented by the elections commission consistent with the laws of Puerto Rico and federal law. The concept of a runoff election is completely foreign to Puerto Rico's

electoral law, Law 58 2020. Also known as the Puerto Rico Electoral Code of 2020. And it does not provide for a runoff election of any kind. Thank you for being here again, and for your benefit I will be including as an attachment in the digital sent to the Committee a concrete resolution of Senate of Puerto Rico 36 in support of the present Puerto Rico Status Act draft. Thank you.

Chairman Raúl Grijalva:

Thank you very much. Sir?

Antonio Faz Alzamora:

My name is Antonio Faz Alzamora, past President of the Puerto Rican Senate at the beginning of this century. Greetings. As the legislator I was for 40 consecutive years, having held different leadership positions and as ex-President of the Puerto Rican Senate, let it be known that my appearance here is in a personal capacity and also representing thousands of Puerto Ricans that for over 30 years ago, have been voting for development, growth, evolution, and transformation of a non-colonial and non-territorial *Estado Libre Asociado* as has been presented by the Popular Party in its government programs in all general elections. I begin by pointing that this draft bill excludes a fourth option based on Resolution 2625 of the United Nations General Assembly of October 1970, still valid and backed by the United States. In it, and on the principles of equality of rights and the free self-determination of the People, it establishes a fourth option that mentions about the acquisition of any other political condition freely chosen by People constitutes an exercise of the right to the free self-determination of those People. I believe including this fourth option is something just and adapted to the actual reality of international law. I must then take advantage of this opportunity to inform you that in accordance with the fourth option of the previously mentioned U.N. resolution, I have prepared a Pact of Association between the governments of the *Estado Libre Asociado* of Puerto Rico and the United States of America. It is of a non-colonial and non-territorial nature sustained and based upon the sovereignty of the People of Puerto Rico and fully complying with international law. It also recognizes the capacity of our People to agree upon a dignified Association within the framework of the Constitution of the United States, reaffirming our unique national, cultural, Caribbean, and Latin American identity. The Pact of Association that I propose ends the undignified territorial and colonial relationship and will provide the tools so we may substitute a culture of dependence into a culture of self-sufficiency and achieve a full economic growth. This pact consists of a preamble and four Titles. It transfers Puerto Rican sovereignty, which is in the hands of Congress, into the hands of the People of Puerto Rico while simultaneously, on the same document, and on the same act that the bilateral pact is established. Puerto Rico reserves certain jurisdictions, it delegates others to the United States, and shares the rest. Therefore, in the same act, we stop being a colony and a territory without having to go through separation or Independence. Congress holds before its consideration, in a legal format and detailed manner, a specific and inclusive instrument on which we can establish a dignified and democratic relationship based on respect, cooperation, and equality between two very distinct nations. None of the other options concerning status has a detailed and legally formatted proposal to present before the People and Congress at this moment. The only one is mine, and you have it there. I believe your staffers will provide it for you. I also submit for the record a copy of the Pact of Association, version 2020, so it may be part of the legislative dossier of this congressional draft bill, and you may access it at pactodeasociacion.com, both in English and Spanish. I respectfully submit that the draft be amended and that it includes the fourth option mentioned of a non-territorial and non-colonial *ELA* as defined in its totality in the Pact of Association as an additional option and that way, the *ELA* may be present with dignity in the coming consultations. Not including the fourth nonterritorial option of the *ELA* as defined in the Pact of Association then, as a second option and only as a second option, I submit it as the definition of Free Association included in the draft of the Pact. The Pact of Association I present is bilateral and may only be altered by mutual agreement. In case it must be renewed, the duration may not be less than 50 years with an option to renew it again for the same amount of time, and citizenship must remain. It must be through blood or birth from Puerto Rican parents. The definitions of the different options detailed must be on the ballot or at least an accurate summary of each, same as in the campaigns leading up to it to avoid demagoguery. To end, I wish to emphasize on an unequivocal reality where Puerto Rico, being a Caribbean, Latin American nation for more than 400 years of existence, with its own identity and culture, Statehood has the effect of disappearing it into another nation, eliminating us from the international map as a nation forever. The same would have negative effects on the self-esteem of Puerto

Ricans by losing their international presence in so many areas of individual and collective life such as sports, arts, culture, and others. Therefore, the change to Statehood must be through a majority mandate and different from the other options where Puerto Rican nationality remains. In order to protect that irrefutable and irreversible fact, Statehood must demand a super majority of votes as it has happened in other territories in the past. Thank you very much.

Chairman Raúl Grijalva:

Thank you, sir. Any questions? No? Many thanks. will now invite the next group, please.

Fifth panel

Representative Nydia Velázquez:

Gentlemen, you'll be heard for five minutes.

Alejandro Torres Rivera:

Good afternoon, Miss Pro Tempore Chairman of the Natural Resources Committee of the House of Representatives of the United States and distinguished members of this Committee. My name is Alejandro Torres Rivera. I used to be President of the illustrious *Colegio de Abogados y Abogadas de Puerto Rico* for the biennium 2016–2018. And I am the President of the Commission for the Study of Constitutional Development of Puerto Rico for this institution. I appear before you in representation of our President, Attorney Daisy Calcaño López, and our bar association. Since its assembly on September 1, 1944, we have categorically and clearly denounced the colonial nature of Puerto Rico's relationship with the United States, demanding of its President and of its Congress an end to these unjust political relationships. Our People has never exercised its right to free determination. The political subjugation of Puerto Rico before the United States is a problem that presents the validity of the human rights of our People. In conformity to the expressions by the United Nations in Resolution 15-14, XV of December 14, 1960, "the subjecting of its People to foreign subjugation and exploitation constitutes a denial of fundamental human rights." Something that has already been ratified on the International Pact of Human, Civil, and Political Rights. For the Bar Association the ideal procedural mechanism to attend our claims of decolonization and the recognition of our right to express free self-determination, free of interference and obstacles, and at the same time negotiate with the United States a final formula of political relationship between both People is the Constitutional Assembly for Status. But this, which we can see is more clearly defined on the content of the Puerto Rico Self-Determination Act Bill of 2021 does not impede us from expressing ourselves in regard to the draft bill concerning the Status of Puerto Rico Act. As positive elements, we point out in this draft the creation of a bilateral commission for negotiation, the attention given to each of the options to the aspects related to citizenship, nationality, and immigration; the powers and prerogatives of our People under each one of these options, acquired economic rights earned by the inhabitants of Puerto Rico, personal guarantees of citizens, aspects of self-government including the issues we must consider during transition toward each distinct option; the content of the options of Free Association and Independence as decolonizing options that are separate and distinct from each other, to be approved on a Constitutional Convention for the scenarios of Independence or Free Association such as due process of law, equal protection under laws, freedom of speech, press, meeting, association, and religion; right of the accused, and other economic, social, and cultural rights, and the guarantee that no person born in the Nation of Puerto Rico will have no State at the moment of birth. There are other important aspects that are considered in the project and that once more we point out that we positively value the expressions contained therein. Among them, those that are tangent to the elements of transmission of citizenship, immigration, free transit, and the guarantees of maintenance of what are federal transfers earned by Puerto Rican men and women through Social Security, Veterans, Disability, Survivors, and the elderly. We also point out that we value each and every one of the comments made as positive aspects concerning the draft bill. We also point out that it would not be inconsistent to replace the mechanism of two plebiscites for the call to a Constitutional Assembly on Status so that it is a negotiating commission of the Assembly who would then negotiate with the federal counterparts the content of the status options and their transitions. We consider most important the accuracy of the terms of a pact of Free Association in which we define, among other aspects, the competitions that each part would retain, its terms and mechanisms to end the pact. In the case of Statehood, greater accuracy in regard to the enabling act as well as in the case of Independence, the

elements of transition to be included in a treaty between the United States and the Republic of Puerto Rico. In both cases, we must consider the creation of a special tribunal to discuss issues and controversies that may arise in the implementation of these treaties. Our Bar Association puts at the disposal of this Committee its judicial resources, expertise, and assistance. Thank you very much.

Representative Nydia Velázquez:

Many thanks to you. Next? You are recognized for five minutes.

Héctor Del Valle:

Good afternoon, my name is Héctor Del Valle from Las Piedras, Puerto Rico. Dear Mr. Chairman, and members of the Committee on Natural Resources. I am a citizen who advocates for the integration of Puerto Rico as the 51st state of the Union. Unfortunately, a lot of US citizens do not like the idea of Puerto Rico entering the Federation because they think that the Island will become "a paradise for welfare". I will analyze the myth that people believe about Puerto Rico's integration as a state as well as the solution. A quote, unquote welfare paradise. They claim Puerto Rico is [sic] that 60% of the population is below the poverty level. Everybody knows about that. Caused in part because the unemployment rate is more than 10%. If Puerto Rico becomes a state, the problem can be solved by applying the Enterprise Zones concept based on Jack Kemp's model. In Spanish, *Zonas Empresariales Federales*. This will attract more industries into the Island's economy and secure the United States supply chain, a matter of national security, as we need a measure that will give industries in Puerto Rico a wage credit, for example, as an incentive to stay in the Island and create more employment opportunities. That is why right now, I support the legislation on medical devices by Resident Commissioner Jennifer González Colón. I am not for a welfare paradise concept, as some people say. And think about this, but when a state enters the union, it receives what it needs, and gives to the USA Treasury what it can give. The economic parity concept. It's obvious, however, that Puerto Rico will get more federal funds than nowadays as part of a taxation redefinition process. But it will go to the People that nowadays really need it: The elderly and the handicapped by means of the Supplemental Social Security Income, the Veterans, and more Medicaid funds for the poor who need it. The legislation that was approved in the past welfare reform, that was some years ago, has had the objective of stopping welfare dependency as a destructive lifestyle and is requiring able people to look for decent work while giving appropriate daycare for single mothers. Puerto Ricans are American citizens since 1917. But second-class citizens. We do not vote for the selection of the President, and we don't have vote in our Congressmen. We only have a Resident Commissioner, Jennifer González Colón, who does not have a vote in Congress. Fellow Congressmen, with my due respect, I think time has come for Puerto Rico and Puerto Ricans to choose their final destination. Not to stay in political limbo any longer. I think this bill has to definitely resolve the status problem once and for all. I support this initiative to solve this problem. House Speaker Nancy Pelosi should support this initiative, too. I hope that after reading this statement, you will also continue to support the Puerto Rican Status Act as well as the sole choice for Statehood for the Island. May God bless you. I also hope that you request the statement be admitted for the record. Thank you.

Representative Nydia Velázquez:

Thank you. The gentleman is recognized for five minutes.

José Pérez:

Good afternoon, Congresswoman and all the people who are here, my name is Representative José Perez, Representative At-large. I am here in substitution of one of my colleagues, Angel Morey, who is at home with Covid. So, excuse him. As a strong believer that we don't let [sic] spaces empty, I am here, and it is a great honor to have you in our beautiful Island. I would like to recognize the tremendous work that you have accomplished putting together the Puerto Rico Status Act draft and it has been an effort on which all sides put their difference [sic] aside and find the common ground and work together to solve once and for our interior [sic] condition. It is not a small achievement, it is not. Another consequence [sic] bill. It is a bill that will change our history forever and we will be remembered as the brave men and womens [sic] that end the colonial status of the United States citizens of Puerto Rico. It is really hard for me as an official elected [sic] try to make public policy when I know that we are under the plenary power of the Congress, that we don't have that equal representation. That we are now under the power and the decisions of a group of people, the Fiscal Oversight Board Management [sic] that don't let us make that policy and now they want to impose everything regarding our

economical issues. It's really hard to do it and it's really hard to think that now, right here in the 21st century, we remain as the … Some cases said, um, we Puerto Ricans, we are belongs to [sic], but we are not part of. What a shameful words [sic] for 3.2 million People who live on an Island that deserve the same equal treatment. As a Statehood supporter, I support this bill and I know that all of you have worked together putting aside … Like I said at the beginning, many differences, but it is now the moment to solve this. It is now the moment to let we, the Puerto Ricans, vote for the commander-in-chief who sends our soldiers to war. We have many soldiers, brave soldiers that fight for the democracy that we don't have right here on the Island. This is unfair, and that's why we raise our voice to end this shameful situation of the status of Puerto Rico. And have the same obligations, the same rights and privileges from [sic] the United States citizens who are living on the mainland. It's unfair, and let me put [sic] another example, how unfair is have [sic] a Fiscal Oversight Board Management [sic]. Everybody is talking about climate change. Right here on the Island, we are facing a lot of this problem regarding our coastal protections and now, the government is trying to have the budget to have [sic] more than 200 people to make [sic] inspectors of [sic] the Department of Natural Resources, to apply and to enforce our environmental law. But now, the Fiscal Oversight Management Board, they don't let to use that [sic] the budget for that. This is another example of how unfair is our situation [sic]. We the Puerto Ricans have chosen three times to favor Statehood. But now we are here again, asking, and thank you for your commitment to end the colonial status. Before me, there were a few panelists that were talking about unicorns. Let me say that that … This audience, this Committee, this will that you [sic] have present [sic] to the People, a few months ago was a unicorn. Now it is a reality. Our father of the Constitution says that, "all men are created equal." But decades ago, a woman, a black person, it was not considered under that statement. And now it's a reality. So, let's change this. Let's make [sic] together, and work together to end colonialism in Puerto Rico. Thank you.

Chairman Raúl Grijalva:

Thank you, thank you. Sir?

Speaker:

Where's my mic? Thank you for all for having us all here, it's a pleasure for me to be here. I recognize especially our Resident Commissioner Jenniffer González, and all the members of the Congress here. I want speak some in English and some in Spanish. Puerto Rico was besieged and occupied militarily by Caribes, pirates, and European powers. Since the time of colonizations [sic] from [sic] Christopher Columbus and Juan Ponce de León. And it has been 400 years of economic instability [sic] and little participation of the People until Foraker Act in 1900. Such was the case that in 1874, an American paper published that Spain talked to cede the island of Puerto Rico to Germany as a payment for its help during a Civil War. That is an example of how was the [sic] history of Puerto Rico under the Spanish flag. Let's talk about Puerto Rico and the United States. It's important to know that hundreds of Puerto Rican creoles in 1779 joined the Spanish army under General Bernardo Galves and fought against the British in the American War of Independence. John Quincy Adams said, "We would not be ashamed to recognize that our Independence owes … What are Independence owes to the molasses of the Caribbean." This coalition of rights and equality that won in 1789 the Independence of the United States lit the flame of democracy in Puerto Rican fighters who had to return to a monarchy regime in its [sic] own land. Something similar that is happening right now in Puerto Rico. We fight in other countries for the democracy of others and return to our land to be less under our own democracy. My father is a Korean War veteran. He was injured by a grenade defending the right of Koreans to be free. And he yet doesn't have the real democracy under the flag that he defended in that foreign country. But let's say something very important. The trip of Puerto Rico to the [sic] Statehood, it didn't commence in 1898. The Foraker Law [sic] said that Puerto Ricans became as [sic] a Republican government 52 years before the *Estado Libre Asociado*. It was a Chamber, it was an executive branch and the judicial branch, too. The Jones Act, in its second article, state [sic] that the rights and privileges and immunities of citizens of the United States shall be respected in Puerto Rico to the same degree as if Puerto Rico were a state of the Union. That is stated in the Jones Act of 1917. I have some final words now. I have two sons, my father is a veteran, my hometown is the city of El Yunque in Rio Grande, Puerto Rico. A full third of it is under the jurisdiction of the federal government of the United States. I have heard many things here about culture and about the language, but before me, I see a distinguished Nuyorican, two distinguished

Puerto Rican women, and a man of Mexican American descent directing a Committee of the U.S. Congress while some say that Puerto Rico must care for its culture if we were a state. Thank you very much for listening.

Chairman Raúl Grijalva:

Thank you. Sir?

Mario Jesús Toro Suriz:

I would like to thank Chairman Grijalva, distinguished members of Congress, Velázquez, González, and Ocasio-Cortez for the opportunity to be before this Committee. My name is Mario Jesús Toro Suriz, General Coordinator for the Autonomous Statehood Network of the *Movimiento Victoria Ciudadana*, a recently created progressive, people-powered, and community-centered political party in Puerto Rico. The Autonomous Statehood Network proudly represents the Statehooders that have found a political home in the most progressive political party in Puerto Rico. We recognize that the most important development about the Puerto Rico Status Act, consistent with the proposals made by *Victoria Ciudadana* is summarized in the following. That Congress offers a binding and self-executing process to decolonize that only includes the three plausibly [sic] non-colonial, non-territorial options under the United States Constitution and International law. That it provides for an informed process where the people will know what each option entails and that it will be the majority of the people freely choosing a winning option, an objective that is guaranteed with the runoff mechanism. In the Autonomous Statehood Network, we are satisfied with this consensus bill and wish to respond to some of the criticisms that have been raised. The consensus bill resolves the two main objectives of a Constitutional Status Assembly. First, to commit Congress to act on the self-determination mandate emanating from Puerto Rican democracy by providing a binding and self-executing process that includes a formal offer of the options outside the territorial clause. And second, to bring together the anti-colonial forces in a procedural consensus with only non-colonial, non-territorial options on the ballot, with their corresponding transitions in a federally endorsed process. The consensus bill contemplates a thorough, publicly financed educational campaign that is sufficient to combat any disinformation on the process and the status alternatives. We need there to be open, ample and public deliberation with accurate information about the process, so everyone can make a fully informed decision in the most transcendental election for Puerto Rico to date. But that is not to say that Puerto Ricans are not educated enough to make an informed decision, as some argue in bad faith. We have been discussing the future political status of Puerto Rico since the United States first acquired the islands. And before even, as a colony of Spain. The time for talk should be concluding soon. The time for action is now. I want to make my final statement in Spanish if it's permitted.

Chairman Raúl Grijalva:

Absolutely.

Mario Jesús Toro Suriz:

Having said this, the search for the decolonization of Puerto Rico has lasted several centuries. And it has had multiple chapters, multiple points of view, multiple characters. But there are always two important questions in mind. What is the best for our People, and for our Country, and second, when will we have a wide front of the different anti-colonial forces independently of the side of the political discussion that they normally take in order to do good for the People of Puerto Rico; leave all differences behind and finally carry out the promise of making our own decision and figuring out which direction we will take in the world. I can say with plenty of satisfaction that this day has arrived, and we are here to witness it. There are people for Statehood here, there are people in favor of Independence here, but we all have a single message. The tragedy that Puerto Rico has suffered for more than five centuries, which we know as the colony, has to end and that today, 70 years after its founding, is the *Estado Libre Asociado*. No more. Those are my words, Mr. President.

Chairman Raúl Grijalva:

Many thanks. Sir.

Francisco Amundaray:

Good afternoon to the Honorable committee, and everybody present in the audience, including members of the press. My name is Francisco Amundaray. I was born in San Juan, where I also currently live. I work in the tourism sector as a tour guide, and tourism consultant. I am one of various collaborators in Puerto Rico of

the NGO, *Boricuas Unidos En La Diáspora*. We see this project as a positive step toward a true decolonization process for my country, Puerto Rico. Puerto Rico is an intervened nation which has never been assimilated by the US. We are a Latin American and Caribbean country, not just an island that happens to be inhabited by US citizens. The process considered here should be slow and careful and always looking to have a broad participation of all civil society in Puerto Rico. Historically, Puerto Rico status discussion has been kidnapped by the pro-annexation party and the pro-colonial Commonwealth party, severely affecting the perception of the people toward Independence and toward Free Association. To make matters worse, the Independence movement has been historically persecuted by the FBI, the CIA, and the Puerto Rican police. To be truly democratic and fair, the Puerto Rican People need to have all true facts at hand. Not only the classic political parties should participate, but also community, environmental, the LGBTTQI community, NGOs, small businesses, the scientific community, feminist groups, labor unions, sports, and nonpartisan political organizations and very important, the two island municipalities of Vieques and Culebra. The people who compose the Puerto Rican Nation have very different circumstances in their lives depending on where they live. The necessities of a teacher that is also a single mother living in the suburbs of Bayamón are not the same of a coffee farmer in the mountainside town of Maricao or of a fisherman in the island municipality of Vieques. On this draft, once this draft becomes a law project, it needs to have numerous public hearings both in Washington DC and in Puerto Rico. Important point: The definition of Statehood has to be more deeply discussed, especially in its economic consequences. What is going to happen with language in the courts and in schools? What will happen to our Olympic national team and the participation of Puerto Rico in regional meetings? The proposed transition plan for Statehood is not realistic and is not supported by historical events of States of the Union before their final admission as a formal part of your country. On the other hand, a bill that will compromise a future Congress by admitting the colony of Puerto Rico as a state is doomed to fail. So language in that sense should be eliminated. Also, Puerto Ricans should be clarified [sic] in the sense that Statehood is a concession, not a right. On the other hand, Independence is an international … Internationally inalienable right. It is our opinion that if 51% Puerto Ricans want any of the two forms of sovereignty, a transition process should be immediately started following international law. Nonetheless, the Statehood admission should require an 80% or more super majority since Statehood is irreversible and Puerto Rico as a nation will stop existing. Concerning the diaspora, there are 5 million Puerto Ricans living in the United States. They should also be part, at least of the discussion of a binding plebiscite. A committee should be created to explore how to include them. Concerning this particular event that takes place today, I respectfully ask that in the future more time should have been given to the Puerto Rican society to prepare to then participate. In the website, the speaking option was never opened. The Independence movement has many organizations that were not invited and in a future occasion they should be here to truly have an inclusive process. I also respectfully ask you to please communicate to your fellow Congressmen and Congresswomen that not all Puerto Ricans want to be part of your country. Thank you for your time and attention.

Chairman Raúl Grijalva:

Thank you. Are there any questions for the panelists? Thank you very much, appreciated. As I invite the next group up, let me say that anyone can submit comments to the committee. Our website is naturalresources.house.gov. And there are comment cards and information at the back of the room and we welcome all of them, thank you.

Sixth Panel

Chairman Raúl Grijalva:

Thank you very much. Thank you. Please? Sir?

Speaker:

Thank you, Mr. Chairman, Congresswoman Velázquez, Congresswoman Ocasio, it's nice to see you again. Well, I thank you all as I thanked you yesterday. Thank you for this opportunity. I would like to elaborate on a point that in my view is critical to this discussion. The issue of democracy and democratic values and the historical repercussions of the process that this committee has set in motion. We live in a democratic society in a country that prides itself to be the beacon of freedom and democracy. Democracy for all. This point is so important to understand because … Every day we watch people, from all over the world, trying to get access to the

liberties that we all take for granted. Democracy is not perfect. And from time to time, it may be threatened by forces who make a living from inequality and discrimination. That's [sic] the people that we are fighting against. The same people that will move mountains to try to shake this Committee down to try to stop this agreement from becoming the law of the land. Believe me when I say, that there are forces, here on [sic] this room, within this room that hopefully … They are trying to stop these proceedings. You have seen them. And you will hear from them. Not only in Puerto Rico, but also in Washington. That's what this Committee will face … And from what I've seen, they will not succeed. You know, the historical ramifications of this agreement are unprecedented. As I'm sure that its results will also be unprecedented. This process is being designed in such a way that it would set an example for the world to follow. That's why the territorial or colonial options cannot be part of the solution. You now, in order to//

Chairman Raúl Grijalva:

//Sir, if you would make your point//

Speaker:

//Have a process that actually makes sense, you know? That process cannot include the problem. Because, if there's no problem, why are we here? Why are we having this discussion at this time? Why this Committee has invested so much time and effort and have had the opportunity to get the input, to take the input of so many people? Why are they interested? Why are they interested, if there's not a problem? The fact of the matter is that the status that we have is a problem. The fact of the matter is that it was rejected by the People of Puerto Rico, and it should not be on the ballot. And whatever this Committee finally adopts and passes, I'm sure that this agreement … It will … It's going to be something that will be a model for the world to follow. Because this … That's who we are. That's what this Committee is all about. So, finally, I would argue, and I would challenge this Committee to rise up to the challenge, rise up to the moment, I know that you're doing, the fact of the matter that we are here discussing this. u know, a few months ago no one would have expected that. And, I know because I talked to you yesterday, Congressman. You do understand the historical repercussions of this moment because this is history in the making. And thank you, thank you for being here, thank you Mr. Chairman, and hopefully, we can actually pass a bill that, you know, let the Puerto Rican People finally choose in a binding referendum what we actually decide to be. Thank you.

Chairman Raúl Grijalva:

Thank you. Sir?

Pedro Aniel Rodríguez Mercado:

Greetings. My name is Pedro Aniel Rodríguez Mercado. Thanks to all the audience watching and thanks to you for being here. I am the Executive Director of the Young Professionals for Puerto Rico Statehood and it's very evident that I'm not Albert Einstein or Abraham Lincoln. Or any other brilliant person you have listened to today. There's nothing I may say today that has not been mentioned before. So, I'll be as brief as possible. There's only one statement I want to make clear on behalf of the youth I represent. But first, I want to say thank you. Thank you for listening to the 3.2 million American citizens living in Puerto Rico. Bridging the divide is almost impossible in this era of rapid information transit, where sometimes opinions move faster than logic. The fact that the Committee is here today, in Puerto Rico, presenting this draft consensus bill is an achievement of civility. Your consensus shows progress in humanity's ability to not only challenge the status quo but to also reach a middle ground with people we profoundly disagree with on multiple subjects. And in the words of our previous Governor, Dr. Pedro Rosselló, this issue is complex, the historical baggage is heavy, opinions on the subject are many, varied, and passionately held. Bridging the divide is how we bring forward positive change to this world. And for this, we thank you. This act, to finally end 124 years of colonialism under US sovereignty shall serve as an example of what Republicans and Democrats can do when working together for the greater good. With that said, the Young Professionals for Puerto Rico Statehood favor this bill as is written, with the binding plebiscite. We encourage the Congressmen and Congresswomen in the Committee to submit the bill as soon as possible to end the most prolonged dilemma in our Island's history. In 1952, P.R. adopted a constitution that gave us a local government without federal representation. Since then, we have debated the following steps to become an autonomous Island, the *Estado Libre Asociado* did not change our colonial status, which has been the root cause of most of our problems for half a millennium. And as long as Puerto Rico's status is not solved, we won't be able

to focus on other important matters to advance society and drive positive change in this world. I grew up in a house divided against itself. With my mom's side being pro-Statehood and my dad's side being pro-Independence. My dad used to repeat some words of similar to [sic] Pedro Albizu Campos: The youth must defend our country with weapons of knowledge and that is precisely why we are here today. The youth is clear. And their country and that the opposition will prolong this debate forever if they could because their intention is not to move forward with the majority's desire, but to maintain the failing status quo. This consensus bill is meant to end the longest colony in the history of the world and the only way decolonization via self-determination can be achieved is by not including the current colonial status in the plebiscite and by making the result a binding one. It is time to move this bill as is, to conclude America's unfinished business of democracy. And guarantee that future generations live to see 51 stars United as one nation, under God, indivisible, with liberty and justice for all. And I also want to say some words right away … Being bilingual, being able to speak English and Spanish doesn't make me less Boricua. I am in favor of Statehood, and I would be Borincano even if I was born on the moon. Thank you. [scattered applause].

Chairman Raúl Grijalva:

Thank you. The floor is yours.

Lucy Arce:

Chairman Grijalva, Representatives Velázquez, and Ocasio and distinguished guests participating in this forum. I am honored to be here today to share my views on the discussion draft of the Puerto Rico Status Act. My name is former Senator Lucy Arce, and I'm here in representation of *Puerto Rico Escogió Estadidad*, a nonpartisan grassroot nonprofit organization that advocates for the recognition that [sic] majority of Puerto Rican voters have already chosen Statehood for Puerto Rico. I want to start by expressing my sincere gratitude for all of the effort that you have made to develop this compromise deal. Although, I continue to support H.R. 1522, I am also proud to state my support for the Puerto Rico Status Act. As a lifelong advocate of Statehood, I support this compromise bill because it respects the will of the majority of Puerto Rico voters who have chosen Statehood in 2012, 2017, and 2020. This bill does this by making a formal offer of Statehood for Puerto Rico and then providing the mechanism for its implementation if the majority of voters choose it once again. The bill also offers voters the non-territorial option of Independence and Free Association. This is critical because the People of Puerto Rico have repeatedly expressed their desire to end the current territorial status and Congress must provide us clear and constitutionally viable choices. The compromise bill does it. And for the first time, ever, would represent a commitment for … By Congress to implement it, the choice made by voters in Puerto Rico. I also commend the compromise bill for offering all voters only the non-territorial options. The problem cannot be part of the solution. So please, hold strong on this aspect of the compromise bill. Anyone who knows me knows of my commitment to Puerto Rico veterans. This bill offers our veterans and their families the opportunity to vote for full equality and voting rights as US citizens which our veterans have earned through their service and sacrifice. As a former member of the Puerto Rico Senate, I know how hard reaching a legislative compromise can be. And I know that once an agreement is reached, making any changes to it could cause the agreement to fall apart. So even though I would offer suggestions for the bill's improvement, I am more than willing to accept the compromise bill as current draft [sic] if that will allow the bill to have a chance to pass Congress and become law. That been said, I would urge the Committee to consider amending the option of Sovereignty in Free Association into Independence in Free Association. I offer this suggestion because it is critical that voters understand that the choice they would make with Free Association means they would exit the protection of the US Constitution and that Puerto Rico's relationship with the United States under that option will only be based on a treaty that can be terminated by either size [sic] in favor of Independence. Using the word Independence before Free Association would make the implication of this monumental change more clear [sic] to voters that [sic] the use of the word Sovereignty, whose meaning is less clear and more ambiguous. This is necessary to ensure that Puerto Rico voters provide in full concern and are not misled into voting for a status option that omits Puerto Rico from the protection of the United States Constitution without them being fully aware of what it is, what they have chosen. I also want to say that after 124 years under the US flag with this bill, Congress has finally recognized that the current territorial status represents an inherent limitation for Puerto Rico's development. Now, we need your leadership to get this bill going through the legislative process before the current window of opportunity draws to

a close. We will continue our citizen advocacy efforts but look to you to do everything in your power to make this bill become a law so Puerto Rico can finally bloom into its potential of democracy, equality, and prosperity. Thank you.

Chairman Raúl Grijalva:

Thank you. Sir?

Josué Rivera:

Good evening, Mr. Chairman, and members of this distinguished Committee and my fellow Americans. I am Josué Rivera, a public servant, former State Director for Puerto Rico at the US Department of Agriculture Rural Development. Former Policy Advisor of the Office of the Governor in Washington, former National President of the Board for Statehood Association, and current Ideas Fellow of the Aspen Institute. But for the record, I am not here in any of these official capacities but rather, as a private citizen concerned about Puerto Rico's political, and economic future. There is a saying that goes as follows, "It's better late than never." Therefore, please accept my sincere appreciation to all the parties involved in reaching this historic agreement. Your leadership and detachment in finding common ground is, without a doubt, key to resolving [sic] long-overdue colonial relationships between the United States and Puerto Rico. We all know that the common ground here in Puerto Rico is that we, *Puertorriqueños*, treasure our American citizenship. The Constitution, our love for freedom, the pursuit of happiness, our belief that all men are created equal, and we cherish our multicultural, multilingual link between mainstream America and our Puerto Rican culture. Therefore, I am Boricua and American, just so you know. Statehood does not change that. But the two other options of Independence will. I come here in support of H.R. 1522, the Puerto Rico Statehood Admission Act and the draft bill, the Puerto Rico Status Act which provide the American citizens residing in Puerto Rico a process to exercise our right to self-determination. This time through a binding, self-executing process initiated by federally sponsored legislation. The American flag has flown over Puerto Rico since 1898. In 1900, Congress established a civilian government on the Island through the Foraker Act. In 1901, the Supreme Court struck this act with Downes versus Bidwell decision. And its progeny held for the Constitution an informative clause, "Puerto Rico was not part of the United States but subject to the plenary powers of Congress. Which turned into a colonial relationship ever since. Congress need [sic] to act with a sense of urgency. Then in 1950, Congress passed Public Law 81-600; The Puerto Rico Federal Relations Act. And still, with the passage of [sic] Puerto Rico Oversight Management Economic Stability Act of 2016, better known as PROMESA, and [sic] recent Supreme Court determination, such as United States versus Vaello-Madero, once again, Congress and the Supreme Court remind us all that the centennial colonial relationship is still present and pending resolution. I strongly support the admission of the Commonwealth of Puerto Rico as a State of the Union. It is the best path forward given that we have had a relationship for over 120 years, a relationship that binds the US and Puerto Rico by sharing and benefiting from the economic, cultural, political, and societal aspirations of our People. I am concerned about the educational campaign for the other two options of Independence included in this draft bill. As a clear reminder, Independence has never been an option favored by most of the People in Puerto Rico as evidenced by all local plebiscites held about this point, this Congress needs to address many important questions about the two forms of Independence, and instruct the executive branch of the US government on how we will effectively transition the over 10,000 federal civilian employees and thousands of military service members, including their families. Second, estimate the cost of transition. Are we going to fire them? Third, there's need [sic] to be an estimate of impact and cost for the residents of the Republic of Puerto Rico and the implications of ending federal programs that currently benefit our most vulnerable and low-income communities, our women, our children, our elders, veterans, and socially disadvantaged small businesses in Puerto Rico. Fourth, what is the cost of the new nation [sic] defense? What is the cost of admission to the United Nations? The international monetary fund, and many other institutions and regulating bodies. What are the processes and implications establishing currency? Federal insurance for natural resources? Taxation? Managing current and future debt obligations? How many embassies will Puerto Rico have? And what will be the cost to the People of Puerto Rico? What happens to in, investment certainty? And the economic market rates? What will be the US citizens current benefits and responsibility and laws within the two Independence options? I am also concerned that the two options of Independence will continue to sponsor citizenship for the residents: That's against United States Constitution and our national interests. Citizens living in the Nation under COFA are regarded as national, therefore,

I am proposing an immediate transition to US nationals established as residents of Puerto Rico in these two types of Independence. Concerning the legislative process, I urge you to advance this proposal, the Puerto Rico Status Act. And in my opinion, the best path forward for the People of Puerto Rico is Statehood, but I invite all the parties to join us in support. Thank you, Mr. Chairman, thank you.

Chairman Raúl Grijalva:

Thank you. Sir?

Humberto Marchán:

Hi, good evening. Many thanks. Chairman Grijalva. And my regards to the beautiful people of Tucson, Nogales, and the Sonora desert. It is a very beautiful area, I have been there in the past. And warmest regards to our three Boricuas representing us in Congress. Two of them are here. And as a Progressive Democrat, I am proud of what you're doing in Congress. And, just so you know, I've been observing the way you, Alexandra, pay attention to what the People are saying. We, the common people, appreciate that. Thank you. I'm Humberto Marchán. I'm a retired federal probation officer, career federal probation officer, and a correctional psychologist. So, as a Progressive Democrat, I will address you from that framework. Puerto Rico is a Nation. Culturally, sociologically, and anthropologically. Sovereignty is an inherent, inalienable right of any nation. Regardless of how people vote. Saying that, after almost 125 years as a US colony, and 400 years as a colony of Spain, I believe that the best path for Puerto Rico to transition to a sovereign nation is *Libre Asociación*, Free Association. I commend the Committee for taking the morally righteous decision to include this path as a logical step to decolonize Puerto Rico. The transition mechanisms, agreements toward national sovereignty via Free Association or full Independence is a recognition that the colonial oppression to us, Puerto Ricans, whether it be in the Island, in the mainland, or anywhere else in the world deserves a responsible and restorative process by the colonial power. The most recent example of this responsible and peaceful transitional process is England and Barbados. Please, take the time to study this example as a way to improve the bill. US citizenship in this transition process is the most significant component from the perspective of this restorative and moral obligation. It is a great step by this Committee to put US citizenship as a central aspect of this transition. Our colonial history has deep-rooted myths and disinformation with regards to US citizenship. Therefore, the bill needs as most detailed clarification in this matter of US citizenship to eliminate ambiguity and misinterpretation. From my view, now in the 21st century, common citizenship agreement [sic], double, triple citizenship is the norm, and the bill should reflect that. That is the way we live now in the world. We have to have a 360° vision of the world. Now, to the Statehood option. Hawaii is the only Island archipelago state. We all know that. This brings me to our closest neighbors, fellow US citizens of the US non-incorporated territory of the Virgin Islands, which is actually the most southern US hold in the world. It is not Puerto Rico. Again, 360 vision. As a good friend and colleague from the US Virgin Islands once told me. We have more US citizens living in these two Caribbean colonies than about 30 states. Figure that out. Than 30 states. If Statehood is to be seriously considered by US Congress, the moral path is to have these two Caribbean colonies joined as the second archipelago state. It is the right and moral path to Statehood for the almost 3½ million US citizens that call the Caribbean their homeland. Together, they would have two US senators, about five or six congressional districts, hopefully Democrat, because I'm a Democrat. Now, this would be a serious and consequential commitment to finally end US colonialism in the Caribbean. And last, I just want to thank the Committee for moving forward in a serious and courageous effort to end our current colonial condition. And last, I want to highlight the fact that we have three Puerto Rican women as part of this commitment in this Committee and they have taken up a leading role in this process and have shown to us the capacity to sit down and dialogue to achieve compromise. No offense to you Mr. Grijalva, but I wish to recognize them.

Chairman Raúl Grijalva:

No offense taken.

Humberto Marchán:

OK. This is a great example to our people. But as a parent of a daughter, you serve as a great role model to our daughters. That's all I have to say.

Chairman Raúl Grijalva:

Thank you.

Humberto Marchán:

And I do, once again say that I know the binding clause is the right thing on principle. But I think that with the political environment right now, especially on the Republican side, it is going to have problems because they don't want … OK. I'm done//

Chairman Raúl Grijalva:

//OK, thank you very much. Sir?

Speaker:

Thank you, Mr. Grijalva. Someone said some time ago, in these panels that Puerto Rico is Hispanic and that that's going to bring a lot of trouble and I just recall the history of New Mexico and Arizona being part of California and then being part of Mexico, and now being both different states, so, I wanted to bring the point that, being Hispanic, is part of the multiculturalism that the United States is enhancing in all venues. Let me say to start that I believe in the character and the work being done by Alexandria Ocasio-Cortez. I follow her in Twitter. Also, Nydia Velázquez, which I met many years ago with Alvaro Cifuentes in his chief of staff office and obviously, Jenniffer, our friend. Mr. Grijalva is a newcomer, and you are welcome because you have demonstrated that you are more bilingual than many of us. And that's a true example of what the Puerto Rico could do in the United States as part of the coalition of different people and that way, some people won't lose their pensions for working in other places. So I am going to say a few words and I don't think to consume all the time on the specifics, because so many people are talking about the legalities of this and that and there's so many experts that I get confused. I don't represent any group other than the young guys from my age and I tend to look for taxes and things like that, because I am a CPA on my own. Also, on accounting. On accounting of the votes in section 3, section 5A 3, it says that you have to … The valid votes are cast and on item B1, it talks about the valid votes. If you exclude the blank votes and the … Nullified votes, somehow, you come out with a number. So, you are making the accounting anyway. So that's for you to know that there's an accounting that people are going to use as an argument after the votes are cast. I wanted you to become aware that the Puerto Rico Electoral Commission is in a financial crisis, an administrative crisis, and that I personally don't think it will run the process unless the whole thing is being overhauled. The Electoral Commission has a projected deficit for the past few years. They have a mess inside. I know it because I worked there for a year. So I can tell you, they're going to burn me, but I have to tell you that you have to devote some time to put their act together so they can do the job. I think another panelist brought this topic this morning. And//

Chairman Raúl Grijalva:

I agree with you.

Speaker:

And there's no mention for FEMA or CDBG extraordinary funds as a consequence of Maria. The law doesn't … The project of the draft doesn't say what's going to happen on Independence. What's going to happen under Statehood. I think you have usual … You should look for that. On Statehood, there's no adjustment for SSI for the people who are not making the payment while they have been claimed for many years. Same thing happens with the pension of the veterans that are being calculated based on a non-continental residence and that has to be taken for … There's no phase-in of the tax liability. You are proposing some incentives for Independence and giving some extra funds on a huge amount, as a block grant, but you are not proposing any incentives for the People of Puerto Rico if we could become, as I expect, a state, to facing the tax liability and also to promote economic development using zones or something like that. And then … Why, for me, in my personal basis, this is important? Because I have a grandson living in the Panhandle and their fathers [sic] cannot come to Puerto Rico because he is a six-times Afghanistan active-duty veteran, and he needs some special health treatments and Puerto Rico Hospital, Veterans' Hospital does not provide those so//

Chairman Raúl Grijalva:

//Thank you.

Speaker:

Respectfully submitted, I will include a paper later on in the night, thank you.

Chairman Raúl Grijalva:

We appreciate that sir, and your point is something that is . . . Our collective mind having to do with the importance of . . . If we get to the point of an election, the integrity and the sanctity of that election is going to be vital to the confidence and trust that we have, that that election will have among the Puerto Rican People, and we are aware of that, and dealing with that. Sir?

Nixon Rosado Vélez:

Cordial greetings to all. My name is Nixon Rosado Vélez. I reside in the town of Vega Baja. At the age of 10, my parents came from Brooklyn and I love this Island. I met my wife; we've been married 39 years. I see . . . The young Congresswoman and I see my daughter. And, to, to Ms. Congresswoman Velázquez, we are related. Distantly, but we are. Maybe someday I will let you know.

Representative Nydia Velázquez:

Maybe later.

Nixon Rosado Vélez:

In a bit.

Representative Nydia Velázquez:

Now.

Chairman Raúl Grijalva:

Now [scattered laughter].

Nixon Rosado Vélez:

For the record, again, my name is Nixon Rosado Vélez. I served 23 years, active military. In the United States Army. I retired as a CW4. I understand that federal taxes and Puerto Rico taxes will have changes if we become a state. It has to happen. All these IRS codes and Internal Revenue Codes in Hacienda would have to be . . . Make [sic] changes. I pay federal taxes. I pay local taxes. But I cannot vote for the President of the United States, and I do not have proper representation in Congress with the exception of Jenniffer González, who I have met. We currently have 350,000 Puerto Ricans as veterans. On this Island, 10 years ago, we had 145,000. Today, that number is at 83,000. They are all moving up North. We have 35,000 active-duty military members, 10,000 National Guard and Reservists. What will happen to our VA Hospital and our VA services if this is not a state? And we have a different option of Free Association or Independence? That is a great concern. As a federal taxpayer, and as I've stated before, I cannot overemphasize this, we are second-class citizens. We have to move up North in order to have those full rights. The People of Puerto Rico on this Island pay $5 billion in different types of federal taxes; Social Security, Medicare, unemployment, and customs, just to name a few. Yet we don't receive the fair amount that other states do. The other thing that we have as a problem is with paying taxes. We pay more taxes than six other states in the Union. My father came from Las Piedras, Puerto Rico. At the age of 15, he moved to the States to pick tomatoes and lettuce. He had a saying, he would tell me, "living off of pride is how you starve to death." And he would tell me, "What happens is you don't know the pain of hunger." I went on a 51-hour hunger strike in Washington, DC in favor of Statehood and I know what that pain is. Because I have hunger for Statehood. The draft is a historical one. It comes from Congress, no more excuses. We have always been told that they don't want us. But we don't know who "they" are. With this bill, we will know on the no votes who "they" are. I ask for one thing: Take it to the floor. Even if we do lose, we have won. Because this has never happened before. I ask the Senate to do the same thing. Because even if we lose in the Senate, we still win. We win even when we lose. Because this is a historical event. And this type of bill, we only need a simple majority. Not a super majority, like others think. The Constitution has a term for new states. It's called equal footing. So, to treat us differently than any other state which didn't require a super majority to become state would be wrong. It would be undemocratic not to treat Puerto Rico in the same manner as other states. I say it would be unpatriotic for anyone voting "no" on American citizens that want to be part of this great Nation and Union. Just wanted to state, thank you for giving me this opportunity to speak to you all and to Congresswoman Velázquez, my grandfather and your father were cousins.

Representative Nydia Velázquez:

Hm. OK. Don't go anywhere. So I can say hello.

Nixon Rosado Vélez:

Thank you very much.

Chairman Raúl Grijalva:

Thank you very much, sir.

Cristobal Berríos:

Thank you Mr. Raúl Grijalva, Nydia, good afternoon.

Representative Nydia Velázquez and Chairman Raúl Grijalva:

Good afternoon. Good afternoon.

Cristobal Berríos:

And you as well, good afternoon, Alexandra [sic] Ocasio. I'm missing Jenniffer. I would've liked her to be here. know you are all tired, me too. Because I got here early. But let's move forward to see if we can finish this with much pleasure. Good afternoon, my name is Cristobal Berríos Dávila, President of CENA, *Congreso Estadista Nacional Americano*. This organization was created out of the celebration of the hearings of the House Resources Committee concerning project 47-51 from Representative John T. Doolittle from October 4, 2000, where the project of Free Association of the Popular Democratic Party was presented which was declared unconstitutional. I am happy to inform that I have been involved in Puerto Rican politics since 1954. I participated as creative director, composer, publicist, producer, despite the fact that my main job was always as a comedian, like my dear friend Zelensky. With no desire to compare myself to someone whom I admire so much. We are thankful for the opportunity to be allowed to express ourselves concerning this situation that is so important for all the residents of this beautiful island, especially those that have not been able to reach a life of full enjoyment due to the precarious economic situation that is the result of an economic system based on consumption and slavery which holds a system of government created by Congress that has not worked, keeping Puerto Rico at the precipice of bankruptcy and which forces the Puerto Rican to depend on assistance that doesn't even arrive most of the time. Today we represent that, the greater sector of Puerto Rican citizens, including a great number of brothers and sisters from other countries that decided to accompany us on our journey to the future and reside in this island, possession of the United States but of which we are not part of yet, with the hope that one day our colonial status may finally be resolved. I want to say that there is a famous saying that goes like, "If men will not fix the world, women will fix it." And I see a large group of women here, so I really hope that happens [scattered laughter]. Puerto Rico can be sovereign in two ways. It may be sovereign as an Independent Republic, as it can be sovereign as a State. Like the sovereign state of Hawaii. Or the sovereign state of New York. The sovereign state of Puerto Rico. Almost at the end of the Spanish-American War, with the arrival of General Miles and the American troops to Puerto Rico, some Puerto Ricans thought that the U.S. Congress would do to Puerto Rico the same thing that it has done with other territories that were incorporated and converted into states. Yet unfortunately, we were very far, very far from that. The signing of the Treaty of Paris, article 9, placed us as slaves to Congress. Slaves. The article again states that the political condition and the rights of those who live in this territory are determined by Congress. We do not have any power. We are slaves to Congress. That's why, it doesn't matter what we suggest. Because Congress will do whatever it wishes. However, I think the effort is worth it. I believe you are doing a great job. A great job, for the first time I see a possibility for Puerto Rico to change its status. Whichever it may be, whichever it may be. Puerto Rico today is the reflection of a People that in its moment did not know how to choose or how to claim what it was owed to them by right and respect, their non-colonial and non-territorial status as a 51st state of the great American nation in the year 2012. The personal ambitions of a few prevented it.

Chairman Raúl Grijalva:

I know.

Cristobal Berríos:

The three political parties have simply become an employment agency instead of being civil servants. Some career politicians just coast by election after election simply to avoid unemployment. An example of this was a legislator who spent about 40 years living off of his People//

Chairman Raúl Grijalva:

//Well, sir. If you would allow me//

Cristobal Berríos:

//I will not mention it, done//

Chairman Raúl Grijalva:

//Many thanks, many thanks to all of you and to him. Do my colleagues have any questions? If not, many thanks, it was lovely. ank you very much, we are. Before we end up, we close the session, let me ask my colleagues on the dais if they have any comments they would like to make before we conclude and gavel the meeting.

Representative Alexandria Ocasio-Cortez:

Thank you.

Chairman Raúl Grijalva:

Congresswoman?

Representative Alexandria Ocasio-Cortez:

Of course. Many thanks to Congresspersons Velázquez, Grijalva, and González-Colón for your collaboration on this project. I wish to thank all of you here for your participation and for expressing your thoughts and worries concerning this draft. Your comments are essential to assure that this proposal accurately reflects the will of the People. And it is very important for Congress people to hold more public hearings once we arrive back at Washington DC. For over 100 years, the American territory of Puerto Rico has been subject to policies imposed upon it by a frequently disinterested Congress in the welfare of the people living here. This reality affects all aspects of Puerto Rican life. Puerto Rico receives an unequal treatment for the reimbursement of Medicaid, nutritional support, and a series of other social welfare safety net programs. Despite the fact that it is poorer than the poorest state of the Union, Mississippi. What is more, our People are still feeling the devastation of hurricane Maria. These problems, among others, derive from the unique and long-lasting colonial status of Puerto Rico. This has resulted in residents of the Island being treated like second-class citizens. Without a doubt, we believe that Puerto Rico must have the freedom to design its own future. In this proposal, there are three options which the People Puerto Rico can vote for. The first is Independence. The second is Sovereignty with Free Association with the United States, and the third is the category of Statehood. Congress imposing any given status on Puerto Rico would be the culmination of colonization. This legislation must be objective to the result. Community organizations have defended a process of democratic decolonization for Puerto Rico and have survived against powerful interests. It is the responsibility of the federal government to allow the People of the territory to freely express their desires concerning their political status. This proposal brings us a step closer to ending 520 years of colonialism. Concerning the status of Puerto Rico, more than 535 members of the United States Congress, it becomes clearer now that the Island must have the freedom to determine its own future. That is why I approve a transparent, just, and inclusive process for the People to decide. It is imperative that any election be free of corruption, private money interests, and misinformation. Every voter must have all the information necessary to emit an informed vote concerning the three options and what each option implies in terms of legal, economic, and social repercussions. The most important thing is that the People of Puerto Rico recognize this election as legitimate and fair in order to respect the result. That is what all of us, as members of Congress, must ensure. Our role is to guarantee that this legislation is fair and balanced. Thank you very much.

Chairman Raúl Grijalva:

Thank you very much. Ms. Velázquez?

Representative Nydia Velázquez:

Well. Many thanks. It has been a long day, it has been a week of many meetings, we have wanted to allow ample participation to all Puerto Ricans that wish to express themselves, as you know, the draft is on the website for the Natural Resources Committee and obviously any comment, suggestion, will go on record, so we continue to invite all Puerto Ricans to express themselves. This is a very emotional moment for all of us. This is not just another business. This is the future of the People. This is the recognition of the moral responsibility of Puerto Rican members who are in Congress and that it falls on us to basically take the flag and bring up the conversation about Puerto Rico in Congress. This has not been easy. The lack of clarity and the lack of education. The empire that has maintained a colony for 122 years. You cannot imagine what it is like to exercise to try to capture the attention of Congresspersons that were elected by their respective districts, and that for them the most important thing is to simply represent their districts. Puerto Rico has

always been an asterisk, and we have reminded them, every day of the moral responsibility that they have. We cannot be giving speeches on democracy to other parts of the world and then fail almost 9 million Puerto Ricans. Therefore, we are committed not only to push this debate forward, but to us it is incredibly important to provide the right information and to have clear definitions. Because this is for you and your children, the future generations. What is more, something very important that Alexandria has mentioned, and we have discussed throughout these negotiations: The lack of faith in Puerto Rican institutions. I mean, we must guarantee to Puerto Ricans that when you go to exercise a vote, that your vote will be counted. We must ensure and guarantee that there is transparency in the process. We must provide the resources to each of the factions that will participate so you may carry out a campaign that is effective where nobody has any advantage over anybody else or any other political party or whatever. That is our commitment with you. Help us to get to the final moment and to once and for all, solve a fact, a problem, an issue that separates and divides the Puerto Rican family. God bless you [applause].

Chairman Raúl Grijalva:

Thank you. Well, many thanks to everybody who has participated. To those that will participate, in the sense of their giving us information or recommendations, etc. But I also wish to thank to my three colleagues, the leadership and courage of you three have been the push, the key point in all of these discussions. And that is why we are here today. I wish to thank you all. Listen, I can't claim to share the experience of Puerto Ricans on this Island in terms of our shared citizenship. forefathers, at a war that they lost against the Unites States, they lost their lands. My native forefathers lost almost everything. And that experience, is what we have in common, is that hatred toward inequality. The lack of equality. It's a shared fight. And it's a shared fight for all Americans. And, so, those are colonial legacies that we can't change. But, from what I've seen here in Puerto Rico, with this so very important and historical document is the opportunity to change, to change that legacy. That's my commitment to my colleagues and, and we'll go forward with hard work ahead, but with the expectation that we will move this forward. Thank you very much [applause]. Thank you a lot.

[Forum Ends].

Public Comments submitted on POPVOX Platform
(May 19, 2002–July 14, 2022)

Dennis Freytes

"Patriots call to Arms-Equality for a more perfect Union!"-PR Status Bill draft (MAY 2022) must be improved!——

US Citizens-Veterans in the US Territory of Puerto Rico have no Federal consent of the Governed (since 1898)! Thus, a draft bill called the Puerto Rico Status Act, brought forth by Majority Leader Hoyer, is a step in the right direction! A proper bill is crucial because the US Congress, in over 125 years, has not let Puerto Ricans (US Citizens-US Veterans)-part of "We the People"—Vote to resolve this Federal inequality that strikes at the heart of our Republican Government with a (We the People) Representative Democracy where the Power resides with all the People; not just some.

Overall, the PR Status Act (draft) allows a Vote to end Federal inequality . . . BUT, it can't compromise with what the US Constitution and good reasonable sense will allow; has some confusing parts that "doublespeak" or tries to have it both ways (like ELA-Soberano in disguise or Independence—with US Citizenship & benefits for Life) that might not be viable, per our US Constitution; US Supreme Court Decisions, standing Law or other Reports. Thus, some reasonable analysis and suggestions are:

1. The draft bill wrongly "doublespeak's", under Independence and Independence with Pact of Free Association first says—"Puerto Rico has full authority and responsibility over its citizenship and immigration laws, and birth in Puerto Rico or relationship to persons with statutory United States citizenship by birth in the former territory shall cease to be a basis for United States nationality or citizenship," Then turns around (On what authority?) to state——

". . . except that persons who have such United States citizenship have a right to retain United States nationality and citizenship for life, by entitlement or election as provided by Federal law."

**On what authority does the US Congress makes a non-permanent statutory US Citizenship and benefits for "Life"? The US Congress—is not above the US Constitution to exceed its authority or be misleading-confusing. . .; shouldn't, for political distorted purposes, jeopardize the legality of the Plebiscite and its outcome . . . Summary of some FACTS are:

• The US Congress has the right under the US Constitution, to amend or change any Laws or Codes it makes. A future Congress can do likewise.

• The Territorial Clause and Insular Cases, and the 1917 Jones Act that define statutory US Citizenship, Federal Laws, and the protection of the US Constitution—ENDS upon Independence where PR is no longer a US Territory. . .

• There are US Supreme Court Decisions that indicate or imply that the US Congress has the right to not fully apply the US Constitution to "unincorporated" US Territories) like Puerto Rico. . . except for some broad rights that are not defined. . . (See Enclosure below)

• There is no "Group" dual US Citizenship in our US Constitution (even though, to an extent, "Individual" dual Citizenship is permitted. . .).

• A Nation can't be independent with the Citizenship of another Nation. (See Enclosure below).

Thus, to state statutory Citizenship and benefits are for "Life" is misleading. . .BESIDES—Also, buried later in page 39, it states that US Citizenship benefits would continue under Independence-Free Association. "RIGHTS AND BENEFITS.—All vested rights and benefits which accrue to residents of the territory of Puerto Rico under the laws of the United States from past services or contributions. . . shall not be interrupted after the proclamation of international sovereignty through free association but will continue. . ." (Again, on what authority. . .? All US Laws; benefits end upon Independence. . .) Thus, the Status and Benefits descriptions of Independence or Independence with a Pact of Free Association should be correctly worded to reflect the above and below enclosure-FACTS. Also, Statehood can be better described. Example:

• STATEHOOD MEANS: Admission to our diverse "UNION of STATES"—with OWN—STATE Identity; Constitution; Flag; Sovereignty; EQUAL/permanent US Citizenship with full rights, benefits, and responsibilities. . . (as other States and other US Citizens-US Veterans have).

• INDEPENDENCE-MEANS: Puerto Rican National Sovereignty with PR Constitution & PR Citizenship; gradual loss of statutory US Citizenship, Rights, and Benefits. . ."Puerto Rico has full authority and responsibility over its citizenship and immigration laws, and birth in Puerto Rico or relationship to persons with

statutory United States citizenship by birth in the former territory shall cease to be a basis for United States nationality or citizenship, "

• INDEPENDENCE with PACT of Free Association-MEANS: Puerto Rican National Sovereignty with PR Constitution & PR Citizenship; gradual loss of statutory US Citizenship, Rights, and Benefits; a negotiated PACT (on Defense, Trade, Finance,. . .) that can be terminated by either side. Puerto Rico has full authority and responsibility over its citizenship and immigration laws, and birth in Puerto Rico or relationship to persons with statutory United States citizenship by birth in the former territory shall cease to be a basis for United States nationality or citizenship,"

2. Change the Ballot order-place Statehood first (since it has received the most Votes in local Plebiscites).

3. In order to avoid confusion. . .change "Sovereignty in Free Association w/US" to a better clear description that is-"Independence with a PACT of Free Association". (Remember, Free Association is not a Status, but, the name of a PACT.)

4. Millions of statutory US Citizens residing in the States have a stake in the fight since they have a statutory non-permanent US Citizenship; could lose it.., but they can't Vote in the Plebiscite. Even though, the draft says that statutory US Citizens will keep their US Citizenship for life under Independence-Free Association, but, their Kids will not. . . (which can be misleading or questionable). Thus, we should have a say! Plus, it should be added to the draft something to the effect: "Statutory US Citizens, residing in the States, will be naturalized, per the 14th Amendment, should Independence or Independence with Free Association win, since the US Constitution & all US Laws will end. . ."

*There is NO authority in the US Constitution for the US Congress to pass a statutory US Citizenship to an Independent Nation!

*The Territorial Claus, Insular Cases, nor the 1917 Jones Act will not be in effect upon Independence, thus, statutory US Citizenship will end. (See other facts above and in the below enclosure.)

5. In the Draft, under Independence-Free Association, there are many instances where it mandates what the US Constitution of PR must contain. . .; what a PR Independent Government must do. . . On what Authority can the Federal Government make mandates to an Independent Nation?

The facts should be taken into consideration in the final PR Status Act Bill. Please, see Enclosure. THANKS!

Dennis O. Freytes (MPA, MHR, BBA), Officer US Army Retired, Florida Veterans Hall of Fame; Community Servant Leader; former PMS-Professor/Commander USA Officer School, University of Puerto Rico; Commander of Infantry, Special Forces, Airborne, PACCE (Medical and Engineer Units). . .; Civic/Board Advisor to a US President, Governors, Mayors. . .

Michael Torres

I think the Draft is a good step toward the process but I believe an option should be included to also include the Puerto Rican Diaspora on the process as they have also been affected by the difficult situation in regards to status that Puerto Rico has been facing and if God forbid any tragedy occurs, they are the ones to respond and provide help and support to their brethren in the Island. The Puerto Rican Diaspora has also been very influential on making sure Puerto Rico's voice is heard on the process, therefore due to all these reasons I believe the Diaspora should be taken into consideration for any vote on the Status of the Island.

Zayira Jordan

Reason and facts are the realm of academicians, scientists. Political gain and, ultimately, permanence in power is the sound of music for politicians. But where has that left us, we, the people, those of us who conform the demographic otherwise known as the US citizens who live in Puerto Rico?

The result of rivers of ink has ultimately been poverty and lack of opportunities for the majority. Not only our people is condemned to preserve life and health in a substandard society, not living but rather surviving, but we are also excluded the opportunities promised by our Constitution that We the People may "Secure the Blessings of Liberty."

Before our Congress, the Congress of the United States of America, I enter a plea on behalf of the majority of the US Citizens who call Puerto Rico home that the ladies and gentlemen who represent We The People, intact, as a whole, without artificial separations, acknowledge exactly that. That the situation in Puerto Rico is untenable. That for more than 120 years, there has been and us and a them. That the US Citizens of Puerto Rico have been kept separate under the rule of the law, excluded from the American Dream, unable to pursue in the land we were born the

very same dream promised and available to We the People in the 50 states that conform the Union.

Our mandate has not been honored thereby denying the exigency that our vote be acted on, that Congress enacts our will, and that once and for all Puerto Rico is admitted as a State of the United States of America.

Reasons to act with justice, there are plentiful. Legalities, facts and figures are copious in the matter of documenting the inequalities withstood by the US Citizens of Puerto Rico. History demands We the People honor the values upheld in our Bill of Rights that the satisfaction of justice being served rather drives their representatives, elected through a vote that constitutes the democratic mandate, to recognize our vote for statehood and act swiftly to make Puerto Rico a state.

Jayson Velazquez

There should be conversation on the role of the Diaspora in this process. There also needs to be some clause to hold the United States responsible and pay reparations for austerity and the manufacturing of Puerto Rico's economic and climate crises.

Antonio Diaz

Hello, I am not following the language below. What does a majority vote required mean, more than 50%? If not, why would there be a runoff? I infer the majority refers to more than 50%, but this needs to be more explicit in the bill.

″(3) MAJORITY VOTE REQUIRED.—Approval of a status option must be by a majority of the valid votes cast.

(4) RUNOFF PLEBISCITE.—If there is not a majority in favor of one of the three options defined in this Act, then a runoff plebiscite shall be held on March 3, 2024, which shall offer eligible voters a choice of the two options that received the most of votes in the plebiscite held under paragraph (1).″

Edmundo Quinones

This is a good beginning to resolve the status question of Puerto Rico. Please support this bill. Puerto Rico is the world's few lingering colonies. If you support freedom and individual's right to self determination, support this bill.

Timothy Frank

Puerto Rico is the World's Oldest Colony. The Declaration of Independence of the United States of America is clear, in order to be a just and lawful Government abide by the following principles: "—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed..." Puerto Rico has never had the opportunity to give its "CONSENT".

The United Nations Charter and the United Nations statement on Human Rights affirm:

"PART I—Article 1

1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."

How the United States of America, founding Member of the United Nations, has been able to get away with holding Puerto Rico as the World's Oldest Colony defies reason. Puerto Rico lacks the ability to Self Determine their status in the World and the Status of it's people. Puerto Rico is the United States of America's Greatest Sin and the worst kept "Dirty little secret".

How can the United States of America look at Russia with a straight face and say: "You can't take Ukraine as a Colony" while holding Puerto Rico as a Colony? The United States cannot claim the moral high ground here. As long as the United States of America keeps Puerto Rico as a Colony, what is to stop Russia from taking Ukraine, or China taking Taiwan, or North Korea taking South Korea? All would be a violation of the Human Right of Self Determination which the United States of America has no problem of doing, while condemning others for doing.

Please right this wrong. It's immortal. It's unjust. It's indefensible.

Arivel Figueroa

Dear Committee Members, my name is Arivel Figueroa, I'm the director of the Committee on Federal and International Relations, Status and Veterans Affairs of the Puerto Rico House of Representatives. This committee has been doing public hearings on different proposals on PR's status and we think it will be a great opportunity for the PR's Status Act Draft to be part of the work we've been doing in the committee.

Therefore, we would like to extend an invite to Chairman Grijalva and the natural resources committee to collaborate in creating an open space for the

evaluation and discussion process you're starting in June. We have the resources and space for you to do the public hearings and the discussions of the draft. We would like to be a part as well.

Please let us know if this is possible, and don't hesitate to contact us. Thank you.

Abraham Arce

I want independence for Puerto Rico.

We are a separate culture with different history, language, and leaders. We don't share any history with exception of military service that was forced on us for all conflicts USA has had in the last hundred years.

We do not consider Abraham Lincoln or George Washington our forefathers. We have our own history, leaders and no connection to USA.

Again, independence is the only sensible outcome to our colonialism status.

Michael Santiago

This bill will affect the legal status of any U.S. citizen born in Puerto Rico but living in a U.S. State; therefore, U.S. citizens born in Puerto Rico but living in U.S. States must be allowed to vote by mail in the plebiscite. Otherwise, the status of U.S. citizens born in Puerto Rico but living in U.S. States will lie entirely in the hands of others, thus denying U.S. citizens born in Puerto Rico but living in U.S. States the right to consent and self-determination.

Valerie Rogers

Another question: If a child is born in the US to parents of a different nationality (say Mexico for example) that child automatically becomes a U.S. citizen. Even if the child is taken away by it's Mexican National parents to be raised and educated in Mexico. So, it stands to reason that anyone born in the US would retain their citizenship. For those born in PR and already US citizens it would seem they would retain their citizenship, while possibly those born after independence would not be US citizens. Many US citizens were born in PR and moved as children or after serving in the military to the US mainland. They may have paid into SS and Medicare their whole work life so it would stand to reason their citizenship and resulting benefits would be remain in place. How would that play out?

Joel R

"Specifies and defines Puerto Rico's non-territorial status options—Statehood, Independence, and Sovereignty in Free Association with the United States. "

This language is sleezy. That "third option" was purposefully crafted to be confused with non-indendependece. Sovereignty in Free Association sounds like non-independence and essentially like the current status quo. Even the media I consume has required those reporting to verify that this option is not the status quo because it is clearly intended to be confused with the status quo. Those proposing this third option know Puertoricans would NEVER vote for independence if it was clearly articulated as such. Tricking them into it might have a higher chance. It must not be 3 options because Sovereinty in Free Association is dependent on choosing option 2. Be clear. Make it a 2 option vote and then a followup vote if PRicans choose independence, THEN they can choose to have the compact of free association or not as an second vote.

Armando Perez

I believe that the essential choice is between statehood and independence. To include independence with a free association treaty amongst the choices for the initial referendum is to put the cart before the horse.

We should first decide if we want sovereignty in or out of the US. Only if the answer is out should we then discuss the possibility of having or not having a treaty. I believe this makes the most sense, this order of operation. But the draft as written is better than nothing, so I'd get over this.

Jean C. Delgado Algarin

Being born and raised in Puerto Rico, I've seen the disaster of big government, monarchical government in definition and practical approach, and there needs to be a total and radical change in our system as a whole. As a fellow US Marine veteran and constituent that has dedicated himself to self education, especially regarding constitutional rights and in this particular case, the status of my island of Puerto Rico, I have to input on the following. Since the Insular Cases (1900–1922) we have been a non-incorporated territory still to the day (meaning it cannot be a state unless it actually incorporates, otherwise Alaska and Hawaii wouldn't have had achieved their statehood since in the definition of the SCOTUS; incorporated territory is such those that are on clear path for statehood). Free association; we've seen

precedents following the case of Palau Islands, Federated States of Micronesia, and the Marshall Islands, but here is the main detail. All of the above had to declare and proclaim full independence and then later on agree to accord a free association pact with the US, and none of them had nor kept US citizenship since it's not viable in the eyes of the US Constitution to have on a group basis a dual citizenship, only on a individual level.

In addition, let's talk about independence: such option has never been supported, nor will it ever have even a 1/6–1/3 electoral support to simple majority, because the majority of Puertoricans (including the descendants of those that moved to the mainland since the 1940s exodus) value and treasure the US citizenship. If independence was so clearly supported, then how come we have over an approximate of 6 million Puertoricans and descendants living in the mainland vs the barely 3 million living in the island? Must be good to be a natural born citizen with all the guaranteed rights of the US constitution.

Also, not to mention, the statehood option: Sadly the island in some aspects is like a state, but in a good majority it still keeps the bad governmentally organizational setting from the Spaniards that needs to be eradicated, by that I refer to the centralized form of government, rather limited and secluded from state to counties and towns within the counties. Part of the collapse is just the fact of having municipalities relying on the state budget to make up their budget, rather consolidating an x amount of municipalities/towns, for example 5–6 of those into a county, to which the county collects the local/property/county taxes in order to make their own budget and administration. We have an internal mess in that aspect, and we need a good adjustment period to perfect it the way it runs in most states. Since the island doesn't pay federal taxes, but benefits from the welfare state that is funded by federal tax paying dollars, I support putting the island under incorporated territory for a small window of time, so the government and the people can start making the necessary adjustments for statehood.

Such adjustments for statehood would be: requiring more than 2 hours of English teaching in our schools in order to establish a unique bilingual population, decentralizing the government in its entirety in order to create stable and balanced state budget, unite a couple municipalities (taking reference the police districts) to make the counties and assign county commissioners, county police, county education regions, county sheriff, etc. Make the necessary amendments to the state constitution such as: regulating the seat of the governor, legislature, city mayors, and all elected officials, and not infringe on the second amendment right that has been infringed for many decades in Puerto Rico in order to fight criminality and pursue natural justice. Also, in order to advance toward the cause of statehood, the laws that defend fiscal paradises for foreigners and people from the mainland US needs to be repealed, because in every society you cannot give everything to the outsider while you squeeze the juice out of the one person in their own backyard, it is unfair and undignified.

Point here taken is this: neither independence/free association can guarantee us equality under the law (citizenship under the US Constitution), only statehood can, even by being completely an incorporated territory on the path toward statehood. If a plebiscite is to be voted on, only put statehood and independence, because you need independence to get to free association, not the other way around. If such plebiscite goes as planned, and statehood is the winning vote, initiate an immediate incorporation mechanism for a minimum of 5, maximum 10 years in order for us to get all our local and state issues in order, so we can be able to enter the Union as a well economically stable and prosper state. I favor statehood personally, but my island is in dire need of being out on the right path for such transition, and our elected officials do not do anything about it while bragging nonstop about pushing this forward. I may not be a Harvard man, or college graduate, but my tools are historical precedents and the Constitution of this great nation, follow the rule of law, not the agenda of whoever is in power to meet their party goal.

Thank you very much for allowing me to give an input.

Carmen Cadilla

It is time that Congress considers the political future of US Citizens who live in the island of Puerto Rico. Our colonial status has to end. We need to have our voices heard, not by a non-voting representative, but by voting members in both the House and the Senate and that we can exercise our right to vote, including for the President, regardless of where we live, but especially when living in Puerto Rico. It is also time that we become first-class US citizens and we get treated the same as others US citizens by the US Government at all levels. The consequences of Puerto Rico not being a state impact our economy, our health and well-being greatly. We are considered by many entities and companies part of the international

community and not part of the US, but do not have the power to change many US laws that support this treatment. We have made many plebiscites and referendums on the island's political status, which have been ignored by the US Congress. The majority of Puerto Ricans have moved to the mainland US, looking for opportunities that we know we will never have in Puerto Rico. It is time for Congress to act on this important issue affecting over 3 million US citizens.

Rebecca Haden

Thank you for your hard work preparing a compromise bill. Puerto Rico has voted three times for statehood and will probably do so again. However, the description of Sovereign Free Association seems to have some ambiguity in its claims about citizenship. One reading means that citizenship could continue in perpetuity, as long as parents are both U.S. citizens. The other suggests that babies born in a new nation of Puerto Rico could acquire citizenship—perhaps by naturalization, as other COFA nations can. If this will require negotiation between the U.S. and the new nation of Puerto Rico, that should be made clear before the vote. People should not be misled into believing that continued U.S. citizenship is guaranteed if it really is not. Thank you for your attention.

Jesus Nunez

Thanks you for the hard work of finding a consensus bill to finally solve Puerto Rico's territorial status. I am a strongly believer that puertoricans living in the island will select statehood to finally have the political power in Washington and to contribute to this great nation. The three options presented in this bill and the information provided for each one will give the puertoricans living in the island the necessary information to do an informed decision in Puerto Rico's status. Please don't include the territorial status as an option and this shall be decided by puertoricans living in the island.

Ivan Hernandez

This is a great opportunity for Congress to resolve the centenary problem of the colonial status of Puerto Rico. Most of the people of the island had reject the actual territorial status and the vast majority of the people of the island want to resolve this. This is the right bill at this point with a binding procedure absolutely necessary. The people of PR are tired of been discussing this issue for a very long time and this id the time for a permanent solution!! Lets make US bigger!! Let's make this bill the Law!!!

Nathaniel Morell Gonzalez

It is a undeniable fact, the current territorial status of the "U.S. Commonwealth of Puerto Rico" is colonial in nature. For more than 120 years the U.S. Citizens of Puerto Rico have been discriminated by Congress when it denies the same basic civil rights that are seen on any other part of the United States. The resident of Puerto Rico are denied the right to vote for President of the United States or to have voting representation in the Congress. American citizens on American soil without any says on the political bodies that decide their political futures. It is a stain in fabric of the American experiment, a stain against the idea of our republican form of government and an insult to the more than 100,000 veterans from Puerto Rico have serve honorably in the defense of the Unites States since World War I. The consensus is that the current colonial/territorial status loss the consent of the governed. The time has come for Congress to do its duty under the Territorial Clause of the constitution and pass the Puerto Rico Status Act now!

Jose Alvarez

Thank you all for the hard work so far. Thanks to Jennifer and Nydia for getting together and reaching an agreement for the well-being of Puerto Rico so we can finally decide FOR GOOD the final political status our island can reach. After 124 years is just too much to go on like this. We all agree the current status is colonial in nature and should not be included in the plebiscite. The problem can't be part of the permanent and final solution. I'm a licensed attorney and CPA living on the island and I can see the daily disadvantage our colonial status causes. We can't vote for the President, the one that can send us all into war. We don't get two senators and at least four representatives that can fight for us DIRECTLY, with a vote that counts, in Congress and that also can provide their help and insight on how our nation can be better, more just, and protect the rights our constitution allows. On behalf of my fellow Americans living on the island please move as fast as possible so we can ONCE AND FOR ALL bring this issue to an end.

David Colon

Hon. Grijalva, Permitame presentarle "ELA de Puerto Rico-Defensores Inc. "incorporado bajo los estatutos del Departamento de Estado de Puerto Rico como una organizacion sin fines de lucro. Nos identifica el pueblo puertorriqueño como los Defensores del Estado Libre Asociado.

Nuestra mision es asegurar que los ciudadanos conoscan, entiendan y se unan a la defense del Estado Libre Asociado de Puerto Rico como la major alternativa de estatus politico para la isla de Puerto Rico.

Es un honor para nosotros tener una union permanente con los Estados Unidos donde garantice la ciudadania Americana por nacimiento en Puerto Rico.

Respetuosamente llamamos a su atencion, conociendo su compromiso democratico, para que logre que la misma democracia impere en el PROYECTO 2070 de Honorable Nidia Velazquez y de Honorable Alezandra Ocasio honrando al Estado Libre Asociado de Puerto Rico como alternativa, haciendolo uno democratico. Al momento en las pasadas consultas no han querido incluir el mismo como alternative, y el motivo es que, en el plebicito del 2012, VOTARON 828,088 MIL PUERTORRIQUEÑOS a favor de que el Estado Libre Asociado permanesca en union con los Estados Unidos de America, en forma permanente.

La ley de relaciones publicas 7 trata de implementar la Ley Publica 113-114 aprobada por el congreso bajo la administracion Obama que prevé la financiacion de un plebicito y llama al Procurador General a hacer una constancia y que se incluya al Estado Libre Asociado de Puerto Rico.

El Proyecto 2070 no incluye el Estado Libre Asociado actual de la mancomunidad como una opcion. Las Unicas disponible para los votantes son: Estado, Independencia y Libre Asociacion. Segun lo definido por el derecho internacional-Una asociacion entre dos naciones soberanas.

El Estado Libre Asociado de Puerto Rico, el estado en que vivimos actualmente desde 1952, fue concebido y diseñados por mentes abiertas, creativas y notables tanto en el congreso como en Puerto Rico, y responde asi a la politica publica de los Estados Unidos contenida en las Leyes Publicas 600 de 1950 y 447 de 1952.

La constancia de que la papeleta contenida en la Ley de Relaciones Publicas 7 es consistente con la constitución y las leyes y politicas de los Estado Unidos, seria contraria a los derechos de cientos de miles de puertorriqueños que desean mantener y perfeccionar al actual Estado Libre Asociado establecido bajo leyes de El Congreso Ley 600 de 1950 y el 447 de 1952. La politica de Autodeterminación verdadera e inclusiva del futuro politico de Puerto Rico como defendida por todos los presidentes desde el Presidente Honorable Truman hasta el presidente Honorable Joe Biden.

El derecho a determinar el future estatus politico de Puerto Rico pertenece a todos los puertorriqueños. Al excluir el Estado Libre Asociado de Puerto Rico de la boleta electoral, los partidarios del mismo estado privado de sus derechos por sus creencias politicas; Sin derecho al voto por la creencia en un estado creado por el congreso, respaldado por las Naciones Unidas y por el pueblo de Puerto Rico.

Le instamos con mucho respeto a que determine incluir la opción del Estado Libre Asociado de Puerto Rico.

Carmelo Rios

Dear Raúl Manuel Grijalva, the delegation of the New Progressive Party in the Senate of Puerto Rico is formally requesting to schedule a meeting with you and your staff during the public hearings you will be holding for the historic Puerto Rico Status Act in June. We are extremely excited to discuss a bill that finally puts an end to our colonial status and gives us the power to decide our own destiny.

It is important to our delegation that we receive an opportunity to sit down and discuss the many positives we feel are present in the bill, while also taking time to explain some of our recommendations to amend and better it. As you have previously stated, it is important that all sectors of the Puerto Rican People residing on the Island be given the chance to air out their opinions and misgivings with this legislative project to produce something that will not only have the support of the majority of the People, but also be something that can be approved in Congress.

The Puerto Rico Status Act is a shining example of what can be accomplished when we put aside our differences and come together in order to produce a bill that we can agree on. This bill has all the most important elements that each side was looking to include and makes everyone involved feel hike their voices were heard and respected. Thank you for your time and consideration and we look forward to meeting with you soon. If you would like to reach us, you can contact the NPP Minority Whip's office number (787) 945-5333 or through his email crios@senado.pr.gov.

With regards, Thomas Rivera Schatz NPP Minority Leader
Carmelo Rios Santiago NPP Minority Whip

Henry Neumann Zayas	Keren Riquelme Cabrera
Migdalia Padilla Alvelo	Nitza Morán Trinidad
William Villafañe Ramos	Wanda Soto Tolentino
Gregorio Matías Rosario	Marissa Jiménez Santoni

Jaime Aldarondo

Voters in Puerto Rico should be allowed to have another option in the plebiscite. This option should be the reunification with Spain. Puerto Ricans voters should be allowed more time to get educated on the proposed draft. The proposed draft prevents a big segment of the population from expressing their views on the ballot. As a taxpayer I request that the proposed draft be amended to include the alternative Reunification with Spain as an additional option on the ballot.

David Vazquez

This a great beginning to end the colonial status of PR by the people of PR.

Definitions

I would like to a get a clarification on the definition of "bona fide resident" because of the number of Boricuas in the diaspora who might think they can vote in this special elections (Nov 5, 2023; March 3, 2024)

What does majority of the valid votes cast? (for one of the three options)

What percentage for voter participation is expected and what number of votes is considered a majority? (over what % will prevent a runoff)

How long is the expected 1st agreement duration exactly? Articles of Free Association

Page 13 not clear sec 10. Under which status or how it relates to the voter education

Citizenship

It is not clear what you mean when you state that during the Articles of Free Association

1st agreement duration only if both parents are US citizens shall be eligible to acquire. . . US citizenship (page 7). Currently, all Boricuas are US citizenship, so are you talking people born after this date? It is not clear who remains as US or can get in the future

If it becomes a State, we continue with US citizenship, no need to write (c) on page 9. (it seems like a political statement)

If it becomes a Free Associated to the US, page 35 not clear the citizenship definition.

In black and white under free association, how do we keep US citizenship? What is proposed in the bill is not clear? It can be misinterpreted.

Transition

Page 37 (2) no clear how you can educate the people if the negotiations are not prescribed that relate to foreign affairs, trade, finance, taxation, security and defense, dispute resolution, immigration, economic benefits (grants), etc. . . . It seems this status can fall by default on our current Commonwealth status, which then needs to be improved and not under the power of Congress. What would happen with the Jones Act? As example . . . that should be part of this list that need to be negotiated.

As a free association, can we keep US citizenship if we keep enlisting in US Armed forces as well as social security.

Free Association information in this proposal is weak, it seems it will be hard to inform the people if we do not know the types of agreements we can negotiate with Congress. It just seems that Free Association will fall into the current status of Commonwealth and the purpose of this bill is eradicating the colonial relationship between the US and PR.

Antonio J. Fas Alzamora

Dear Chairman Grijalva, First, I want to thank you for your ongoing consideration and support to the people of Puerto Rico. I appreciate that while so ably representing the state of Arizona, you continue advocating and enacting policies that improve the lives of our constituents in Puerto Rico.

I am writing to you as former Senate President of the Commonwealth of Puerto Rico, and the longest-serving legislator in the history of Puerto Rico (1977–2017), former Secretary General of the Popular Democratic Party (PDP) and actual member of the PDP Governing Board, since 1978.

Despite having been a strong supporter of Commonwealth for most of my political career, I have dedicated the past 12 years of my life working on a non-territorial

and non-colonial free association proposal, entitled "Compact of Association between the governments of the Free-Associated State of Puerto Rico and the United States of America". 12 years ago, I presented the first draft of this proposal with an inclusive process of public hearings around the island to discuss it and consider amendments that were included in the 2020 version of the compact proposal. I'm including you a link with all the information of my compact proposal in www.pactodeasociacion.com.

I would like to share with you and your staff a summary of my proposal, so I'm formally requesting the opportunity to meet with you and your staff in the Committee's visit to Puerto Rico.

I am also available for any virtual or in-person meeting that may be necessary to advance initiatives in favor of Puerto Ricans. I look forward to meeting you.

Guillermo Gonzalez

To: US Congress Representatives Grijalva, Velázquez, Ocasio-Cortez, González

I am writing these words to congratulate all of you for making history with the process of decolonization and self political determination for us, the People of Puerto Rico. This is the first time in our 528 years, and running, as a colonial possession that our real government-Chief of State of PR is Joe Biden-asks the people living in their territory how do we feel about it, and which are our wishes and goals for our common relationship. It's like living with your wife for years and never talking to her. 405 years under Spain's control and 124 years under USA control. Nobody during the signing of the Treaty of Paris, to end the Spanish American War, asked us, the Puerto Ricans, our opinion of the property transfer of ownership of the land in which we were born and live. Living in a colony is like living as a test tube baby—you do not own your habitat.

My name is Guillermo Gonzalez Roman, aka, Guillermo Gonzalez MD for my writings. I was born in Santurce, PR in 1949. I am a retired physician, specialized in Psychiatry and Neurology. Now living back in PR after 30 years of medical practice in the states of New York and Massachusetts. I have read and fully agree with the draft of The Puerto Rico Status Act.

It is my opinion that the USA has been dodging its responsibility, as assigned by the Treaty of Paris, which was signed in 1899, to determine the political future of the relationship of the US with PR. None of you before has talked to us expressing your divided and conflicting opinions regarding the future of our relationship. You have mascaraded your ambivalence to us, as described in the Insular Cases and the recently decided case of Vaello Madero by the US Supreme Court, by using the excuse that there is no consensus between us and not you. How could there be consensus among us when there are multiple mutually excluding possibilities, which are not defined, and we have no power to decide? We are requested consensus on issues that only you have the power to enforce, and you have never defined which are the possibilities. Are you playing with us "blindly tagging the donkey"?

It is always easier to blame the weakest and defenceless. Article IV, Section III, Clause II of the US Constitution gives you unilateral rights to legislate the rules for our lives and society—in a unilateral unquestionable and irrevocable way. To the point, based on monetary claims that we are poor and do not pay enough taxes to receive equal treatment under the Constitution, you allow the SSI benefits assigned from you to the poor, except not for the poor people of PR. In 1984, the US Congress took away the federal bankruptcy protection to us during insolvency. You also put for cheap sale the triple tax exemption Commonwealth bonds in their portfolios, which by 2015 over 70% of the Mutual Funds in the US had Commonwealth bonds with excellent and above average interest rates, and they were Joker bonds that anybody could buy them, tax exempt, especially for states with high taxes. All of this, in conjunction with our financially incompetent and irresponsible local government that is still two years behind in submitting audited consolidated financial statements, lead us to insolvency and incapacity to defend ourselves from Wall Street. It may sound paranoid, but the path was set for Wall Street to take over all the actives of our local fictitious government. We were defenceless people with no political power in our real government—the federal government—left to face the mammoth of Wall Street alone.

The Russians are invading Ukraine and not respecting their right for self political determination. US Congress has been doing this to us for all these years; ignoring our will and democratic right for self determination. For some of you, it is an issue of not wanting PR to be a purple or swing state that will decide presidential elections. For us, it is a request for our sovereignty, residing today with you in the US Congress, ending the unilateral control from you on your colonial territory possession. Maybe, to the surprise of some of you, I believe that with our sovereignty we will successfully survive in both possible scenarios—statehood or independence.

For the past 16 years I have been writing about the colonization process of PR and the effects on the Puerto Rican personality. I have published six books on this topic and I am in the process of writing my seventh book in support of The Puerto Rico Status Act—"Puerto Rico and Ukraine from a Bird the Two Wings-Self Determination Missing".

It is my opinion, based on my experience, that you are not the only ones to blame for the persistence of the colonial situation of PR for all these years—we have also contributed. Experience, biology, and personality interact, being cause and effect of each other. The Colonized Personality has evolved from years of colonialism, creating dependence in the metropolises, and inferiority feeling and insecurities about a future of our own, with the responsibility of a government that could support its own structures and facilitate the self and financial support for all of us Puerto Ricans. Habits are difficult to change and at times we are our own worst enemy.

Thank you for providing me, as a private citizen living in PR, an opportunity to express my opinion about our political future and our future relationship with the USA. The Puerto Rican self determination process is a common responsibility, and we will fight for it as united people in a democratic and peaceful way, different from the Ukrainian people that have been forced to fight fearfully for their self political determination process.

Manuel Ángel Rugama Amparo

In Puerto Rico and Spain there are civic-citizen movements that promote the reunification of Puerto Rico and Spain. We demand that the option of reunification be included among the options in a future plebiscite. Puerto Rico was a Spanish province in 1898, whose inhabitants had accepted democratically and by a large majority, the political autonomy that the approval of the Autonomous Charter of 1897 meant. The US militarily invaded and seized by force of arms the Spanish province of Puerto Rico to subject it to a colonial regime. The Puerto Rican people have the right to become an integral part of their founding nation, Spain.

Nancy Ferrer

Añadir al borrador el Movimiento de Reunificación de Puerto Rico con España como cuarta opción. Esta opción es viable y permite a muchas personas poder escoger lo que mejor convenga a la Isla de Puerto Rico.

Elaine Montgomery

Looking forward to the Puerto Rico Status Act resolves once and for all the political status.

To prevent further delays, the options need to be clearly explained.

I propose those that have voted in previous PR elections (are listed in the State Election Commission) that have moved from the island to another state are allowed to vote as absentee. What would not be fair would be to all Puerto Ricans living in the states to vote because the majority of them have never lived in the island. That is why the key point would be, those that have previously voted.

Thank you.

Juan Mendez Rosa

I support the PR Status Act consensus bill. It is an opportunity to enfranchised the American

Raul Velez

I support Puerto Rico status act, is time respect the Right of United State citizen's of Puerto Rico, Failure to resolve the colony problem would be a violation of our fundamental rights as a United States citizen of PR

Iris Arroyo

Yo apoyo la Estadidad para Puerto Rico I support Puerto Rico status act, is time respect the Right of United State citizen's of Puerto Rico, Failure to resolve the colony problem would be a violation of our fundamental rights as a United States citizen of PR.

Walter Caraballo

Please, no more dilation and unsuccessful demagoguery. No more doing what is done, just to give artificial life to the colonial system and second class citizenship. With this, there is no excuse to leave the project without seeing it in the Natural Resources Committee, and that it can be evaluated later in the plenary session of Congress. I support the status law for Puerto Rico.

Jose Arroyo

How this PR status act will defend and protect the people, puertorricans and other states residents in the island, who has put their efforts in living in this island, buy properties and invest in businesses all because the previous status ELA and the outlook of a future union 'statehood' which now is in a threat of a possible independence or status that do not value our US citizenship? How they will be protected against people who has nothing or not been interested in invest, buy properties and has dedicated all their life's to just be against a better future all the people of Puerto Rico? How it will value the fact that the statehood has won all the referendum and plebiscite done in past years against any other real status options? This status act should not fail to the people of PR who has sacrificed thier life's in this island because of the territorial status that now threatens to become 'something else' that they has not even imagine before. Thanks! God Bless America!!

José Daniel Rodríguez-Allende

The Puerto Rico Status Act draft is more than obvious that has been made to help statehood political status. Is like to "dejar entrar la estadidad por la cocina," (to allow statehood to enter through the kitchen). Besides, is more than clear that next November the U.S. Congress will be involved in elections and with this not-well-done draft, some Congress representatives are just looking for the Puerto Rican and Latino votes. No one asked the U.S. to invade an already autonomous country in 1898. This your mess and you have to fix it with honesty! At least the most honorable thing that your country United States should do is to be honest with our nation Puerto Rico and to tell our people what to expect from each political status, including an enhanced Commonwealth that wasn't included for some reason, before presenting any unreasonable and political motivated draft. Do not forget that the majority in the island doesn't want statehood.

NO QUEREMOS LA ESTADIDAD!/WE DON'T WANT STATEHOOD!

Rosa Velez

It's long overdue! We deserve equality! Our soldiers have died for the Nation yet we don't even have the right to vote! We have been discriminated for 500 years. We are the oldest colony in history. The time has come for Puerto Rico to become a state! Statehood Now!

Maria Rivadulla

Honorables Raúl Grijalva, presidente del Comité de Recursos Naturales de la Cámara de Representantes de los Estados Unidos de América; Nydia Velázquez y Alexandria Ocasio Cortés, representantes a la Cámara de los Estados Unidos de América, Honorable Jennifer González, Comisionada Residente de Puerto Rico ante el Congreso de Estados Unidos.

Respetuosamente me dirijo a ustedes como ciudadana norteamericana residente en Puerto Rico para expresarles que he visto con profunda satisfacción cómo la representante Nydia Velázquez y nuestra Comisionada Residente Jennifer González se sentaron a trabajar en conjunto para crear un borrador de Consenso que recoja lo más genuino de los dos proyectos que fueron presentados el pasado año buscando opciones para resolver el problema colonial de Puerto Rico, entendiéndose por esto que no estamos de acuerdo en seguir viviendo bajo una condición territorial que minimiza nuestra ciudadanía, nos impide votar por el presidente de nuestra nación, y no permite que recibamos un trato igual que nuestros conciudadanos en los estados.

Tenemos la esperanza de que, gracias al interés y esfuerzo de ese Comité nuestro caso pueda ser visto en su justa medida, y que podamos tener finalmente una consulta democrática con voto directo de todo el pueblo para escoger entre las opciones descolonizadas reconocidas internacionalmente, siendo vinculante el resultado de esa consulta.

En el plano personal estoy de acuerdo con las tres opciones que se reflejan en el borrador:

Estadidad (el estatus que yo apoyo) Independencia Libre Asociación (modalidad de independencia con acuerdos bilaterales que pueden ser terminados por cualquiera de las partes en cualquier momento).

No estoy de acuerdo con insertar la condición colonial actual de Estado Libre Asociado (ELA), como parte de la consulta porque no es posible que incluyamos la misma cuando es precisamente la condición en la que estamos viviendo y con la que no estamos de acuerdo.

Me llena de alegría que estemos tan cerca de lograr el objetivo al que aspira la mayoría del pueblo de Puerto Rico, demostrado en varias oportunidades en diferentes consultas electorales: LA ESTADIDAD PARA PUERTO RICO como

consecuencia natural de progreso económico, político y social siendo uno más del conjunto de estados que se rigen tanto por las leyes estatales como por las Federales. Son muchas las generaciones nacidas atesorando la bandera, la ciudadanía y la forma de vida americanas. Más de cinco millones de personas de origen puertorriqueño viven en los estados de la Unión disfrutando de todos los derechos que ampara nuestra Constitución Americana, al mismo tiempo que cumpliendo con los deberes que vienen dados por el ejercicio de nuestra ciudadanía.

Agradezco el interés de este Comité y de nuestra Comisionada Residente. Todos han estado dando lo mejor de sí en este Borrador de Consenso.

Ayúdennos a impulsarlo. Ayúdennos en la aprobación del documento tanto en Cámara como en Senado.

Y una vez aprobado, ayúdennos a poder educar a nuestro pueblo de manera seria y responsable en las opciones que se presentan a escoger, durante los once meses que medien antes de celebrarse la consulta para que la votación sea educada, madura, democrática, sin posibilidad de interpretaciones diversas. Que sobre el resultado no haya ninguna duda y sea vinculante. Es una decisión de futuro que tendrá repercusiones en todas las generaciones venideras.

Gracias por su compromiso. Con el mayor respeto y consideración.

Ralph DeStefano

They do not want statehood from what I have read their country is bankrupt like ours but hey let's make sure we force their country into statehood. Another ploy for the DS to stay in power with more votes and throw more debt on the backs of the middleclass worker but don't worry you all will destroy that too just like your destroying our country with your communist policies.

Salvador Ruiz

PR Status Act Draft. . . . Must Eliminate The Statehood Option .. On Its Menu . . . Statehood Is Genocide . . . . . The Only 2 Option In The PR Status Act That Support Liberty And Is Consistent With United Nation Pasts Resolutions Are Complete Independence Or Libre Asociacion . . . Genocide Isnt Self Determination . . .The PNP Clowns That Have Gather In WDC .. Starting With Mrs. Piggy . . . And 4 Other Clowns That Include The Impeach X Governor Of Puerto Rico. Ricky Rossello . . . Want To Talk About Equality . . . Yes. Equality. Puerto Rico Must Be Able To Elect Its Own 1st President.. . . . Establish Its Own National Army . . . Produce Its Own Currency . . . . Ect. Yes. Puerto Rico Wants Equality . . . The. Puertorican People. Must. The. Only Power To. Rule. Our. Country. No. Other . . . Yes. We. Want. Equality.. USA Congress ..Senate And USA President Biden. . . . Freedom Is Very Precios . . . . Puerto Rico Has Been Bonded Into Slavery For 124 Years . . . And. We. Lived The Pain And Sorrow Of Great Injustice Just The Black American And The American Indians . . . PR Status Act Draft. Must Immediately Remove The Genocide Opition Of Statehood . . . Now. And Allow The Birth Of New Republic Of Puerto Rico ..To Rise . . . In The Light Of Democracy And Winds Of Freedom . . . The USA Has This Supreme Absolute Obligation To Assure That The New Republic Of Puerto Rico .. Rise. Rise. Rise.

Evelyn Ashbrook

The US Citizens of Puerto Rico have had 3 plebiscites in the last 10 years. All have favored Statehood. From those it is evident that (1) Puerto Ricans reject the current unequal territorial status and (2) supports statehood. It is time for Congress to give the people of Puerto Rico a path to statehood.

This is a CIVIL RIGHTS issue, as the US citizens in Puerto Rico DON'T have equal rights to those that reside on the mainland. It is a VOTING SUPRESSION issue, as the current territorial arrangement disenfranchises all 3.2 million US citizens living in the island. Puerto Rico provides one of the highest per-capita military participation rates in the Nation. Yet, they do not have the right to vote for their Commander in Chief. Over 100,000 veterans that reside in the Island have less rights than their fellow brothers/sisters in arms in the States.

Hector Del Valle

I am a citizen who advocates for the integration of Puerto Rico as the 51st state of the Union. Unfortunately, a lot of us citizens do not like the idea of Puerto Rico entering the Federation because they think that the Island "will become a paradise for welfare or the next Northern Ireland".

I will analyze a myth that people believe about Puerto Rico's integration as a state, as well as the solution:

A "Welfare Paradise": The problem in Puerto Rico is that 60% of the population is below the poverty level, caused in part because the unemployment rate, in Puerto Rico has been more than 10 percent. If Puerto Rico becomes a state, this problem

can be solved applying the enterprise zones concept based on Jack Kemp's model. This will attract more industries into the island's economy and secure the United States' supply chain (a matter of national security), as we need a measure that will give industries in Puerto Rico a wage credit, for example, as an incentive to stay in the island and create more employment opportunities.

I am not for a welfare paradise concept as some people say and think about this, but when a state enters the Union, it recieves what it needs, and gives to the USA Treasury what it can give—the economic parity concept. it is obvious, however, that Puerto Rico will get more federal funds than nowadays, as part of a taxation redefinition process, but it will go to people that nowadays really need it: the elderly and handicapped (by means of the Supplemental Social Security Income), the veterans, and more Medicaid funds to the poor who needs it. The legislation that was approved in the past on welfare reform has had the objective of stopping welfare dependency as a destructive lifestyle and it is requiring able people to look for a decent work, while giving appropiate daycare for single mothers.

Puerto Ricans are American citizens since 1917, but second class citizens. we do not vote for the selection of the selection of the President, and we do not have voting Congressmen. We only have our Resident Comissioner, Jennifer Gonzalez-Colon who does not have a vote in Congress.

Mr. Congressman, I think time has come for Puerto Ricans to choose their final destination, not to stay in the political limbo any longer. I think this bill has to definitely solve the status problem once and for all. I support his initiative to solve this problem. House Speaker Nancy Pelosi should support this initiative too. I hope that after reading this statement you will also continue to support it, as well as the choice of statehood for the Island. May God bless you.

I also hope you reply to this statement with your comments or questions. I also request that this statement be admitted for the record.

Addendum:

The Federal Enterprise Zones and the economic future of Puerto Rico in a domestic environment:

By: Hector L. Del Valle Beauchamp

Puerto Rico, economically speaking, has hit bottom. That is why this writing analyzes an opportunity that could, if applied to our island, provide us with great relief, who knows if more, in the precarious environment we have today: the Federal Enterprise Zones.

Since 1993, the Federal Government of the United States has established this type of program in different jurisdictions where the level of poverty is very high. At that time, President William J. Clinton promoted this concept in areas such as the Appalachia, the Mississippi River Delta, Indigenous reservations, and pockets of poverty in cities such as Miami and Los Angeles.

The concept originates in the United Kingdom under Margaret Thatcher, adopted in the 1980s by Jack Kemp, then a Congressman, and finally implemented by the administration of William J. Clinton. The versions since then have been several, depending on the ideology, Democrat (Zones of Economic Growth under Barack Obama), and Republican (proposal of Senator Rand Paul (S. 1551 in 2017)).

Benefits that are proposed are the following, among others:

(1) Incentives for hired employees residing within the designated Zone.

(2) Flexibility and preferences to be able to coordinate and participate expeditiously in Federal assistance programs and to access Federal government resources (streamlining).

(3) Deduction of 100% in expenses in investment works in qualifying capital works (expensing).

(4) Allow higher deductions for charitable contributions.

(5) Allow foreign investors (who have the resources) to enter the United States to invest.

(6) Funds to allow a great improvement in the quality of education in the Area.

We have to rejuvenate the depressed communities in Puerto Rico. In these designation analysis, more than 90% of the island would qualify. The message to Washington is clear: help us to help ourselves to escape the imminent abyss that beset us, and this already has a great sense of urgency. This initiative, working hand to hand with the already existing "Federal Opportunity Zones Program" can have great results to even become extremely synergistic!

I hope that every square inch of Roosevelt Roads Can be developed with this legislation. Furthermore, combined with the designation of the former petrochemical complex in the Penuelas-Guayanilla area . . . With EPA Superfund monies to decontaminate such premises . . .

Nehemias Rodriguez

Hello Congress, The blood of Puerto Rican soldiers are claiming for justice. 123 years of colony are enough. Past November 3, 2020 655,505 puertoricans, 52.52% of the electoral votes, said no to colony and yes to Statehood. Congress must hear the people of Puerto Rico. Congress must act now. No more colony. say yes to PR Status Act. No more excuses.

Bethzaida Falcón

Saludos, Sr. Raúl Grijalva nosotros los residentes de Puerto Rico tenemos él derecho qué se nos escuchen. Y siempre hemos vivido bajo el Estado Libre Asociado de Puerto Rico. Qué es la fórmula bajo él Partido Popular Democrático PPD. Entiendo qué se debe de incluir la fórmula del ELA. No La Libre Asociación y bajo él ELA hemos disfrutado. Todo los beneficios qué tenemos qué bueno ha sido él ELA y los mucho qué el partido Nuevo Progresista PNP. Y él partido Independentista Puertorriqueño PIP han disfrutado. De los beneficios bajo él estatus actual nadie qué no viva aquí. Debe de imponernos una fórmula qué este país, qué no conocemos, no hemos vivido. Y no queremos cómo residentes Puerto Rico. Con respetó le exijo qué se incluya al él ELa muchas gracias por su atención.

Roberto Rivera

Honorable Members of Congress: It is with great respect and humility that I submit this proposal for a completely different paradigm to achieve statehood for Puerto Rico: to become part of an existing US state, Florida, via annexation.

Historically the sole focus of our local statehood leadership, especially from the Partido Nuevo Progresista or PNP, has been to become the 51st state of the Union, with it's own governor, Congressional and Senate representatives, it's own state legislature, and most importantly all the immense political power and budget that comes with that. But the pro-statehood citizens of Puerto Rico do not care about local leadership achieving all that power—they just want to become a state. Most of US Congress and Senate members, as well as state governments, do not want a new state as many of them would lose Congressional and Senate representation to a new state.

Becoming a County (or a few counties) of a greater state like Florida removes these objections, and allows for an expedient and simpler process for Puerto Rico to become a County within a much larger and powerful state such as Florida. Just by this union the PR economy would flourish—tourism, manufacturing, energy, services, remote workers, healthcare, etc would flock to PR given the special tax zoning (coded in federal laws that include states), lower salaries, high performing bilingual professional pool. We would gain all the benefits of Florida residents, particularly access to public institutions of higher education in mainland Florida, and the reverse is also true for mainland Floridians to have access to resident status and fees at our local public universities. The state of Florida will get all the benefits of an immediate addition of 3.5 million citizens: sales taxes in the billions each year, federal appropriations that are based on number of citizens, an area where businesses from other states and countries would flock to and add to Florida's tax revenue, a really big island to attract additional out of state tourism, and the voting loyalty to those who support and implement this option. And the list of benefits go on, including Florida state level supervision of Puerto Rico County level officials, Florida laws and regulations, court system, etc.

It is my humble opinion that this option be presented to the people of Puerto Rico, either as a separate 4th option to becoming the 51st state and alongside free associated state and independence, or as an sub-option within the statehood alternative alongside but separate from becoming the 51st state.

Please let the people decide, not the statehood politicians who primarily are seeking 51st state level power. I also firmly believe this annexation option is an alternative that has a much better chance of approval by Congress as well as the citizens of Florida, where million of their citizens are from Puerto Rican ascendence, and many others sympathetic to the immediate boost to Florida's economy such an annexation would represent.

Amanda Rivera Lebron

Self-determination is a human right, and a critical principle of international law, the supreme law of the land in the US. Statehood for Puerto Rico means equal rights for all US citizens, in line with the central tenets of the US Constitution. The law is on our side.

Be on the right side of history. Give the US citizen residents of PR the right to vote out of the colonial status quo and let democracy decide.

Whoever rejects a binding referendum, fears the true will of the people. Let democracy thrive and decide. Statehood now.

Jessu Perez

There is a very flagrant flaw in this bill in the naming of the free association option. "Sovereignty in Free Association with the United States" is confusing, misleading, biased, and asynchronous with the other two options.

In international law, each of the non-territorial options constitute a FULL measure of sovereignty, including independence and statehood. To single out one of the options as "sovereignty" would be misleading and problematic. It would cause serious validity concerns in the plebiscite as it would infer, to the common eye, that the other two options do not constitute a full measure of sovereignty.

If you single out free association option as "Sovereignty in Free Association," then you'd be obligated to also adjust the other two options as well in order to mitigate bias and ensure an educated electorate base.

One might suggest:

Sovereignty with Integration with the United States (Statehood)

Sovereignty with Free Association with the United States (Free Association)

Sovereignty with National Independence (Independence)

To avoid these superflous names, the free association option should simply be named "Independence with a Treaty of Free Association," or "Independence with Free Association" in order to satisfy common international law principles when it comes to choosing this status option.

Please fix the bill in the markup to resolve this key issue in the draft.

Thanks for your attention!

Raul L. Cotto-Serrano

Honorable Members of Congress, my name is Raúl L. Cotto-Serrano. I am a professor of political science at the University of Puerto Rico/Río Piedras. I earned a PhD in political science/ philosophy from the University of Massachusetts/Amherst.

My general position is that the draft concerning the relation between Puerto Rico and the United States fails to address the reality of the situation.

The situation is that in the present and for the foreseeable future, none of the three proposed alternatives is viable. I am identifying "viability" with a reasonable degree of economic self sustainability. In other words: the ability to create and sustain moderate economic growth in a reasonably autonomous way. I believe that this level of self sufficiency is a necessary condition for any of the formulas proposed and I also believe that none of them meet this essential requirement.

Never in its history has the United States admitted a territory as a state with the purpose of completely sustaining it economically thus creating a situation of total dependency. This would have been unreasonable and counterproductive.

Regarding the statehood alternative, the level of economic dependency existing now and for almost a century in relation to the United States is extremely high. This extreme dependency is the result of policies established by the United States and by the Puertorrican government. The pro-statehood movement has been most emphatic in deepening this dependence as an attempt to diminish the cultural-nationalistic identity already existing in the Island for centuries and prevent it from generating a powerful political nationalism. This policy has been counterproductive because extreme dependency is an obstacle to statehood.

Independence is also a non-viable proposition under the present circumstances. Making independence viable would require a serious program of import-substitution and the elimination of legal arrangements presently in place. This, in turn, would require a vigorous economic program financed by the United States during at least 40 or 50 years. A program such as this would require the full commitment of two generations of Puertorricans devoted to the development of their country as a self-sustaining entity. It would receive, at least initially, fierce opposition from the local ruling class which profits from being intermediaries between United States capital and local consumption. The present levels of corruption, which imply putting self-interest above the common good, is very pervasive not only in the corporate and public sectors but also in the civil society. This is a source of pessimism concerning the project of independence which is the one I favor.

As for the "Free Association", it is an attempt to perpetuate the existing situation of extreme dependency with some degree of international legitimacy. Apart from other internal inconsistencies, it is also a non-sustaining proposition with an illusionary sovereignty: a neo-colony.

It is my understanding that you are trying to respond to the wrong question by thinking that the main issue here is to know what are the preferences or wishes of the voting population of Puerto Rico. The question you need to ask yourselves is

rather: what is the economic project the United States is willing to support and finance in order to facilitate Puerto Rico becoming a self-sustaining entity both politically and economically. If you fail to address the problem from this perspective the territory will remain a source of continuous discontent and confrontation both in the Island, overseas, and in the Continental United States.

Jose Rivera

There are essentially only 3 political status options for Puerto Rico. The current "Estado Libre Asociado (a non incorporated territory called a colony by its opposers), a fully incorporated State of the Union and and a totally independent state. The current debate on Puerto Rico Status in this house committee is an achievement of those that oppose the current political status. History will show that under its current status, Puerto Rico underwent a massive economic recovery and was favored by the island residents in three major plebiscite over the other two options. The ELA opposition or "Pro Statehooders" and pro independence, soon realized that that their losses in plebiscites were attributable to certain benefits such as the 936 excise tax clause which favored manufacturing operations in Puerto Rico, was an essential component of PR's economic success and was only available with an ELA status. The third political party are the pro independence of Puerto Rico which is historically favored by less than 4% except in the last elections in which the achieved approximately 6%. In 1996, pro statehooder Governor Pedro Rosello sent a letter to US Congress, expressing that Puerto Rico does not support the "936 excise tax clause any longer". US Congress fazed out that program in 5 years and in 1990 Puerto Rico economy started turning for the worst. A substantial amount of manufacturing operations left the island along with over a 100,000 employees. this caused a chain reaction of negative indicators in construction, bank financing, government bonds value, etc. The course irreversibly led to PR's bankruptcy. All the ELA opposers were quick to blame the ELA status as the cause of the bankruptcy. They even adopted the term "Colony" as the cause of all evil to describe ELA to gain more support to counter it.

The truth is that the islanders have not had a chance to fairly express their wish for a political status because all subsecuent plebiscites have been designed and loaded against ELA by its political oponents. ELA supporters believe that under the current status, a return to reasonable manufacturing levels is not only posible but vital to a sustained economic recovery. No other political option can do that.

Congress should, above all protect democracy and to achieve that, should not delete any option in any future plebiscite. Congress should also call for a second vote, in which the first two winners in the first vote, are then voted on. Above all Congress must be the only source of what each option entails and not leave that up to local politicians to interpret.

Keep in mind that a "Free Associated State" is the same as an independence status. Also keep in mind that as a Pro statehooder, Jennifer Gonzalez, wishes to compete with any definition of an independence status for an easy victory and in so doing pursues eliminating ELA as an option. She is knowledgeable of local politics and exploits the use of terms like "non-territorial or "colony" to convince Congress to eliminate the only option that leads to the loss of the pro statehooders party. It is also predictable that in the eventuallity that this ill fated bill is ever approved, The ELA party in Puerto Rico will not participate in that event.

Bernard Gonzalez

Honorable Members of Congress, I thank you for dedicating your valuable time to help resolve the colonial status of Puerto Rico. Puerto Rico represents an unsolved problem for the United States. It is important to resolve Puerto Rico status to one that is aligned with international right: Statehood, Independence or Free Association with the United States. We shall not lose the momentum to address among all Honorable Members of Congress the current colonial status of Puerto Rico which harms all American citizens living in Puerto Rico.

Gilberto Flores

I used to believe in Statehood until I learned in 2012 that Puerto Rico's past as a Province of Spain, its Senators (1871–1898) and Congressmen (Diputados 1809–1898) in the Spanish Parliament had been erased by the US sanctioned colonial education system, of course this only for the benefit of US colonial rule and disempowerment of Puerto Ricans against it. Alas the colony administrators obeyed, today knowing these facts and doing everything in their power through well-known corrupt use of public funds they have colluded to stop the people of Puerto Rico from knowing these undeniable truths and keeping them from learning about the reunification movement (Integration U.N. Charter 1541, 1960) thinking we may disappear, they offer nothing but empty 124-year-old lies/words and are destined to wither

accordingly through weariness. Educating about our political future means these truths need to come to light, be taught and learned, people from diverse backgrounds support reunification, ex statehood supporters like me, ex commonwealth supporters and ex independence supporters I've met and together we can reach a consensus NO other status formula can offer, as annexation is unrealistic and not only next to impossible but a threat to Puerto Rican Hispanic culture, language and heritage in an ever more radical and racially problematic US, with no real economic forecast or model than more US federal government expenditures and dependence; while Free Association and Independence (both Neocolonialism) will not only promote but are counting on a mass exodus of Puerto Ricans (a burden shifted to the US) and include political/economic uncertainty. In the opposite Reunification not only provides for the protection and renewal of Puerto Rico's Hispanic heritage, but also provides the means, stability and tools to promote the return of Puerto Ricans to the Island, and not be scattered around a foreign country of a foreign culture and language with a long history of systemic discrimination against Puerto Ricans, 124 years of political limbo with no democratic representation are witness to that. Reunification is the ONLY consensus gathering option, return what was stolen and restore the Autonomous Province of Puerto Rico, Spain's First Historic Autonomous Community. Autonomy, REAL Autonomy, like the privilege the Province of Puerto Rico fought for through most of the 19th century and gloriously achieved from its country Spain, is a U.N. charter recognized form of decolonization in the 21st century. Any other formula of "decolonization" that have appeared since the unilaterally imposed US invasion of 1898 are yet more forms of impositions on the will of the people of Puerto Rico, denied of our real past and history in order to disarm us against undemocratic US colonialism throughout more than a century. Decades of seeking autonomy from the US by a majority of Puerto Ricans are proof that Puerto Rico and its people were stuck in requesting, wanting, demanding from the US, and autonomy impossible under the US constitution, what was conquered and lost from Spain in 1898 due to the US's unwanted and unilateral invasion. I am ex statehooder am a Puerto Rican of Spaniard descent, therefore a Spaniard, NOT an American, and the reason why we are still a colony, forced to exile in a foreign country (US) because of colonial economical failure by design, as colonies (territories) cannot be allowed to prosper more than the poorest US federated state to justify statehood "superiority" despite Puerto Rico's obvious advantages, wanting vehemently to return through reunification.

José Lara

Founded in 2017, Adelante Reunificacionistas is a non-partisan Puerto Rican/Spanish advocacy group with the goal of restoring the Autonomous Province of Puerto Rico lost through violence by the unwanted and unsolicited invasion of the Province of Puerto Rico, Spain by the US in 1898. Reunification is Integration: U.N. Resolution 1541, 1960. We Reunificacionistas are Puerto Ricans that come from all the other century old main ideologies on the island, a colony of the US since 1898, and together we fight to release Puerto Rico from the burden of colonialism by removing the main problem factor, the colonial rule the US imposes over the Province of Puerto Rico since 1898 by searching for a future of well being within our motherland Spain. We believe Puerto Rico is Spain and know it was a province military invaded and separated from its country by force. We focus on fomenting the political option of Integration by reunifying Puerto Rico, Spain's First Historical Autonomous Province and its de facto first Autonomous Community and restore it by making Puerto Rico the 18th Autonomous Community of Spain, a stable and political option full of opportunities and possibilities that allows for the return of the Puerto Rican diaspora, the safe keeping of Puerto Rico's inherent Hispanic culture, language, idiosyncrasy and heritage, political and economical stability, security; respect for the US's own right to protect its self cultural identity, all this within Spain and the European Union, long-standing US economical and political allies and partners. Restoring the Autonomous Province of Puerto Rico means the reacquisition of the 3 Senators and 16 Congressmen (Diputados) Puerto Rico lost due to the 1898 US invasion only to get a Resident Commissioner with no vote. Puerto Rico had Senators since 1871 in the Spanish Parliament, Diputados in the Spanish Congress since 1809, this history has been hidden from Puerto Ricans as Inconvenient Truths that endangered the US past interest of keeping colonial grasp over Puerto Rico, that is not the case anymore, as such, a free determination and democratic process that allegedly seeks to educate the people of the island on their future cannot be cemented on the hiding of truths inconvenient to US colonialism, and the efforts of the colonial elite to stop the knowledge of these, as well of the existence of the reunification movement should be stopped, the world is watching and from Mexico to Patagonia and as well as Europe they know about our existence and hard efforts

in frontal confrontation with a colonial corrupt elite that despises ideological competition. We will remain active, ready and vigilant for our moment under the sun as all these other so called "options" are increasingly worn out, this "Puerto Rico Status Act Discussion Draft" bound to be yet again an empty effort, yet we are vigilant, as annexation endangers the future of Puerto Ricans in an ever more radicalized and divided US, and thus, for or sakes, cannot be allowed to happen. Bound to the Jones Act, no economic model but that of ever increasingly dependency of more US Federal Government transfers and subsidies, while endangering Puerto Rican culture. We remain vigilant as Free Association and "Independence" from the US will be in practice forms of neocolonialism, add their instability, uncertainty prospects, and the accounted for possibility by their proponents of a major exodus of Puerto Ricans to the US, accounted for due to their projections for lacking economical prospects and outcomes. These so called "options', more likely impositions whose existence (except independence) are linked to the US invasion of the Province of Puerto Rico, do not all provide for the return of a major chunk of the Puerto Rican diaspora, the political/economical stability and security in the islands, and the protection and restoration of Puerto Rico's inherent Hispanic heritage. it is only Fair and an exercise of Justice to allow Puerto Ricans to Return to the Path Drawn and Chosen by our Ancestors/Forefathers (which are NOT the US's forefathers, as Puerto Rico has existed way well before the idea of the US was ever conceived) before the Undemocratic Burden of Colonialism was imposed in 1898 by the United States of America over the residents of the Autonomous Province of Puerto Rico, Spain's First De Facto and Founding Autonomous Community. A list of Historical Senators, Diputados (Congressmen) a Treaty between the US and Spain recognizing the US knowledge of Puerto Rico's status as a Province of Spain, REAL Autonomy and more, are available on our platform for all US lawmakers and people of interest to access. Regards. Adelante (Go Forward).

Wilfredo Valentin

IngenieríA Política Pública

1—Introduccion

! Ea Rayos, que tremendo susto pase anoche! Hoy me desperté luego de un sueño de consternación, tan y tan real que desperté asustado. Llame de inmediato a mi hermano Rudy a Tampa USA porque es un amante de la doctrina de la gran nación y le conté mi sueño y me dijo "es que te acuestas pensando con pajaritos preñados", Luego llame a mi otro hermano, Roberto; que reside en Guaynabo y al contárselo me dijo: "Estas Loco, eso nunca pasará, esto se quedara como está y punto." Finalmente, llame a un amigo Abogado en Boca de Ratón USA, que silba de alegría por volver a vivir sus entornos infantiles en Puerto Rico y al contráeselo grito de alegría y me solicitó que le contara como se solucionó lo ocurrido. Así lo hice, pero confieso que todavía me he quedado medio turbado y la otra mitad aturdido y así también quedó el abogado al que se lo conté.

Espero que al lector no le suceda lo mismo al compartir lo que me sucedido en el sueño.

Aclaro que la solución final que recibí en el sueño creo que puede ser real pero existen circunstancias que no recuerdo claramente porque el espacio del contorno del sueño fue en futuro!, óyeme bien, creo que era entre los años 2050 y 2060?

El drama de suspenso de mi sueño comenzó 25 años antes del periodo de tiempo que se materializó el final o sea pasando 2025. Recuerdo que fue cuando se retiró la Junta de Control Fiscal que gobierna actualmente PR porque saldaron todas las deudas a los accionistas de los Estados Unidos de América (USA) dejando a Puerto Rico en quiebra total y se marcharon. Simultáneamente el Presidente de la Gran Nación en un mensaje de "tuitero" de medianoche desde su despacho en Washington indicó lo siguiente: Yo Presidente de la Nación Norteamericana declaro a la Isla de Puerto Rico (prepárate para oír esto) descolonizada y queda completamente libre para que los puertorriqueños hagan lo que realmente le salga en gana con ese territorio y no me pidan más chavos porque me tienen bien molesto con sus peleas internas políticas y corrupción constante y por eso . . . Adiós Amigos, . . . hasta nunca.

Qué harías tú si al despertarte un día te enteras de un mansaje parecido sin previo aviso? Sin ningún plan de gobernanza previamente preparado y Puerto Rico quebrado económicamente? Crees que estaríamos en un CAOS nacional pensando que todas las plataformas de partidos políticas comiencen halando por su lado si ninguna planificación y reclamando que esta isla es de ellos? Como dice el jibaro "Ay ..Bendito" Pues ahorra debes tener una idea de mi sueno aterrador que te pienso detallar y el cual todavía me tiene aturdido pero luego me dio el deseo de explicar el sentido del sueño y logre escribir 48 módulos (capítulos para otras personas) y te lo voy a exponer en forma de resumen compactado la cuales indica

una solución científica de ingenio para vivir finalmente feliz y en armonía en esta Isla luego de la noticia de la descolonización Aclaro, que aunque es difícil confrontarnos con esta idea nunca antes concebida, la misma continuará de locos hasta que algún día se haga realidad. Verdaderamente pienso que mi despertar me alejo de mi congoja. Pero confieso que antes de despertar conviví en una sacudida de una gobernanza que arropó felizmente la politiquería y finalmente.

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luego de dos a tres décadas, pude ver como los partidos se reinventaron en sus organizaciones creando una nueva forma de gobernanza hibrida/científica. Créeme que fue algo bello y agradable vivir en ese periodo de ese sueño y fue por eso que desperté asustado al volver a la realidad actual.

Lee el contexto de mi sueño el cual está revelando en el Resumen Sumario, Modulo 46, para conocer que paso luego de la descolonización. Constantemente se habla mucho descolonizar a Puerto Rico pero no se dice que pasará y que haremos luego. No hay nada instruido, posiblemente será improvisado. Por esa razón, mi sueño me asustó porque vi la isla finalmente en hermandad y en convivencia entre los partidos políticos con un plan bien determinado y me pareció tan y tan real, pero al despertar, me acordé de que los sueños . . . sueños son.

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Procedo a explicar un tema que es una Utopía Política la cual en este momento histórico que estamos viviendo es parte de una dosis amortiguadora para nuestro diario vivir de gobernanza en Puerto Rico. No obstante, como todas las "Fantasías Políticas "su aplicación será útil en un futuro que posiblemente requiera tres décadas partiendo desde el 2018 para entenderlo y comenzar a apreciar e interpretar sus frutos sociales. Posiblemente y sin duda alguna, los que estamos leyendo el contenido de este escrito nunca lo podremos vivir.

Es de desconocimiento que mucha de la tecnología actual fue preconcebida hace décadas pasadas y es ahora que disfrutamos sus aplicaciones y ventajas, pues así posiblemente será esta propuesta que ahora es utópica, pero no sabemos si dentro de 30 años sea una realidad.

En esta introducción se pretende establecer que todo el contenido que aquí se exprese es de carácter hipotético y de visión no preconcebida anteriormente de un concepto de gobernanza política.

Como lo que se va a expresar es un concepto controversial y de ideas no perceptibles es prudente comenzar en el espacio al tiempo actual para el desarrollo de su contenido.

Como en todo nuevo punto de vista se desarrollan nuevas ideas, nuevas visiones políticas, nuevos matices operacionales de hacer cosas diferentes y nuevas idea y variaciones de gobernanzas políticas para Puerto Rico e indiscutiblemente, una resistencia a cambios y está no es la excepción. Es importante comenzar con identificar el concepto con un nombre que defina este proceso de aplicación científica. El nombre que seleccionado no existente en la actualidad en los contornos de las Ciencias y menos en la Ciencias Políticas y de la Ingeniería. Es de tal manera que hasta el nombre elegido es algo extraño e inexistente. El nombre escogido es: Ingeniería Aplicada en Política Pública. Verdad que suena raro? En este preámbulo no es recomendable explicar el concepto de esta ingeniería, pero si se explica posteriormente en uno de los módulos descriptivos del proceso.

Ahora, todos conocemos o hemos oído el significado y/o definiciones de la palabra Ingeniería y la de Política. Lo que desconocemos como se pueden integrar ambas en una fundición científica.. Algo tienen en común, porque ambas son ciencias contundentes a otorgar grados académicos de bachilleratos, maestrías y doctorados Es por lo antes descrito que existen aplicaciones comunes a justificar sus interacciones científicas con la Ingeniería.

Luego de ofrecer una breve explicación de la amplitud de los estudios conducentes en aspectos de las Ciencias Políticas, la cual más o menos en una forma o en otros todos hemos tenidas vivencias en sus vaivenes, nos dedicaremos a definir la palabra Ingeniería.

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Antes de abundar más en el concepto de la Ingeniería creo que es prudente y sensato establecer que mi primer diploma Universitario fue otorgado por la Universidad de Puerto Rico, Recinto de Mayagüez, antes Colegio de Agricultura y Artes Mecánicas de Mayagüez (CAAM). Este pergamino indica, entre otras cosas: Bachiller en Ciencias de Ingeniería.

No obstante, podríamos prácticamente unir las Ciencias Políticas con las Ciencias de Ingeniería como dos ciencias fusionadas adquiriendo el nombre de ciencias en Ingeniería de Políticas. A este Nombre se le debe añadir un adjetivo usando la palabra Pública: Ingeniería de Ciencias Políticas Publicas o simplemente Ingeniería en Ciencia de Políticas Publica La gran diferencia que expresa esta utopía es que

por primera vez se estudia este fenómeno científico usando la creación de una ciencia aplicada de ingeniería para política pública donde no es que la política pública adquiere los conceptos de la ingeniería ni que la ingeniería adquiere la ciencias políticas es que se unen para hacer una nueva ingeniería aplicada en política pública. Aunque no es fácil de entender, la nueva fusión de conceptos científicos, la ingeniería de Política Publica dejando al lado los conceptos de estudios legales y aplicado leyes humanitarias de convivencias. No absorbe conceptos de las leyes creadas por el ser humano sino de conceptos científicas de ingeniería aplicada de leyes naturales y científicas en su aplicación en conceptos organizaciones y funciones de asuntos técnicos y científicos de la política.

Actualmente, cuando se estudian Ciencias Políticas toda esta creado, estudiada, realizada y lo que se ejecuta son aplicaciones de nuevas leyes y diferentes conceptos y formas de realizar política hasta crear un sistema que satisfaga a parte de la ciudadanía

pero no en su totalidad mediante sistemas democráticos de elecciones. Lo preponderante es que son conceptos creados por seres humanos y así como los crean así mismo los cambian o eliminan a necesidades particulares y/o a beneficios partidistas.

Por otro extremo la Ingeniería Política Pública pretende crear, desarrollar, inventar y aprobar diferentes formas científicas de gobernanzas y que sean los conceptos de estas leyes de ciencias políticas las que apliquen como herramientas para desarrollar nuevos conceptos de aplicaciones políticas y por consiguiente un sistema de gobernanza nuevo eliminando los paradigmas e ideales particulares.

Estoy bien convencido que todavía no he explicado nada del concepto de la nueva forma de gobernanza aplicando la Ingeniería Política Púbica y ya comenzamos atraer controversias de criterios apartados de que es eso de Ingeniería Política Pública? Ya había expresado al principio que NO EXISTE la ingeniería política. Como todo lo nuevo y más si no es convencional crea inquietudes, diferencias de opiniones y comentarios, unos a favor y otros a destruir en concepto porque no lo entienden o por razones personales y punto. Este comportamiento humano es conocido como "resistencia a los cambios." Recordemos que todo cambio trae resistencia. Lo interesante de este concepto es como no existe, ni ha existido nunca, no se pueden hacer conjeturas de

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que no sirve por lo tanto, ni hay experiencias previas para ser comparados de lo bueno ni lo malo. Existe una realidad y es que lo existente no satisface al pueblo. Lo que si podemos estar en acuerdo es que la manera de gobernanza actual de todos los partidos políticos en Puerto Rico y los que aparezcan posteriormente no ofrecen nada nuevo en política sino asuntos reciclados. Unos más aquí y otros menos haya, esa es la ecuación costumbrista actual. Contrario a la Ingeniería Pública Pública porque existen fórmulas de ecuaciones científicas para lograr una gobernanza para un cambio uniforme de gobernanza la cual no altera los ordenamientos internos de los partidos políticos existentes o futuros. No interviene con los ideales de los diferentes partidos políticos sino en la manera de gobernanza.

Los conceptos de Ingeniería y los de Política existen desde que el mundo es mundo y hemos vivido como estas dos ciencias desconocían como sus funciones y aplicaciones podían funcionarse para lograr una gobernanza publica con nuevas expectativas funcionales dejando atrás aplicaciones legales para satisfacer a un partido o peor para destruir reputaciones y corporaciones con ideales contrarios a las que no sean afiliadas al partido que está en el poder. En la Ingeniería Política Pública esa práctica no tiene espacio porque al incluir en su fórmula de gobernanza publica esa función como constante, la formula no la puede procesar y la descarta como una función introducida es su "In Box" reconociéndola como función matemática de tipo basura "Garbege" Hemos sido testigos que proyectos de Ciencias de Ingeniería que actualmente han prevalecido por muchas décadas y los disfrutamos históricamente y algunos antes de Cristo. No así en conceptos de gobernanzas Políticas que han desaparecidos porque han sido funestas por sus gobernantes que ni siguiera deseamos mencionarlos. Lo que si conocemos es que actualmente son conceptos reciclados,

Bueno mi querido lector, dejemos a un lado lo que te preocupa del título de Ingeniería Política Publica porque deseo recordar que es un nombre ficticio y la ingeniería política una forma utópica de nueva gobernanza cuando se une a la ciencias políticas. No deseo con este escrito traer polémicas porque no se ha dicho nada que no sea expresar conceptos nuevos para gobernanzas utópicas.

Deseo aclarar que el que escribe este ensayo NO ES POLITICO, NO CONOCE NADA DE CIENCIAS POLITICAS, TAMPOCO ES ABOGADO NI NO PERTENECE A NINGUN PARTIDO POLITICO ni concurre con sus ideales.

Solamente es un Ingeniero de Ciencias Aplicadas que practica su profesión como Ingeniero Consultor en Ingeniería de Peritaje Forense

Lo ocurrente de este caso y nos debemos hacer la misma pregunta, Cómo es que con el perdigare de política antes expresado yo pueda expresar ideas de gobernanzas políticas e idear una ciencias de Ingeniería en Ciencias de Política Pública aplicada sin integrar y usar conceptos de Leyes constitucionales? Yo también me he hecho esas mismas preguntas y a veces me pregunto también como considerando que soy un neófito de la historia política de Puerto Rico y reconociendo que lo que se de la historia es

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solamente lo aprendido en las escuelas públicas de Puerto Rico y en la universidad en los cursos básicos me atrevo a desarrollar esta utopía de una nueva gobernanza para para Puerto Rico. Bueno, lo que sé es que esas condiciones me han favorecido grandemente porque me considero que no estoy "contaminado" de los asuntos políticos de Puerto Rico y por tal razón veo razonamientos de nuevas y diferentes gobernanzas pero como no existe aplico mi preparación académica que es la de ingeniar. En resumen en el próximo capítulo comenzaré a describir el concepto que he desarrollado para Puerto Rico haciendo la salvedad que como es un tema de fantasía utópica espero que nadie opine que no funciona porque esto está escrito para de aquí a tres o cuatro décadas y posiblemente el lector no este desacuerdo pero deberá tener en cuenda que quizás no tenga la oportunidad de vivir en este Puerto Rico. por lo antes expresado el tema discutido lo usara solamente para conocimiento alterno de una nueva idea de gobernanza .Recordar que existirán otros puertorriqueños con formas diferentes de pensar como gobernar a Puerto Rico como lo que estoy pero los invito a que presentes sus ideas

Concepto Analítico—La Caja Negra

Nota Importante:

Lo que a continuación se expresa son conceptos puramente analíticos, matemáticos y científicos que se desarrollan para sostener la viabilidad para este proyecto. Lo escribí de esa manera para que los ciudadanos dedicados a la Política Bananera de PR le sean fácil de entender de donde sale este concepto de Ingeniería Política que NO EXISTE EN NINGUNA PARTE DEL MUNDO, hasta este momento. Básicamente si no conocen la Ingeniería Social, no le será fácil entenderlo. Les recomiendo que la lean.

El uso de los: IN—Box, Black Box y Out Box son conceptos de ingeniería, no de leyes.

Científicamente tuve la suerte y el entendimiento de poder probar que funcionaria sin las intervenciones aquellos ciudadanos que viven como sanguijuelas de la Política Publica de PR los cuales son los menos, pero si existen. Lamentablemente estos pocos trabajan con el único propósito de servirse propiamente o a su partido y no a un pueblo. Por sus acciones los conocemos. Sin ofender a nadie, pero en este tipo de gobernanza no hay lugar para incrédulos ni corruptos porque el pueblo gobernado tendrá su forma de evaluarles científicamente. Si, como exprese, el pueblo gobernado, no la gobernanza. Este ensayo está muy comprometido con los conceptos de las Ciencias Políticas y no con la politiquería costumbrista en PR. A mi mejor entendimiento las bases de todos los Partidos existentes en PR son conceptos muy comprometidos, Lo que no son muy formales y serios son como lo realizan cuando han llegado a la etapa de sus gobernanzas, exceptuando aquellos partidos que nunca han gobernados pero sus conceptos son presentados con respeto y buenos ideales pero como nunca han gobernados se quedan en propuestas galácticas.

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Lector créeme, que en donde existe una práctica de Ciencias, la ingeniería aplica sus conocimientos para mejorar sus postulados. Como ejemplo fácil de entender, en las Ciencias Médicas los Ingenieros han invadido la ciencia médica inventando nuevas técnicas de operaciones y diagnósticos. Ya en PR se está estudiando la Ingeniería Bio Medica con gran existo. Y porque no en la política? Léete la Ingeniería Social y entenderás como aplica en la política.

MODULO #46-Resumen Sumario

PARTE I—Condiciones favorables y requeridas para implantación de este Proyecto Utópico

a-Que la Junta de Control Fiscal de PR se disuelva o sea retirada de sus funciones de fiscalizar a PR.

b-Que los Estados Unidos de América declare a la Isla de PR descolonizada y Libre.

Nota de Redacción

(Es de conocimiento general que se desearía que estas I dos condiciones antes descritas se realicen en cualquier oportunidad en esta década. Lo que no se ha indicado es que luego de cumplirse ambas condiciones que pasará en Puerto Rico

y como nos gobernaremos. En este Sumario se describe lo establecido por la Ingeniería Política Publica como una utopía política, que podría ser realidad con alteraciones cosméticas. Estos postulados deben ser presentados como alternativas. El ir a solicitar condiciones de estado sin tener nada para ofrecer y/o negociar para que todos salgan contentos, sería un resultado descomunal. Debemos indicarle al Congreso que si nos tan lo solicitado haremos lo presentado porque bajo la Ingeniería Política Publica ganamos todos y la Nación Americana quedaría completamente satisfecha. Ver Parte III.)

Antes de haberse cumplido la condición establecida anteriormente, es necesario crear con antelación a estas dos condiciones una Constituyente de Ciudadanos Puertorriqueños compuesta por representantes del pueblo y diferentes partidos políticos existentes y reconocidos por la Comisión de Elecciones para visitar el Congreso de los EU con el propósito de solicitar que el Gobierno Americano declare a Puerto Rico Descolonizada y Libre.

Luego de haberse aceptado en consenso por unanimidad los términos y condiciones que se irán a presentar mediante un proyecto de Ingeniería Política Publica completamente detallado y que en su aplicación contemple que todos los partidos representados y el pueblo de PR tengan el convencimiento y compromiso de que el mismo es para beneficio de nuestros ciudadanos. (Primer paso definido en la Ingeniería Política Publica como ("IN-BOX") según Modulo # 3

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PARTE II—A continuación, un compendio del desarrollo de temas a ser analizados y como llegar a consenso preciso y analíticamente sin entrar en aspectos de ideales.

Expondré el escenario favorable para cada representante de partido que básicamente se componen de tres partidos principales y aquellos que cada año de elecciones comparecen pero el resultado de cantidad de votos obtenidos se mantienen relativamente bajos comparados con aquellos partidos que llevan años en contiendas políticas. Tenemos que comenzar con analizar las estadísticas reales de los resultados en términos de porcientos de los votos obtenidos en cada elección.

Se requiere trabajar con variantes y constantes de resultados de elecciones tales como, por mencionar algunos, números de participantes en votaciones por años a saber, votantes por partido y agrupar tendencias geográficas. Esto es con el propósito de procesarlos analíticamente en la fórmula matemática que nos proveerá valores matemáticos que representan numéricamente el promedio de participación de cada partido comparándolos con el área geográfica presentadas en unidades de metros cuadrados reales del límite territorial de la Isla de Puerto Rico y según se expresa en el Módulo #7.

Esa información nos provee la certeza inequívoca que si podemos dividir la Isla de Puerto Rico en tres partes, pero no sería en partes iguales sino según él% geográfico y analítico que la formula provea. Estos resultados son representativos del historial de los que continuamente son seguidores fieles a cada partido "conocidos como los del corazón del rollo" identificados en la formula como valores constantes. Por otro lado, los que se afilian constantemente a diferentes partidos de elección a elección .Estos son "conocidos como los indecisos" e identificados en la formula como valores variables. (Segundo paso definido en la Ingeniería Política Publica como "BLACK-BOX")

En resumen, tendríamos un proyecto en donde cada partido político tendría una porción repartida de la totalidad del territorio de la isla de PR en propiedad absoluta y bajo el mismo criterio, una repartición del dinero presupuestado. Estas reparticiones son proporcionales a su historial de seguidores y los resultados de constantes y variables obtenidos de las formulas usadas.

Para lograr una estabilidad de gobernanza confiable, antes de que se otorgue la solicitud de descolonización y para dar continuidad a este proyecto NACIONAL es imprescindible crear un Organismo Constituyente de Ciudadanos de Puerto Rico (OCCPR) en paralelo a la Constituyente de Representantes Ciudadanos (CTC) para llevar a cabo las funciones relativas al proceso de distribución parcelarias. En esta ocasión la composición del OCCPR debe componerse de representantes que sean experto reconocido en asuntos como, y por mencionar algunos, Economía, Ingeniería, Psicólogo, Sociólogo, Ambientalista, Abogado, Seguridad Nacional, Arquitectos, Expertos en Salud, Educación, Artes, Deportes y Desarrolladores en temas de Urbanismo, entre otros. Se hace la salvedad de no incluir ni Abogados, Doctores ni Ingenieros que se hayan

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identificados políticamente afiliados en algún partido político directo o indirectamente, solo un abogado experto en asuntos legales de temas internacionales y constitucionales. En esta composición no se acepta más de un experto para cada materia o conocimiento para evitar el control del organismo por una clase profesional en la composición del OCCPR. En paralelo a la OCCPR se funciona otra

organización de puertorriqueños que servirán de consultores y es en esta Junta que se unirán los ciudadanos que no cualifiquen como miembro de la OCCPR. Esta Junta no tendrá ni voz no voto ante la OCCPR, Todo será mediante procesos de asesoría y según el Módulo # 16.

La Isla se divide en tres (3) Naciones. Dos (2) en naciones Independientes; una para los seguidores del Partido Independentista y la otra para los creyentes del Partido Popular Democrático. La tercera prevalece como territorio anexado a los Estados Unidos de Norte América (USA) por sus siglas en inglés (Tercer y último paso conocido como el "OUT-BOX")

PARTE III—Distribución de "parcela "-Nación Estadista de PR (NEPR) Indiscutiblemente el territorio americano del Norte seria localizado territorialmente entre las dos Naciones Independientes para propósito de seguridad y controles internos Además, el propósito primordial es que Estados Unidos se mantenga en Puerto Rico pero con la seguridad que en su territorio solo vivirán ciudadanos americanos leales a la Nación Americana únicamente. El limite litoral dentro del territorio entregado para esta nación esta delineado en el dibujo correspondiente de los límites de las tres naciones según Módulo #4

Este territorio será una extensión de propiedad absoluta de USA, donde el idioma gubernamental será el Inglés, la Constitución que reinara es la Americana, la enseñanza escolar serán en inglés, la seguridad policiaca, marina ejército y aérea será la misma que en los estados americanos No obstante, los puertorriqueños que deseen continuar siendo ciudadanos americanos continuarán con su pasaporte y ciudadanía pero solamente tendrán que pasar por controles de la diplomacia americana para que juramenten fidelidad a la nación americana, constitución y bandera nacional americana. Aquellos que no deseen jurar fidelidad a la constitución americana y sus postulados detraen un plazo de 5 años para su decisión final, luego de terminado dicho plazo y si deseen prevalecer en la Nación Americana tendrán que entregar su pasaporte y regirse con todas las disposiciones que le aplican a cualquier extranjero. No obstante el Gobierno Americano será reconocido mundialmente por haber terminado con la Colonia que tiene actualmente y no sabe cómo trabajar ese asunto. Saldría incólume de su actual señalamiento.

Es de conocimiento general que conseguir la Estadidad para PR nos llevaría bastantes años .Con este proyecto estaríamos adelantando la estadidad porque el gobierno americano reducirá en grande la ayuda que tendría que generar para sostener un territorio americano que comprenda toda la isla de Puerto Rico. En este caso se reduciría a los ciudadanos que verdaderamente desean ser gobernados por esta nación.

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Otra ventaja, y la que hay que presentar en este concepto, es que en el territorio donde se ubicaría la Nación Americana, los administradores del gobierno serian puertorriqueños que reconocen que existen leyes más rigurosas .De esta forma, el Gobierno Americano ganaría la confianza del Puertorriqueño y vería con buenos ojos evaluar con beneplácito una solicitud de los puertorriqueños para ser incorporados a la Nación Americana como Estado porque reconocerá que los que la piden son "americanos del rollo"

Para afincar el compromiso con la Nación de los Estados Unidos de América (USA) este proyecto debe solicitar que el territorio perteneciente a nación de USA inicialmente sea incorporado como una ciudad asociada al Estado de Florida por un periodo predeterminado hasta que se reconozca que ya está lista para su estadidad. De la Nación Americana interpretar que no le es favorable conservar ese territorio el mismo sería devuelto a la OCCPR para disponer del mismo distribuyéndolo entre las dos naciones vecinas.

Contrario a las otras dos naciones anejas a los EUA, en este territorio se usaría la economía moneda y pasaporte americano pero no así en las otras naciones que tendrían que crear una constitución nueva y sistema de pasaporte, exceptuando la Nación Independiente que tiene su pasaporte formalizado y creado

PARTE IV—Distribución de "parcela "-Nación Independentista de PR (NIPR)

La localización donde se ubicará la Nación Independiente de PR está establecida al litoral Este de la Isla de Puerto Rico. Esta Nación colinda por la región geográfica ESTE del territorio los USA y sus límites marítimos se extienden desde parte del NORTE comenzando con la colindancia con territorio Norteamericano hasta el NORESTE del Océano Atlántico. Continúa por todo la costa del ESTE, incluyendo las Islas de Vieques y Culebra, y parte del Mar Caribe por el SUR hasta la colindancia con territorio Norteamericano e incluyendo cualquier de las islas colindantes de dicho litoral. Esta, adicional a la aportación porcentual que les respondería en la distribución de parcela, incluirá las islas de Vieques y Culebra. Su proporción en la distribución de presupuesto auditado del Gobierno de PR tiene que ser equivalente al porcentaje de territorio cedido a su Nación. El limite litoral

dentro del territorio entregado para esta nación esta delineado en el dibujo correspondiente de los límites de las tres naciones y según Módulo # 4

Esta Nación Independiente tiene que presentar un plan económico, política y de gobernanza ante la OCCPR. con el propósito de ayudarlos a obtener resultados favorables ya que no existe un historial de funciones previas de gobernanzas .La OCCPR es creada con esta finalidad de asesorar a las dos restantes Naciones que se componen de puertorriqueños para su éxito y lograr sus metas. Relacionado con la Nación de los Estado Unidos de América (USA) la aportación que brindaría la OCCPR para su desarrollo nacional está limitada por su constitución. No obstante, estaría velando y cooperando por los mejores intereses de la Isla de PR.

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La OCCPR tiene carácter de permanencia en la Isla de PR con los cambios requeridos en su composición. Su función es equivalente las de las Naciones Unidas pero con limitación y visión aguda a las tres naciones de Puerto Rico únicamente Tiene que ser reconocida por la Nación Americana y asistir con el compromiso de lealtad y cooperación mutua en la mejor convivencia con sus dos naciones adyacentes y en otros asuntos pertinentes que requiera nuestra isla nacional.

Aunque la Nación Independiente de PR (NIPR) tiene que ser autónoma legalmente, en su gobernanza y fisco y en su reconocimiento internacional, no cabe duda que requerirá ayuda en sus comienzos de su gobernanza. Tendrán que organizar su seguridad nacional de aire, tierra y costas marinas y para eso se organizara una unión de seguridad integrada por las tres naciones para una protección conjunta una vez la OCCPR y el comando de seguridad de los USA así lo entienda por solicitud de cualquiera de las dos naciones que componen la Isla Nacional de Puerto Rico.

No se requerirá la preparación de su pasaporte porque este existe legalmente pero requiere redactar una constitución según lo dicte su gobierno. Aquellos ciudadanos americanos que actualmente sus creencias políticas no engranen con lo establecido en la Constitución Americana y la que le otorgó su pasaporte y nunca le han jurado lealtad ni lo harán a los USA, deberán entregar su pasaporte para declararle lealtad incondicionada a la Nación Independiente y ser reconocido como ciudadano fiel de esa Nación y solicitar su pasaporte de dicha nación. En el caso que deseen no entregar su pasaporte, la Nación Independiente los afiliara con carácter nacionalista transitorio hasta un máximo de 1 años sin derecho a elegir Presidente ni derecho al voto. Luego serán traídos a la atención del Parlamento de las leyes reglamentarias para considerar su solicitud de cambiar su estatus Transitorio a Ciudadano de la Nación Independiente de lo contrario, considéralos con un ciudadano con estatus de emigrante extranjero independiente de la nación que provenga .. Aquellos que no deseen jurar fidelidad a la constitución de la Nación Independentista y sus postulados y deseen prevalecer en la conviviendo en esa nación tendrán que regirse con todas las disposiciones que le aplican a cualquier extranjero. Las propiedades, negocios, oficinas. Centros Comerciales, Instituciones Comerciales, Universidades etc . . . quedaran propiedad del ciudadano que resida en cualquiera de estas naciones pero tendrá que pagar contribuciones, IVU y Patentes a la Nación donde resida y cualquier otra disposición establecida por la constitución desea nación y/o leyes.

El resultado esperado por estas condiciones es para evitar que se continúe con la práctica de estar cambiando de partido a partido buscando sus beneficios personales. Esta disposición es aplicables también para los ciudadanos de la Nación Estado Librita de Puerto Rico (NELPR).

Nota de Redacción: Si deseamos obtener una gobernanza diferente a la existente, pues se debe acabar con la práctica de cambiar de partido pero sin ser leal a sus verdaderos sentidos patrióticos sino leales a sus beneficios personales y/o partidistas. Finalmente cada ciudadano tiene que decidir su estatus legal.

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Relacionado con la seguridad interna del territorio .de la Nación Independiente de Puerto Rico tiene que presentar un plan de seguridad nacional el cual tiene que ser evaluado y aprobado por la OCCPR que velara por la seguridad nacional de fronteras, límites territoriales y seguridad al ciudadano. Adicional la Nación Independentista se regirá por su propia seguridad interna que su nación declare constitucional sin intervención directa de la OCCPR siempre y cuando no se vea ningún atropello en lo que se refiera a conceptos humanitarios dentro de su nación. En ese caso en particular se convocaría a la OCCPR para traer a colación ante la junta nacional querellas al respecto.

PARTE V—Distribución de "parcela "-Nación Estado Liberalitas (NELPR)

La localización donde se legalizara la Nación del Estado Liberalitas, conocido como Partido Popular, está ubicado en el litoral Oeste de la Isla de Puerto Rico. Sus límites marítimos se extienden desde parte del NORTE comenzando con la

colindancia OESTE con territorio Norteamericano hasta el NOROESTE del Océano Atlántico. Continúa por todo el Paseo de la Mona hasta el Mar Caribe incluyendo las Islas de Desecho y La Mona y parte del Mar Caribe por el SUR hasta la colindancia con territorio Norteamericano e incluyendo cualquier de las islas colindantes de dicho litoral Estos límites son adicional a la portación porcentual que le respondería en la distribución de parcela territorial. Su proporción en la distribución de presupuesto auditado del Gobierno de PR tiene que ser equivalente al porcentaje de territorio cedido a su Nación. El limite litoral dentro del territorio entregado para esta nación esta delineado en el dibujo correspondiente de los límites de las tres naciones y según Módulo #4

Esta Nación tendrá que emitir su pasaporte, reorganizar su constitución y estructura de su gobernanza ya que está compuesta solamente por los ciudadanos nacionalizados y residentes de su territorio.

No obstante, es necesario una definición más clara del tipo de gobernanza que esta Nación pretende establecer. Este Partido Político tiene suficiente experiencia en como gobernar un territorio porque ha estado gobernando a PR anteriormente por bastantes años. Ahora, lo que se pretende en este proyecto de urbanística total para Puerto Rico es cambiar los procesos de gobernanza actuales así que esta nueva Nación tiene que dirigirse a ser autónoma en su gobernanza y considerar que sus vínculos económicos de los USA serán muy diferentes y posiblemente reducidos que cuando gobernaban todo el territorio isleño. Tienen que crear su propia constitución de gobernanza ciudadana posiblemente muy similar a la actual constitución existente pero con los cambios que crean pertinentes por su Junta Constituyente donde posteriormente elegirá el presidente de la nueva nación, según Módulo #19

Sus condiciones como nación virgen son muy parecida a la de la Nación independiente que ubica al otro extremo de su localización geográfica.

Por lo tanto, esta gobernanza es mucho más limitada de la cual han tenido en experiencias previas y muy particular porque a los que va a gobernar serán las del "rollo"

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que tanto han abogado. Conocen muy bien a sus pasados adversarios los Estadistas pero desconocen cuáles son los que votan por sus ideales por conveniencias personales .Así que le aplica lo mismo discutido en la Nación Independiente relacionado a su nueva gobernanza. La ventaja principal es que sus elecciones son únicamente para nombrar su Presidente Nacional y una Legislatura y Senado muy reducido en su composición así como un Departamento de Justicia afines de su partido. Libre para un comercio internacional, un Ministerio Educativo poderoso por la reducción de su territorio y control absoluto de la seguridad nacional terrestre y costera, entre otros para bienestar de sus ciudadanos leales a su compromiso de gobernanza nacional estableciendo y, recordando las medidas que deben tomar para los que no juren lealtad a nación en retener la disponibilidad de entregarles un pasaporte correspondiente a esa nación. Se considerarían como extranjeros pero ofreciéndoles la hospitalidad que los cobije la protección constitucional de compartir su convivencia de hermandad establecida en la Nación. Esa será la diferencia en la gobernanza nueva porque antes gobernaron para ciudadanos no afines incluyendo ciudadanos extranjeros, Estadistas, Independentistas y ciudadanos no leales a su partido.

Relacionado con la seguridad interna del territorio .de la NELPR tiene que presentar un plan de seguridad nacional el cual tiene que ser evaluado y aprobado por la OCCPR que velara por la seguridad nacional de fronteras, límites territoriales y seguridad al ciudadano. Adicional la NELPR se regirá por su propia seguridad interna que su nación declare constitucional sin intervención directa de la OCCPR siempre y cuando no se vea ningún atropello en lo que se refiera a conceptos humanitarios dentro de su nación. En ese caso en particular se convocaría a la OCCPR para traer a colación ante la junta nacional querellas al respecto.

PARTE VI—Condiciones Generales

El establecer los límites fronterizos entre las naciones adyacentes es una función de asuntos de Ingeniería de Ciencias Geográficas y asuntos de levantar un plano de Agrimensura digitalizada geoespacial y ser aceptada por ambos extremos. También el construir el muro o maya divisoria de límites territoriales debe ser pagado por ambas naciones en proporción a la extensión territorial que le pertenezca así como los puntos de controles de pasos de fronteras nacionales. Esta condición es para acordarse entre las naciones adyacentes según Módulo #6

Es bueno señalar, que tanto para las naciones de la Independencia y la Liberalista no será necesario tener distribuidos los territoriales en tantos municipios. Estos pueden ser reducidos drásticamente y más eficientes. Como en cada nación se reduce los servicios gubernamentales de una manera drástica, tanto los servicios de salud, educación, permisos, transportación, servicios comunales, mantenimiento de

carretera, servicios energéticos y fluviales, el dinero recuperado por las contribuciones y el IVU brindaran mayores beneficios.

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Básicamente las dos naciones adyacentes a la Nación Americana operarían bajo los mismos criterios de gobernanza pero cada uno con diferentes propósitos nacionales. Lo antes expresado es un compendio de los temas que a continuación detallan las particularidades de este proyecto tales como el plan energético y servicio de agua potable integrado entre las tres naciones, cooperación integrada de la seguridad de las tres naciones de la Isla Nacional de PR, acuerdos de comercio interestatal, transportación y la construcción de una carretera Internacional que cruza las tres fronteras nacionales, seguridad en cada punto de control de entrada y salida, límites marítimos y pesca, interconexiones de las redes energéticas y comunicaciones para situaciones de emergencia así como disponibilidad de los centros médicos nacionales, disponibilidad de los diferentes aeropuertos nacionales, intercambios educativos, tecnológicos e intercambio en educación universitarias, Intercambios culturales y artísticos, intercambios comerciales y seguridad nacional, entre otros asuntos.

NOTA IMPORTANTE

La información contenida en los Módulos del 1 al 45 y del 47 al 48 no está incluidos en este Ensayo. Solo se incluyó el Modulo # 46. Los restantes están disponibles a solicitud del lector.

Aníbal Acevedo Vilá

Testimony of Governor Aníbal Acevedo-Vilá at the Public Forum on the draft bill "Puerto Rico Status Act" House Committee on Natural Resources on June 4, 2022

I'm here in my personal capacity as former Governor and Resident Commissioner. Although I take full responsibility for my statement, the ideas I will present, to a great extent are also supported by the steering committee of the Frente Puertorriqueñista, a non-partisan, political organization created last year to advance the decolonization of Puerto Rico, defend our distinct identity and nationhood, and support the Status Convention as the best self-determination process.

This draft bill, while not perfect, is a step forward in the right direction.

I will make some general comments on the definitions put forward on the draft but will use most of my limited time to make comments on the definition and transition for Free Association.

Statehood

After more than 120 years of been under US sovereignty and various attempts during the last century to assimilate and diminish Puerto Rican culture and identity, we're still sociologically and historically a nation, with our own language, culture, and identity. Any offer of statehood must address that reality.

• Therefore, there is a need to clarify that under statehood the official language of daily business in the state government, especially the courts, will be in Spanish, as well as that it will continue to be the official language in public schools. That has been the representation made by the statehood party to the people of Puerto Rico. But Congress has demanded in the past that states wishing to be admitted to the Union with different prevailing linguistic groups, such as Oklahoma, New Mexico, Arizona, and Louisiana, adhere to certain English-speaking guidelines. The bill must clarify this.

• When the first three of these states were going to be admitted Congress established that public schools . . .; "shall always be conducted in English." Likewise, Louisiana's Enabling Act states that: ". . . after the admission of the said territory of Orleans as a state into the Union, the laws which such state may pass shall be promulgated and its records of every description shall be preserved, and its judicial and legislative written proceedings conducted in the language in which the laws and the judicial and legislative written proceedings of the United States are now published and conducted . . ."

• Also, there is a need to have clearer transition plan toward statehood, especially regarding the negative economic consequences of Federal income taxation.

Independence

• Regarding independence, there is no moral or political reason to impose upon those who decide to keep their US citizenship a different set of rules to transmit that citizenship to their children, than those living in other foreign countries. Moreover, to establish a different set of rules will be clearly unconstitutional. The language on the bill is not clear about that.

Free Association

One of the most important elements of this draft is the inclusion of Free Association as a different status alternative from the other two. But, because this will be the first time in US history that Free Association will be available to a territory

that has been unincorporated for more that 120 years and whose citizens have been US citizens by birth for more that 100 years, there needs to be more details on the definition and the transition plan.

Starting point: if the United States is willing to offer Free Association it is because Congress has made the decision that this kind of relationship could benefit both parts. Therefore, any bill offering Free Association must include, at least, the elements that Congress is willing to consider as part of the negotiation of a compact of association. Without those clear elements, Congress will be making an offer without any real context.

• The main issue regarding the definition of Free Association is citizenship. Free Association means that the US has some strong interests in Puerto Rico, obviously more than under independence. And that Puerto Ricans want to keep a close, but dignifying relationship with the US. The fact that the day after we become a Free-Associated State, more than 3 million people living on the Island will probably keep their US citizenship, should open the door to making that citizenship one of the bases of the compact.

• On this important issue, the current language on the bill is confusing. The final proposal should include language stating that the US is willing to recognize the right to claim US citizenship to those born in Puerto Rico from a US citizen.

• The language on the draft bill saying that transmission of citizenship will be "for the duration of the first agreement" is a political poison pill with no legal or constitutional effect. It is well known that one Congress cannot obliged another one. If after 25 or 35 years of a compact of Free Association, a future Congress is willing to extent the automatic transmission of US citizenship, nothing in this bill could limit them in the future. Therefore, that language must be deleted.

• The bill includes the same period of economic transition for Independence and Free Association. Again, if you offer Free Association, it is because you are making an intelligent decision that having a special, close relationship with Puerto Rico is good for both parties. Therefore, the economic transition must be different and more beneficial than the one offered for independence.

• It is in the interest of the US to guarantee to its farmers, retail, and industrial sector free access to the Puerto Rican market. Under Independence, that's something that the government of the new republic will have to decide. But under Free Association, it should be included in the bill that the permanence of a free and open market will be a part of the new compact.

• Many independent countries use the US Dollar as its currency. There should be language clarifying that the US would have no objection that the compact may include the US dollar as currency in Puerto Rico.

• It is also in the interest of the US, under Free Association, to maintain its current mutual defense understanding with Puerto Rico.

If the US is willing to offer Free Association, all these elements must be part of the offer, not only because they will benefit Puerto Rico, but, because they are of interest to the US as well.

Two final general comment.

To move this process forward significantly it must really become a bipartisan bill. And after more than a week since this draft has been made public, so far, we haven't perceived much enthusiasm on the republican side.

From the meetings you had yesterday and the testimonies you will hear today, I'm sure you will get that this is a complicated process, and that there are many details of the different options that need negotiation and fine tuning. That's why many people, myself and those who are part of the Frente Puertorriqueñista, still believe that the Status Convention, as described in H.R. 2070 is the best procedural option. What you are trying to do in three days, is what the Status Convention and the Negotiating Committee created by H.R. 2070 will have to do with adequate time.

Thanks.

Alfred Gonzalez

Honorable Members of the Congress of the United States of America: Prior to 1776, there were various intents to free the Colonies from England, and the Colonies sent good faith letters that were rejected by the Sovereign country. Today the Colony is Puerto Rico. Today you are England. However, the good faith solution has come from the Sovereign. Kindly consider three points that may improve this project and the good faith that resides within:

I. Dates of plebiscite should NOT equal the Election Day

The evidence is found in our history. The last fruitless plebiscite done on the Election Day has served only for the government party to be re-elected. We should maintain independence of dates, for events that serve different purposes. We cannot

use the plebiscite as a hook to bring more people, and disgruntled voters to the polls. I know the dates have been set, just do not permit the local politics move them to any election day.

II. Benefits and Costs of Each Formula Must Be Clearly Stated and Understood During the last plebiscite the "Statehood Benefits" won. Not Statehood. The actual Statehood obligations were never informed; therefore, people do not know what Statehood means. I consider a criminal act to impose and promote only the benefits of one formula and hiding the integral costs of it, as mentioned in the GAO report of 2012. The same happens to all formulas. We The People should have the fair opportunity to know what we are deciding for. The information of the costs of each formula cannot be relegated to publicity by the parties in which their biased promotion will contaminate the process and deviate the good faith and intention of this democratic exercise.

III. Neutral Publicity and Education

The Puertorrican parties are good in damaging everything that is put in their hands. Just look at the ELA. Just look at our country today, for the best example. Please do not let them damage the purpose of this great opportunity by giving them free hand to spend in publicity for this Federal exercise. The publicity for all three formulas must come from a neutral institution or be controlled by the US Government and not the political parties. A fair and equal distribution of funds for promoting each formula will bring parity in the bombardment of publicity. NO PAC COMMITTEES SHOULD BE ALLOWED, nor the political parties either, to inform of the benefits (they will not inform costs) of all three formulas. Fairness should be promoted by the US Government.

We the People must be well informed and educated before voting. The future of our Country cannot be influenced by deceiving political parties.

The Founding Fathers tried to do the best, but war was necessary due to the uncompromising attitude of England. You are the "Founding Fathers" today. You are also England. Deal with justice and good faith knowing that wrong decisions lead to wrong actions. Help us get rid of the Colony status for once and for all by doing a fair job. Please consider my three points above, and God bless Puerto Rico, God bless the United States of America.

Pablo Millán-Sepúlveda

Honorable Members of Congress: In 1897 Puerto Rico achieved autonomy from Spain and at that time it was a sovereign country and the first autonomous province of Spain. We are genetically speaking Europeans for the most part. In terms of international rights USA is occupying a territory that for 405 years belonged to Spain and its citizens were Spaniards. This project is not about self determination, it will be as saying that a kid that has been served hamburgers and pizza all of his life can decide his diet will be all by himself. Please include in the project the alternative "Provincia Autónoma de España" in the selection ballot. Thanks for respecting this appeal.

José Lara

May 28, 2022

Greetings from Puerto Rico. My name is José Lara, President of "Adelante Reunificacionistas de Puerto Rico y España". I speak on behalf of the members of our civic and political association, legally registered in the Department of State, San Juan, Puerto Rico.

We are requesting for you to consider the inclusion of the Reintegration of Puerto Rico to Spain as one of the valid options available for the Island in the next and future hearings regarding the Puerto Rico Status projects. Our movement is growing as people are more aware of the advantages of becoming an Autonomous Community of the Kingdom of Spain. United Nations allows for the reintegration of territories separated by war, as a decolonization solution, if the People of such territories vote for it on a referendum. See U.N. 1541 (XV)

We have begun an educational campaign to reverse the damage done by common beliefs regarding our Hispanic heritage. We are correcting such beliefs with real history. First, Puerto Rico was not a Colony of the Kingdom of Spain in 1898. It was an Autonomous Province with its own elected government. Second, Puerto Rico had already gone through a process of self determination on November 25, 1897. The Royal Decree was confirmed in free elections by Puertorricans on March 27, 1898. In these elections, the Autonomist Party obtained 80% of the votes out of 121,573 legal voters. Third, we did not invite the United States to invade the island, as many believe. Only a few separatist men did that on their own and without consent of the people. They were traitors to our country, not patriots.

Having Spain accepted by the force of arms the only terms offered by President McKinley to end the 1898 Hispanic American War, The Treaty of Paris was signed and Puerto Rico was occupied by United States forces. Spain was unwilling to give up the Province of Puerto Rico, but did not have a choice in the matter. Like the late President Reagan once said, "Puerto Rico did not come to the United States. The United States came to Puerto Rico."

Spain and The United States of America have a common history of friendship and cooperation that dates back to the War of Independence against England, war in which Spain contributed in not a small part. This friendship was only tainted by the 1898 incident, which has been sadly forgotten. Having said that, we consider that it is in the best interest of the United States of America to Reinforce those friendship ties with The Kingdom of Spain, by returning the Province of Puerto Rico to their own kinship. Spaniards can live better amongst Spaniards.

Puertorricans are ethnically Spaniards. 125 years ago the United States of America came to an Island with close to one million of Spaniards that were Spanish citizens. Now, 125 years later, they have an Island with 3.2 million of Spaniards with United States citizenship. We speak and sing in Spanish. We communicate in Spanish at work and at home. We even pray in Spanish at Church. We will never give up our Spanish culture, with or without United States citizenship.

The only change achieved by the United States in Puerto Rico has been political. Reintegration of Puerto Rico with The Kingdom of Spain means not only reinforcing our friendship ties, but could also become the legal backdoor to access the European Union markets, where United States goods and services could be sold. Spain and The United States could arrange a variety of commercial treaties that could benefit the flow of merchandise both ways.

Instead of having the market in Puerto Rico only, the United States could have access to the whole European markets through Puerto Rico and Spain. The United States of America would also benefit from having a NATO ally living close to its shores, one that can strengthen the National Security of both the US Navy and The Spanish Armada. Working together toward the common welfare of our peoples, we can achieve a better and safe environment for our children. Safety that will come from the national security that both allies could achieve together.

Therefore, I respectfully request that you allow me to explain to you and your delegation, on the congressional hearings and on behalf of our association, what the project of the Reunification of Puerto Rico with Spain means to our association, and to all the People of Puerto Rico.

Thank you for your kind attention.

Julio Santiago-Rios

Dear Member of the Congress of the United States of America, here are my recommendations for the Puerto Rico Status Act for year 2022:

Natural Right for Self Determination and Independence—According to the United Nation 1514 Resolution there is a Natural Right for Self Determination and Independence. An appropriate approach for the "Act" should be: If Statehood or Free Association is not accepted by the US Congress in one or two years, then, Puerto Rico must declare its Independence. The format must be Constituent Assembly instead of a Plebiscito. Then after the status be chosen, we must have a Constitutional Assembly.

Odious Debt—Puerto Rican Odious Debt must be transferred under Free Association or Independence to the Federal Government, who own the sovereignty of Puerto Rico, given that Puerto Rico is an invaded Nation who earned its sovereignty right before the invasion in 1898. The Odious Debt Doctrine was applied between United States and Spain, when Puerto Rico was transferred to the United States in 1898, as well as in other cases.

3. History of Puerto Rican Independence Movement: Its fundamental to understand that Puerto Rico has been in the Struggle for its Independence since more than 500 years. The struggle has been applied in many ways, including Armed Struggle, which has been detrimental for our Nation as well as your Nation. We, the Puerto Ricans want our Independence for the same reasons that the Thirteen Colonies fought for its Independence against England. It's important to note that many Puerto Ricans fought in that struggle to free the Thirteen Colonies. Despite persecution, discrimination, defamation and assassination of many Independentists, most of that supported by Spain and eventually by the United States, we still in the Struggle for our Natural Right for Independence. Then, its important to note that the Puerto Ricans are not requesting authorization from the United States to start its Self Determination process, because it's our Natural Right, that also we have earned given our Level of Independence Struggle during centuries.

Víctor Federico Torres

Otra consulta sobre status en la que el Congreso decide quiénes son esos "people of Puerto Rico" que van a votar? Para que sea una consulta genuina hay que impedir que cualquier extranjero decida con su voto nuestro futuro político. Y por extranjero me refiero a personas que no hayan nacido en Puerto Rico o de padres puertorriqueños. Si los boricuas de la diáspora no pueden votar, por qué se les va a permitir a extranjeros? Sí, ya sé que como ciudadanos americanos tienen derecho, pero derecho MORAL no tienen ninguno. Eso sólo lo entienden personas con sentido ético. No quiero a ningún cubano, dominicano, chino o de donde sea decidir el destino final de nuestro pueblo. Ya sucedió con Alaska y Hawaii convertidos en estados con el voto de extranjeros, en su mayoría norteamericanos. En ambos estados, existe actualmente un fuerte movimiento separatista. Hay que buscar un recurso para evitar que esto suceda el cualquier próxima consulta. Así lo exige el derecho internacional en consultas de esta naturaleza.

Joel Rivera

Include in the project the alternative "Autonomous Province of Spain" in the selection form. Thank you for respecting all possibilities for the political status of Puerto Rico. We never chose to be separated from Spain, a colonial status was imposed on us. A state where we are still not going anywhere with any solution. We have been in this "limbo" for a long time. We want the reunification of Puerto Rico with Spain. We would like people to know the truth, to educate people about this possibility, being part of Spain and the European Union. Thank you for listening to us, we are here, and we are Puerto Ricans Spaniards. We cannot be silenced. Thank you for trying to bring to Puerto Rico the best setting for your political affairs.

Ramiro Rodriguez

Please also consider as an option a pathway for PR to rejoin Spain as the autonomous province it used to be before the Spanish American War. Please do not dismiss this option as PR has a lot in common with Spain. Thank you.

Francisco Gonzalez

Dear Chairman Grijalva and distinguished members of the Natural Resources Committee: Firstly, I would like to thank this Honorable Committee for the opportunity to express our position regarding the Puerto Rico Status Act, the first binding and comprehensive bill to address Puerto Rico's political status.

I appear before this Committee on behalf of the League of United Latin American Citizens, Puerto Rico Chapter. As you may be aware, LULAC is the oldest and largest Hispanic civil rights membership organization in the United States. Since its creation in 1929, LULAC has been dedicated to protecting and promoting the civil rights of Hispanics across our country. As a Puerto Rican, I am a United States citizen of Hispanic heritage and one of the more than 135,000 members of LULAC in 41 states, the District of Columbia and here in Puerto Rico.

Carrying on this tradition, on April 30, 2022, the Puerto Rico Chapter of LULAC approved a Resolution concerning Puerto Rico's status. The Resolution found ". . .that the current colonial status of Puerto Rico places plenary power in Congress, limits self-government, deprives its people of the tools it needs to improve the standard of living of U.S. citizens in Puerto Rico, and that it is the will of the people of Puerto Rico to redress this situation and attain true equality . . ." Moreover, the Resolution expressed LULAC Puerto Rico's opposition to "the continuation of Puerto Rico's political status under the Territory Clause" and called upon the President of the United States and Congress to take the necessary steps "to redress the continuing violations of civil rights of the American citizens residing in Puerto Rico." Also, most recently on July 21, 2018, LULAC's National Assembly has on multiple occasions approved resolutions advocating for admission of Puerto Rico as the Fifty First State of the Nation.

It is a widely held conclusion in academic and political circles that colonialism is inherently wrong and destructive, as well as anathema to democracy, injurious to civil rights, destructive to local economic development, and ultimately demeaning and demoralizing to both the metropolis and the colony. In the case of Puerto Rico, specifically, our status as a territory hinders any significant efforts at economic growth since uncertainty as to our future is hardly conducive to investment. Congress has plenary powers over Puerto Rico, but we have no voting representation. Puerto Ricans have proudly served in the American armed forces and continue to do so, but we cannot vote for our Commander in Chief. Consider that according to the U.S. Census Bureau, between 2010 and 2020, the population of Puerto Rico fell by 11.8%. This is the impact colonialism is having on Puerto Rico.

Furthermore, colonialism is contrary to what the Framers of the Constitution had in mind. In 1787, merely 6 years had passed since Yorktown. The memory of colonialism was very much in the minds of these men, as was the effort to avoid its recurrence. That is why the Constitution of the United States does not contain any provisions for the administration of colonies. Rather, Section 3 of Article IV of the Constitution, also known as the Territory Clause, states in part that "[t]he Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States. . ." It is revealing that this Section 3 of Article IV of the Constitution is also where the process for admission as a State of the Union is established. Territories were not meant to be retained indefinitely; they were meant to become a state.

By 1898, however, the memory of British colonialism had expired and a new race for imperialist possessions had begun. The United States won the Spanish-American War and as a result a number of territories raised the Star-Spangled Banner for the first time, including, and most importantly for our purposes, Puerto Rico. It would not be long before multiple legal questions and controversies required a determination as to how these territories would be governed and these questions ultimately reached the U.S. Supreme Court. Although there are a number of what came to be known as the Insular Cases, particular attention should be paid to Downes v. Bidwell, 182 U.S. 244 (1901), where a distinction between incorporated and unincorporated territories was first made, and Balzac v. Porto Rico, 258 U.S. 298 (1922), which held that although the Jones Act had granted U.S. Citizenship to residents of Puerto Rico, it did not incorporate the territory and Congress could therefore decide which parts of the Constitution would apply. It is because of this judicial distinction that Puerto Rico's current colonial status has been upheld and has endured for 124 years, including 70 years as the Commonwealth.

In 1950, Congress passed, and President Harry Truman signed, Public Law 600 which provided for the organization of a local government in Puerto Rico under its own constitution, much like the States. In 1952, the Constitution of the Estado Libre Asociado de Puerto Rico, or the "Commonwealth" as it is known in English, was ratified. This created the illusion of autonomy and a false narrative that a bilateral agreement existed between the United States and Puerto Rico. In turn, this allowed for the claim that the Commonwealth was not a colony and that it somehow existed outside of the Territory Clause. This fallacy persisted for more than 50 years.

However, this carefully created fiction of the Commonwealth as anything other than a colony began to unravel in this century. In 2005, the President's Task Force on Puerto Rico's Status issued a report reiterating, in pertinent part:

The commonwealth system does not, however, describe a legal status different from Puerto Rico's constitutional status as a "territory" subject to Congress's plenary authority under the Territory Clause "to dispose of and make all needful Rules and Regulations respecting the Territory . . . belonging to the United States." Congress may continue the current Commonwealth system indefinitely, but it necessarily retains the constitutional authority to revise or revoke the powers of self-government currently exercised by the government of Puerto Rico. Thus, while the Commonwealth of Puerto Rico enjoys significant political autonomy, it is important to recognize that, as long as Puerto Rico remains a territory, its system is subject to revision by Congress.

Additional chips in the Commonwealth's armor appeared in the following years. In a 2012 local referendum, the first question asked citizens whether they wished Puerto Rico to remain subject to the Territory Clause of the Constitution. A clear majority of 53.97% of constituents voted "NO".

In 2016, by virtue of the Territory Clause, Congress passed Public Law 114–187, also known as the "Puerto Rico Oversight, Management and Economic Stability Act" (PROMESA). 48 USC §2101, et seq. One can argue the merits and flaws of PROMESA extensively. However, its authority over any local law, including Puerto Rico's Constitution, is unquestionable. PROMESA is the practical manifestation of Congress' plenary powers over Puerto Rico.

Also in 2016, the U.S. Supreme Court issued its opinion in Puerto Rico v. Sánchez-Valle, 579 U.S. 59 (2016). In short, the Court reasoned that Federal sovereignty was granted by the States, whereas Puerto Rico's sovereignty was granted by the Federal Government. The Supreme Court concluded that Puerto Rico's self-government was subordinate to the Federal Government in general and to Congress specifically through the Territory Clause. This holding was reiterated as recently as two months ago in United States v. Vaello-Madero, 142 S.Ct. 1539 (2022), where the Court found that pursuant to the Territory Clause, Congress could give U.S. citizens in Puerto Rico different treatment from U.S. Citizens in any of the 50 States.

In the last 2 decades, all 3 branches of the Federal Government have declared that Puerto Rico's current political framework is completely at the mercy of Congress' authority, without voting and proportional representation. In other words, that we are a colony. However, although we cite Vaello-Madero, supra, as an example of this, we must also note that it revealed the precarious footing that the Insular Cases currently have. In both Justice Gorsuch's concurring and Justice Sotomayor's dissenting opinions, the Insular Cases were heavily criticized. Justice Gorsuch went as far as stating that ". . .the time has come to recognize that the Insular Cases rest on a rotten foundation. And I hope the day comes soon when the Court squarely overrules them."

Two conclusions can be drawn from the factual background discussed. The first is that Puerto Rico's current political status is colonial in definition, nature and effect. The second is that Puerto Rico's colonial status is unsustainable. As we have seen, colonialism is ultimately detrimental to both the metropolis and the territory. This is particularly true when considering that the United States was born out of war against colonialism and has served as a beacon of democracy to the world ever since. The Constitution does not allow for colonial possessions, and it is only due to the mistakes of history that are the Insular Cases that is has been allowed to continue for this long. Moreover, the people of Puerto Rico have rejected the territorial status. Final resolution of Puerto Rico's status is proper and necessary, and it cannot happen under the current Estado Libre Asociado. The Estado Libre Asociado is the problem, it cannot also be the solution.

Resolution of Puerto Rico's status is beneficial to the United States as well. The advantages of a prosperous Puerto Rico, serving as a bridge between the United States and the Caribbean and South America, are evident. And an answer to the question of Puerto Rican status will serve to reassert America's place in the world as an example of democracy.

The Puerto Rico Status Bill is a democratic and viable mechanism for the final resolution of Puerto Rico's political status. But it can only be so as long as it calls for a direct vote, the options given are noncolonial/territorial, and the result is binding. Given that these elements are present in the consensus bill being discussed, we believe it is compatible with the Resolution approved unanimously by the Puerto Rico Chapter of LULAC. Therefore, LULAC Puerto Rico, acting by virtue of the Resolution of April 30, 2022, endorses and supports the Puerto Rico Status Bill.

Once again, we appreciate this opportunity to express our position on such an important subject.

Nestor Duprey

I am grateful for this Committee's invitation to share with you some brief reflections on the draft bill regarding the future of relations between Puerto Rico and the United States that is before you.

First of all, I want to make it crystal clear that my opinions and comments reflect the dictates of my conscience and my mind, and only represent me, as a Puerto Rican historian and political scientist. I believe in the recognition of Puerto Rican sovereignty through a compact, treaty, or agreement of Free Association between the peoples of Puerto Rico and the United States of America, linked by a common history of more than a hundred years and human, geographical and economic ties that require mutual understanding to solve the colonial conundrum that the current relationship exemplifies. Free Association is not an option that is without support, quite the opposite, it has the support of Puerto Ricans who, beyond partisan differences, recognize it as the best path forward for the people of Puerto Rico in their relationship with the United States. I have defended and defend Free Association, not out of convenience, but out of conviction. That's why I'm here.

Secondly, I think it is fair to thank both Chairman Grijalva and Majority Leader Hoyer for their interest in reaching a consensus document between the measures presented by Resident Commissioner González and Congresswomen Velázquez and Ocasio Cortés. From now on, this document, which we hope will be translated into legislation in the coming days, is the starting point in the unavoidable negotiation that will culminate in a process of mutual determination on the future of the relationship between Puerto Rico and the United States of America. I speak of mutual determination and not of self-determination because the public policy decisions that will be reflected in the legislation to be discussed and approved, will eventually state public policy determinations of the Federal Government, as well as the will of the people of Puerto Rico.

There are three core issues that require public policy decisions by the Federal Government and that will affect the final content of this draft legislation. How these issues are addressed will predetermine the response of the people of Puerto Rico to this offer of constitutionally viable options.

• First, the bill under consideration compels the United States to decide that the policy toward the territory of Puerto Rico, to require a different treatment from the other territories in terms of the possibility of maintaining the territorial option, due to Puerto Rico's population extension and the particularities of the relationship. What is desirable and even convenient for other territories, due to their particularities and interests, for Puerto Ricans is undesirable and no longer viable; and I suspect that's the case for the United States as well. The territorial option under any name is contrary to the best interests of the people of Puerto Rico and delays the solution of its problem for the United States: how to dispose of the territory by offering a decolonizing option in the face of the political and economic unsustainability of the colony or territory, as well as the inconvenience or unviability of statehood from the point of view of the United States' interests. In the cases of the Philippines in 1934, Alaska and Hawaii in 1959, and the trust-administered territories in the Pacific in 1983, Congress legislated, as required, to address specific territorial issues, without applying those solutions to the other territories. Now Congress can do it too.

• Secondly, the United States as a government, through its political branches (executive and legislative) has to decide whether to offer the option of statehood to Puerto Rico with a commitment to grant it, and under which terms and conditions. The self-enforceability provision contained in this draft explicitly entails the acceptance of a petition for admission of the territory of Puerto Rico as a state of the Union without knowing beforehand what are the terms and conditions of that admission, which we imagine will be the same as the other territories in the political, economic, and cultural aspects. We all know that clause has been the graveyard where past efforts to promote congressional legislation on the issue of Puerto Rico's status have been buried. It is time for the U.S. Government to answer that question itself, and for the people of Puerto Rico to know that answer.

• Thirdly, the choice of sovereignty for Puerto Rico, under Independence or Free Association, implies a public policy decision by the Federal Government regarding the future of U.S. citizenship of Puerto Ricans born in Puerto Rico and their descendants. The U.S. Congress legislated in 1916 to extend that citizenship to Puerto Ricans, which has been ratified in subsequent laws. The particularity of a nationality composed of citizens of another country was not the product of a decision by Puerto Ricans, it was a unilateral act of the U.S. Congress. As in 1916, the issue of the U.S. citizenship of Puerto Ricans requires political will and pragmatic recognition of the particular reality of the relationship between the United States and Puerto Rico. Anything is possible if there is the political will to do so. Due to the close relationship between Puerto Rico and the United States in the economic and national security scope, including the vulnerabilities of the Puerto Rican border, both peoples are required to design a transition process to Independence or a Free Association Compact that recognizes these particularities. Issues such as citizenship, the continuation of economic assistance programs, the future of the integration of the Puerto Rican economy to the U.S. economy in monetary, market, investment and mortgage market aspects, as well as other fields of that free trade area, that in practice is currently limited by the colonial relationship, compel the United States and Puerto Rico to design a pathway toward sovereignty that recognizes that community of interests and takes into account the particularities and mutual convenience of that relationship.

Once the U.S. Government determines its position on these matters, the people of Puerto Rico will be in a position to responsibly exercise their right to self-determination. I am sure that, in the case of Sovereignty, these considerations, and addressing them in a practical and realistic way, will make it possible for the United States to count on a worthy partner in the Caribbean. Puerto Rico aspires to a social market economy integrated into the world, that maintains the close ties of historical, geopolitical, and economic reality with the United States, with a fully democratic system of internal government, of recognition of freedoms, including leaving behind the stain that more than a hundred years of colonialism represents for both peoples. The peoples of Puerto Rico and the United States need to decide the future of our relationship in a way that recognizes our mutual interests and designs a path to solving the colonial conundrum. This bill, now as draft, is a step in the right direction. The proponents of Free Association will be submitting amendments to the bill to further clarify the provisions relating to such sovereignty option. The conversation has begun. We must go on. Thank you.

Luis Herrero

My name is Luis S. Herrero Acevedo, I am a lawyer, political consultant and commentator.

I would like to to start by commending the draft proposed bill and the process led by Majority Leader Hoyer and Chairman Grijalva. Getting proponents of statehood and sovereignty to discard old tropes and bring forth new ideas and processes to resolve Puerto Rico's centenary political conundrum is no small feat. "Gracias Nydia y gracias Jenniffer por sentarse y hablar."

In theory, this is how the democratic process should work. Thank you once again for getting it done. If approved by Congress, this draft bill will send a clear signal of what a democratic majority in the House of Representatives is willing to offer Puerto Ricans. The draft is a starting point for future discussions and a solution to the status issue.

But, as we all learned in elementary school, a bill does not become a law until approved by the Senate and signed by the President. And, therein lies the problem. . .

As a political consultant, I understand very well how politicians talk on the record, especially on the congressional record, vis a vis how they talk behind closed doors. Everyone on the dais, and every politician who has served in the Natural Resources Committee since the United States took Puerto Rico by military force, has had multiple off the record conversations about Puerto Rico. And everyone on the dais must agree, off the record of course, there are no votes in the Senate to make Puerto Rico a state.

Not today, not yesterday, not tomorrow.

Since 1898, Puerto Rican statehood has been a mirage, lip service to score cheap political points or raise a few dollars for a campaign. I compare it to a mythical animal, much talked about but never seen. A unicorn.

Josue Rivera

In favor of H.R. 1522—"Puerto Rico Statehood Admission Act" and in favor of the new compromise draft bill, the "Puerto Rico Status Act."

Good afternoon, Chairman Grijalva, members of the Natural Resources Committee of the U.S. House of Representatives, current and former officials of the Government of Puerto Rico, and my fellow Americans.

I am Josué Emanuel Rivera Castro, resident of Guaynabo, Puerto Rico. I'm a public servant, former State Director for Puerto Rico at the U.S. Department of Agriculture-Rural Development, former Policy Advisor at the Office of the Governor of Puerto Rico in Washington, DC, Former National President of the Puerto Rico Statehood Students Association, and current Ideas Fellow of the Aspen Institute.

For the record, I am not here in any official capacity, nor to represent the Aspen Institute or any areas of the Federal Executive Branch, but rather as a private citizen concerned about Puerto Rico's political and economic future. I assume full responsibility for the ideas I will present in this statement covered by my first amendment right.

There is a saying that goes as follows: "it is better late than never." Therefore, please accept my sincere appreciation to all parties for reaching this historic agreement.

Your leadership and detachment in finding common ground is, without a doubt, key to resolving the long-overdue colonial relationship between the United States and Puerto Rico. A special acknowledgment to The House Majority Leader Steny Hoyer, New York 7th congressional District Congresswoman Nydia Velázquez, and our own Resident Commissioner Jenniffer González Colón for this valiant effort.

Nevertheless, we all know that the common ground here in Puerto Rico is that WE "Puertorriqueños" treasure our American Citizenship, the Constitution, our love for freedom, the pursuit of happiness, our belief that all men are created equal, and we cherish our multicultural-multilingual link between mainstream America and our Puerto Rican culture. Therefore, "Yo soy Boricua (and American) Pa' que tu lo sepas".

Statehood does not change that, but the two other options of independence will. As mentioned before, I come here in support of H.R. 1522, "Puerto Rico Statehood Admission Act," and the Draft bill, the "Puerto Rico Status Act," which provides the American citizens residing in Puerto Rico a process to exercise our right of self-determination—this time through a binding self-executing process initiated by federal sponsored legislation.

The American Flag has flown over Puerto Rico since 1898. In 1900, Congress established a civilian government on the island through the Foraker Act. Nevertheless, in 1901 the Supreme Court stroke this Act with the Downes v. Bidwell decision, and its progeny held that for the Constitution's Uniformity Clause, Puerto Rico was not part of the United States and was subject to the plenary powers of Congress, which turned it into a colonial relationship ever since.

Congress needs to act with a sense of urgency. In 1950, Congress passed Public Law 81-600, the "Puerto Rico Federal Relations Act," but with the passage of "Puerto Rico Oversight, Management, and Economic Stability Act of 2016" (PROMESA) and recent Supreme Courts determinations like Vaello Madero vs. the United States of America, once again, Congress and the Supreme Court reminds us of all that the centennial colonial relationship is still present and pending resolution.

Again, as an American, I strongly support the admission of the Commonwealth of Puerto Rico as a state of the Union. It is the best path forward, given that we have had a relationship for over 120 years. A relationship that binds the U.S. and Puerto Rico by sharing and benefiting from the economic, cultural, political as well as societal aspirations of our people.

For the draft bill in the discussion, I'm concerned about the educational campaign for the two options of independence included. As a clear reminder, independence has never been an option favored by most people in Puerto Rico, as evidenced by all local plebiscites held up to this point. This Congress needs to address many important questions about the two forms of independence and instruct the Executive Branch of the U.S. Government on how we will effectively transition the over 10,000 federal civilian employees and military services members, including their families.

Second, estimate the cost of that transition. Are we going to fire them?

Third, there needs to be an estimate of the impact and cost for the residents of the Republic of Puerto Rico and the implications of ending federal programs that currently benefit our most vulnerable, our low-income communities, women, children, elders, veterans, and socially disadvantaged small businesses in Puerto Rico?

Fourth, what is the cost of the new nation's defense? What is the cost of admission to the United Nations, the International Monetary Fund (IMF), and many other international institutions and regulating bodies? What are the processes and implications of establishing currency, insurance for natural disasters, taxation, and managing current and future debt obligations?

How many embassies will Puerto Rico have, and what will be the cost to the people of Puerto Rico to operate them?

What happens to the investment certainty and economic-market risk?

Fifth, what will be the U.S. Citizens' current benefits and responsibilities lost with these two independence options.

I'm also concerned that the two options of independence will continue to sponsor citizenship for the residents, that's against the United States Constitution and our National Interest. Citizens living in a nation under COFA are regarded as Nationals. Therefore, I'm proposing an immediate transition to U.S. Nationals status for all residents of Puerto Rico in one of the two types of independence: the electoral winners. Regarding the legislative process in Congress, I urge you to advance this proposal—the Puerto Rico Status Act. In my opinion, the best path forward for the people of Puerto Rico is statehood. But I invite all other parties to join in supporting this draft bill.

Thank you, Mr. Chairman and members of the committee.

José Nieves-Seise

In 1898 Puerto Rico was a Spanish overseas province with political equality. After the US invasion we lost that equality and became an unincorporated territory of the United States of America without political equality and that is being a colony. We Puerto Ricans are Spanish and were separated against our will in 1898. I hereby ask you to include the Reunification of Puerto Rico with Spain in the binding plebiscite that will take place in 2023. Reunification is Integration and is recognized as a decolonizing formula.

Bert Marchand

Puerto Rico is a Nation—culturally, sociologically and anthropologically. Sovereignty it's an inherent inalienable right of any nation. Saying that, after almost 125 years as a US colony and 400 years as colony of Spain—I believe that the best path for Puerto Rico to transition to a Sovereign Nation is Libre Asociación (Free Association). I congratulate the Committee for taking the morally righteous decision to include this Path(option) as a logical step to decolonize Puerto Rico. The Transition mechanisms/agreements toward National Sovereignty via FA or full independence is a recognition that the colonial oppression to US (Puerto Ricans)—in the island, mainland o anywhere deserves a responsible and restorative process by the Colonial Power. The most recent example of this responsible Transitional process is England and Barbados. Please take time to study this example as a way to improve the bill.

US Citizenship in this Transition process is the most significant component from the perspective of this restorative moral obligation. It's great step by the Committee to put US Citizenship as a central aspect of this Transition. Our Colonial history has deep rooted myths and disinformation with regards to US citizenship. Therefore the bill needs as most detailed clarification in this matter to eliminate ambiguity and misinterpretation. From my view, the 21st century, common citizenship agreements (doble/triple citizenship) is the norm and the bill should reflect that.

Now to this Statehood option. Hawaii is the only Island Archipelago State. This brings me to our closest neighbors fellow US Citizens of the US Non-incoporared Territory of the Virgin Islands. Together, the 3.2 million in PR and 500k in USVI—we have more US Citizens living in these 2 Caribbean colonies than about 30 States! If Statehood is to be seriously considered by US Congress—the moral path is to have these two Caribbeans colonies joined as the 2nd Archipelago State. It is the right and moral path to Statehood for the almost 4 million US Citizens that call the Caribbean their homeland. Together they would have 2 US Senators and about 5/6 congressional districts. Now, this would be a serious and consequential commitment to finally end US Colonialism in the Caribbean.

Thanks to the Committee for moving forward in a serious and courageous effort to end our current Colonial condition. At last, I want to Highlight the fact that we have 3 Puerto Rican women are part of this Commitment and have taken up a leading role in this process and have shown to us the capacity to sit down and dialogue to achieve compromise. This is a great example to it people but as parent of a daughter as great role models to our Daughters.

Un Abrazo Solidario.

Paola Gonzalez

For far too long Puerto Rico has been condemned to the shackles of imperialism and colonialism. I am beginning to feel like the richer individuals and politicians who stand up and advocate for statehood against sovereignty are merely too lazy to put in true work into our country. That they would rather not have to worry about how to enhance our agricultural practices, better our education system, or invest in the Puerto Rican people.

I suppose they do not notice how many have fled our land because the government chose to sell Puerto Rico as a paradise to Americans rather than take care of the paraíso we already had.

At the end of the day it feels like the most proponents of statehood share their concern for is US citizenship—something that I am aware could be lost should the other options win. But what we could end up losing should P.R. become a state, include our culture, our language, our individuality, our people.

It feels like not one of them has looked toward our Pacific Islander neighbors of Hawai'i, who continue to lose native populations to an increase of American travel, gentrification has driven up prices, and the travel industry has cost them vital environmental resources.

It is not too late for us to invest in ourselves. I guarantee if there were incentives for native Puerto Ricans to move back instead of Americans they would do it in a heartbeat because they carry their patria wherever they go. I guarantee there is a diaspora of Puerto Ricans longing for the home they left behind.

With that being said, countless diaspora Puerto Ricans have left due to many issues that can be traced back to the imperialism and colonial status imposed by the U.S. Due to this, I wonder if there might be a way to include their voices in this discussion as well, and even in the final vote. . .?

Karina Claudio Betancourt

Saludos estimades Congresistas y al personal del comité de Recursos Naturales de la Cámara de Representantes los Estados Unidos. Muchas gracias por darme la oportunidad de dirigirme a ustedes en el día de hoy.

Mi nombre es Karina Claudio Betancourt. Soy residente de San Juan, Puerto Rico. Y como mucha gente joven y queer en Puerto Rico, vivo los estragos del colonialismo a diario. En esta colonia no vivimos, sobrevivimos. Es un constante negociar entre la mediocridad de la austeridad y los recortes de servicios impuestos por la Junta de Control Fiscal; y el deseo de realmente ser feliz y vivir plenamente en este país. Y creo que esto es realmente una de las cosas que más duelen de ser una persona joven en esta colonia—la amamos, la atesoramos, defendemos férreamente sus playas y su tierra, nuestro derecho a ser y amar a quien queramos amar. . .Pero el gobierno de turno nos niega nuestro derecho a vivir con plena equidad, mientras van a Washington y les piden a ustedes igualdad de derechos como ciudadanos de los Estados Unidos.

Producto de la situación colonial puertorriqueña, los partidos que han controlado la política en Puerto Rico—el Partido Nuevo Progresista y el Partido Popular Democrático—ambos han apoyado legislación en contra del derecho al aborto, el derecho de las comunidades LGBTQI y han criminalizado la pobreza mientras se llenan los bolsillos de fondos Federales corruptamente. Por otra parte, una Junta de Control Fiscal impuesta por el Gobierno de los Estados Unidos sin consulta alguna a los puertorriqueños, ha recortado el presupuesto de la Universidad de la que con tanto orgullo me gradué—a más de la mitad. También ha hecho recortes a servicios esenciales como el transporte público, los servicios médicos y el arte y la cultura—elementos que mantienen felices y saludables a nuestra población, y aportan a nuestro crecimiento económico como país. Además, La Junta ha cerrado cientos de escuelas, dejado a miles de Puertorriqueños sin pensión digna y negociado nuestros servicios públicos—todo para pagarle a los buitres de Wall Street a quienes todes elles sirven. La privatización de nuestro sistema eléctrico impuesta por la Junta es algo que nos afecta a diario. Semanalmente hay recortes de electricidad y perdemos cientos de dólares en compras que se dañan por esta ineficiente compañía que ningune de nosotres eligió. Ningún Puertorriqueño que conozco apoya la junta de Control Fiscal, pero por nuestra situación colonial no tenemos forma de librarnos de ella, a menos que ustedes legislen desde Washington. De igual manera los dos Presidentes que nombraron personas a dicha Junta—Obama y Trump, ni yo ni ningún otro puertorriqueñe viviendo en el archipiélago pudimos votar por ellos.

Entonces estamos de acuerdo que el problema de la colonia es insostenible. Y es por esto que me uno a la conversación acerca del Puerto Rico Status Act, porque entiendo que ya es hora de resolver el problema y la situación colonial de Puerto Rico, pero también les exhorto a que este proceso no sea uno acelerado; y que por el contrario no se repitan los mismos errores que con PROMESA, cuando de manera no democrática se nos impuso una Junta que nos ha hecho miserables.

Aunque agradezco—personalmente y en nombre de la organización que represento—La Fundación Open Society—los esfuerzos del comité, entiendo que hay muchas maneras de mejorar el borrador de la propuesta de ley y la manera en el cual están llevando este diálogo—particularmente para involucrar y escuchar a les boricuas más impactados por la tenacidad de la colonia. Los problemas que desde nuestra organización y nuestres aliades locales hemos identificado en este borrador de proyecto de ley incluyen: la falta de detalles y claridad en ciertas opciones de estatus, un lenguaje que intenta inclinar a los puertorriqueños hacia una opción de estatus particular (la Anexión) y que el Congreso quiera dictar qué tipo de República establecería Puerto Rico bajo la independencia. También hay problemas con la definición de la ciudadanía Estadounidense bajo el estatus de Libre Asociación, y varias cosas que el borrador no menciona, como qué pasará con la deuda de Puerto Rico bajo las diferentes opciones de estatus?, y qué pasará por ejemplo con el idioma de control para las leyes, escuelas y tribunales, los impuestos Federales, y el comité olímpico en Puerto Rico bajo el estatus de la Estadidad?

Otros aspectos del borrador que nos parecen problemáticos:

• Los votos en blanco no se contarán (pág. 5)

—Esto es problemático porque impide y margina a los votantes que no están de acuerdo con las opciones o el proceso de expresar sus voces.

• Como mencioné anteriormente, en la definición de estado, no hay referencia al idioma, impuestos, representación olímpica (P. 8)

• El Congreso no puede instruir a un Puerto Rico independiente para que realice una asamblea constituyente ni instruir sus procesos internos de ninguna manera (p.15–16)

• El Congreso no puede imponer qué tipo de constitución o forma de gobierno puede tener un Puerto Rico independiente (p.16–17)

• El lenguaje en el borrador del proyecto de ley parece implicar que la ciudadanía estadounidense no se puede transmitir, aunque un ciudadano estadounidense que tenga un hijo en otro país pueda hacerlo. (pág. 23)

• El proyecto impone la forma en que el nuevo estado libre asociado ratificará artículos en lugar de dejarlo al proceso constitucional establecido por Puerto Rico (p. 38)

• Esta propuesta legislativa establece una transición de 1 año en el caso de la estadidad. (pág. 42) y procesos más largos para las otras opciones de estatus

—Es imposible salir de 124 años de dominio colonial, imponer impuestos Federales, trazar líneas legislativas e introducir gradualmente normas y reglamentos Federales que actualmente no existen en la isla en un año. Esto es engañoso para el pueblo puertorriqueño ya que presenta esta opción de estatus como una solución rápida.

• Puerto Rico permanecerá no incorporado hasta la admisión (P. 42)

—Esto también pretende inclinar la balanza hacia la anexión porque cada territorio se ha incorporado a la unión antes de ser admitido. Texas no lo fue porque primero fue independiente. Todos los demás fueron incorporados, lo que significa que pagaron impuestos Federales sobre la renta sin representación durante un período de tiempo hasta que el Congreso decidió admitirlos como estados.

Y nuevamente, menciono las cosas que no se mencionan en el borrador:

• Cero mención de la participación de la diáspora puertorriqueña en esta votación.

• No se menciona la aplicabilidad de la Ley Jones o la falta de ella en las opciones de estatus.

• No se menciona cómo se tratará la deuda de Puerto Rico.

Y finalmente, reiteramos nuestro deseo de que se lleven vistas del Congreso en Puerto Rico en español, y vistas en Washington DC de manera bilingüe, para tener un récord oficial de las diversas opiniones del pueblo Puertorriqueño acerca de este proyecto.

Como persona joven, también quiero reiterar que la juventud en Puerto Rico ya no confía en los partidos políticos tradicionales (no sé si han visto ayer como en la graduación de la Universidad de Puerto Rico abuchearon al gobernador Pierluisi, por ejemploe) y que cualquier proceso que se lleve en Puerto Rico debe tener un elemento de alcance que llegue a les jóvenes, y que también fiscalice el rol de los partidos coloniales (PNP y PPD) en este proceso. . .ya que muches hemos visto como los partidos tradicionales han utilizado referéndums pasados para favorecer su opción de estatus y mover sus agendas partidistas.

Muchas gracias nuevamente por su tiempo y quedo atente a los próximos pasos y a que se mejoren estos elementos en el lenguaje del borrador antes de ser presentado el proyecto de ley en el comité.

Tony Rivas

Is there a way the United States can support Puerto Rico's independence and also form an American Union alliance similar to the European Union except with Puerto Rico? This way after it becomes independent we can still use USA currency, apply for an American Union passport which will allow citizens of both nations to live, travel, work and get educated in either country freely. I think this option could make all sides happy.

Jesann Gonzalez Cruz

Dear Chairman and Honorable Members of Congress, I applaud you for taking critical steps forward in drafting a bill that includes binding legislation to end the colonial status Puerto Rico is currently under. I am happy to see a vibrant conversation being generated as to what the future of Puerto Rico should consider and hope to see many of the panelists' remarks tended to in future drafts. That said, I foresee two topics that have yet to be addressed in the current discussion: 1) voter turnout and 2) the statistical breakdown of the vote when considering a "majority".

Throughout the recent past, Puerto Rico has faced declining and/or low voter turnout. Considering the draft is binding, will there be a benchmark percentage of voter turnout required to ensure the vote is representative and just? Second, if the free association with the United States option is considered a form of independent sovereignty as depicted in the bill—this splits the sovereign vote, creating an unjust advantage for statehood voters. For example, if 40% vote statehood, but 30% vote independence and the other 30% FA than the majority appears to align with statehood but actually 60% of the populace voted for some type of sovereignty. This should be taken under consideration and perhaps necessitates an initial vote for statehood vs sovereignty and a secondary vote for the type of sovereignty. Thank you for your time and attention.

Elisa Munoz

My name is Elisa Muñoz, and I am the President of the Young Democrats of Puerto Rico (YDPR).

First and foremost, I would like to thank you, Chairman Grijalva, for allowing me to address the members of the Committee.

I also wish to commend Congresswomen Jenniffer González and Nydia Velázquez for putting aside their ideological differences and working on a consensus bill to establish a federally binding process that will finally allow the Americans who live on these Islands of Puerto Rico to have our voices heard in Congress about the type of political relationship we aspire to achieve with the United States, which I firmly believe will be Statehood.

I would also like to recognize Congresswoman Alexandria Ocasio's presence today and her steadfast support for young people, and for this process.

A large majority of us—the 3.2 million Americans who live in the oldest colony in the world—believe in decolonizing Puerto Rico and that we must continue "causing good trouble" to achieve our full civil rights.

The National Platform of the Young Democrats of America recognizes our desire for political equality and states as follows:

"We believe Congress must act on the will of the people of Puerto Rico and approve an enabling act with terms for Puerto Rico's admission as a state of the Union. The people of Puerto Rico have exercised their right to self-determination, resulting in overwhelming support for Statehood. Thus, we support granting the full admission of Puerto Rico as a state of our Union."

YDPR believes that our rights as American citizens should be fully secured, and that no American in this great country of ours should have to choose between remaining in the land of their birth or the opportunity for a better life in some far away land. As has been well documented, Puerto Rico has been suffering from a major brain drain since our recession began in 2006, which has only worsened after Hurricane Maria. According to the 2020 Census, over 300,000 people between the ages 25–65 have left our shores. My peers continue to seek a better quality of life and struggle with job, health, and food security after the COVID crisis, and we believe that if Puerto Rico were a State we would not feel the need to seek better opportunities away from our families. We are tired of being treated worse than any other American in the nation.

If Puerto Rico were to become a State, we would have the political power to have our voices truly heard in our Nation's capital when legislation is being considered and approved in Congress. For example, our current colonial disenfranchisement silences the voices of the women of our Islands on the matter of reproductive rights. It silences everyone in our Islands on the matter of climate change, which has severely impacted our coasts during the past five years. There may very well be parts of these islands that will be underwater by the time I am eligible to receive our second-class Medicare benefits.

As the daughter of a Bronx-raised, U.S. Army, Purple Heart recipient, Vietnam veteran (may he rest in peace), and as a Type 1 diabetes patient since I was six years old, I can give testimony of the immense suffering that our family has had to endured because of the discrimination that the Congress and the federal government have imposed upon us by limiting our access to federal healthcare and other social programs. This discriminatory treatment and the burden that it has placed on the very people that these programs are meant to assist have had a cascading effect on the availability of quality healthcare for and of the social well-being of all the Americans in Puerto Rico.

Puerto Rico has been a colony of the United States for 124 years; this is the longest any territory has gone without being admitted into the Union. This is not just morally wrong, its plainly un-American, and our country, through its leaders like yourselves, needs to rid itself of this stain in its moral fabric.

In the words of President Kennedy, I beseech you to: "not seek the Republican answer or the Democratic answer but the right answer."

That right answer is equality through Statehood for the 3.2 million Americans that call these beautiful islands their home. The consensus reached between the Puerto Rican Members of this Congress contained in the federally binding status legislation being considered by this Committee is a step in the right direction.

I thank you for your time.

Francisco Proskauer Valerio

Good afternoon, my name is Mario Jesús Toro, 'General Coordinator' for the 'Autonomous Statehood Network' of the 'Movimiento Victoria Ciudadana', a recently created, progressive, people-powered and community-centered political party in Puerto Rico. The Autonomous Statehood Network proudly represents the statehooders that have found a political home in the most progressive political party in Puerto Rico.

I am 20 years old. In that short life span, my life experience has been one of farewell after farewell to close family members and friends, who have sorrowfully opted to emigrate in search of the opportunities they can't find in their own islands. It's not hard to find the main culprit: our current woes are in large part due to the collapse of the colonial Commonwealth model.

In the 50 states there are Puerto Ricans settling down roots and developing within the challenges and successes that the opportunity to access their open borders and their labor markets entails. The sovereignty of the states allows for the adoption of multiple official languages and the design of a government that is accessible and responsive to all of its citizens, regardless of the language they speak. State sovereignty also makes it possible to promote each culture and exalt the identity

and traditions of each People. There has been a development of Puerto Rican identity within the United States longer than there has been a Puerto Rican identity outside of the United States. The United States, for its part, increasingly celebrates its diversity and multiculturalism. Today this is represented in its Federal system with the participation of a Puerto Rican woman in the highest judicial forum, the 'Supreme Court of the United States', and with several Puerto Rican Congresspeople who today are a triumphant example of the tireless march toward freedom and equality that Native Americans, African Americans and immigrants hailing from all corners of the Earth have made an essential and inseparable part of the American Federation.

In the past decade, two (2) self-determination exercises have been clear in their decolonization mandates. In 2012, a 54% majority decided to end the colonial status quo. Then in 2020, a 53% 'majority' decided to join the United States by choosing "Statehood" again. This referendum reflected a democratic majority for statehood in Puerto Rico. It is clear that the People of Puerto Rico want to exit the territorial clause. This anti-colonial consensus bill acknowledges this. For the 'Autonomous Statehood Network', this consensus bill also respects and adequately addresses both democratic mandates on the table by providing a binding and self-executing opportunity to end the colonial 'Commonwealth' status and to finally decolonize Puerto Rico with "Statehood".

We recognize that the most important development about the consensus bill, consistent with the proposals made by 'Victoria Ciudadana', is summarized in the following: that Congress offers a binding and self-executing process to decolonize; that it only includes the three (3) plausibly "non-colonial, non-territorial" options under the United States Constitution and international law; that it provides for an informed process where the People will know what each option entails; and that it be the 'majority' of the People freely choosing a winning option, an objective that is guaranteed with the run-off mechanism.

In the 'Autonomous Statehood Network' we are satisfied with this consensus bill and wish to respond to some of the criticisms that have been raised.

The consensus bill resolves the two (2) main objectives of a 'Constitutional Status Assembly': first, to commit Congress to act on the self-determination mandates emanating from Puerto Rican democracy by providing a binding and self-executing process that includes a formal offer of the options outside the territorial clause; and second, to bring together the anti-colonial forces in a procedural consensus with only non-colonial, non-territorial options on the ballot, with their corresponding transitions, in a federally endorsed process.

The consensus bill contemplates a thorough, publicly-financed educational campaign that is sufficient to combat any disinformation on the process and the status alternatives. We need there to be open, ample and public deliberation with accurate information about the process, so everyone can make a fully informed decision in the most trascendental election for Puerto Rico to date. But that is not to say that Puerto Ricans are not 'educated' enough to make an informed decision, as some argue in bad faith. We have been discussing the future political status of Puerto Rico since the United States first acquired the islands, and before even, as a colony of Spain. The time for talk should be concluding soon. The time for action is now.

Some have argued that the definition of "Statehood" should include information regarding the Federal tax burden and the corresponding changes that would require to our state tax system. We understand that this is not necessary because the tax laws affect citizens differentially. Most people in Puerto Rico would not have a tax liability due to their income levels, and the reconfiguration of our state taxes is a public policy decision to be made by the State of Puerto Rico. But if Congress decides to include information relevant to that topic, by way of equal justice and procedural consistency, then Congress would also have to do it for each decolonization option with equal space and content. Much has been said about the Puerto Rican desire to retain the American citizenship in the other two (2) options. With this we want to underline that under "Independence" Puerto Ricans who retain their American citizenship and live in Puerto Rico will have to file Federal taxes. That issue remains a question that depends on the negotiation of the pact in the case of "Sovereignty in Free Association". American citizenship for those who already have it or future generations under those options will be determined by this process. But if we are going to talk about Federal taxes, the truth is that all American citizens would be subject to them under both options, same as it would be for any American citizen residing abroad.

We congratulate Puerto Rican Congresswomen Nydia Velazquez and Jennifer Gonzalez for joining efforts for the decolonization of Puerto Rico. Also to leader Steny Hoyer and Raúl Grijalva for what has been achieved so far. We acknowledge the titanic work of Puerto Rican and American constitutional law professors Rafael

Cox Alomar and Christina Ponsa-Kraus in pushing for and consulting on this consensus bill. And lastly, we want to emphasize that as pro-statehood progressives, we see ourselves represented by like-minded leaders like Mia Bonta, Ritchie Torres, Alexandria Ocasio-Cortez, and Darren Soto who are raising our flag with a new generation of progressive Puerto Ricans in America. We look forward to being able to collaborate, from within and from outside the island, for a Puerto Rico in full equality within the American Federation. We trust that this anti-colonial consensus bill represents a big step in that direction and has our support.

John DeMicoli

This bill is a farce that is being coopted by the corrupt pro statehood PNP. Statehood is the death of Puerto Rico and our culture. A person in an abusive relationship may make a strategic safety decision to marry their abuser hoping to lessen the abuse, but that doesn't make it the right—or safer—thing to do. Independence with debt cancellation and reparations (which would set a precedent for reparations for Black people) is the only thing we should be talking about.

WIlberto Santiago

Any bill should ask Puertoricans to choose between statehood and independence. The third option will only add to the confusion and prolong the conflict over the status. It's time to end this 124 years issue. Puertoricans deserve equal treatment and a peaceful transition to statehood or when joining the international community of states.

Alejandro Lopez

I have witness/lived the Puerto Rico status conversation over 42 years now. For 22 yrs in the island and the last 20 yrs at the states.

It's an understatement to say it is complicated. Moreover, there are three strong political views in the island, which regrettably deny a general consensus. It goes without saying there is a fundamental disconnect.

It is my believe the last puertorriqueño that had a successful Congress status conversation with a socioeconomic strategy was Governor Luis Munoz Marin with his 'Operation Bootstrap'. It wasn't perfect, however it was a starting point, an initial conversation with Congress as a strategy to develop and modernize Puerto Rico's economy.

That conversation then had numerous professionals and scholars from the island. The people that understood and care about the island immediate and projected future, furthermore how the island would introduce itself into a competitive shifting economic market.

There are numerous topics that branched out of this economic initiative and legislation. Perfectly imperfect, but regardless necessary to move forward.

The reason to run commentary on this specific isolated topic, is the fact Puerto Rico should be allowed to make its own decisions, hence developing strategies to push onwards and plan the next decades of sustainability for the island socioeconomic infrastructure.

Recently it has been evident that a selective few benefit from the status discourse, in lieu of being an all inclusive community/island conversation.

The puertorriqueño scholars, doctors, architects, engineers, young entrepreneurs, historians and educators . . . "The Puerto Rican People" (from all sectors) should be leading this conversation. Separately, it would be beneficial for Congress to provide the opportunity to enforce transparency in the island. Something the last cycle of local governments have failed to deliver to the people.

A viable solution and direction cannot be reached until these individuals/sectors further advance this strategy and/or negotiation with Congress.

Milton Maury

Dear Members of Congress, Nidia Velázques, Alexandria Ocasio Cortés, Raúl Grijalva, Jennifer González-Colon, Governor Pedro Pierluisí, and everyone alike.

My name is Milton Maury Martínez. I speak as an individual and not on behalf of any entity, although I participate in many organizations, for example, League of United Latin American Citizens (LULAC) Concilium 14267, which unequivocally supports Statehood for Puerto Rico. I have lived in the states as well as in Puerto Rico. I have seen what inequality looks like.

We the people/citizens of the United States of America, living at the islands of Puerto Rico, Possession of and Land of our Nation, have been a willing part of the United States of America for well over a CENTURY. But you already know this.

This is who we are, part of our Nation.

We have consistently and democratically expressed our will to become a full-fledged state of the union, thus ending COLONIALISM.

We ask for equal rights AND responsibilities like any other state of the union.

Isn't it ironic that if YOU decide to stay here at Puerto Rico, you lose the right to equality? This is plainly wrong, unjust, and shameful, to this date.

Support the will of the people of Puerto Rico, through a fully democratic process with the direct vote of every able citizen. I am sure that people will choose their NON-Colonial future WISELY.

Fortify democracy in our nation, listen to our request, and the request of our families and friends in all states. We need to do what's right, A state of the union. It's time to ACT, no further obstructions should be permitted. Finalize this draft and submit it for voting.

This will make our nation be even bigger, and have one more shining STAR, whilst enhancing the respect of all nations toward the U.S., as leaders of democracy. Puerto Rico is diverse like all states And treasures our nation's way of life.

Thank you for hearing me, have an excellent evening, "here, as this is also your LAND".

Roberto Santiago

Puerto Rico was an integral piece of Spain's sovereignty for more than 500 years and to further add to that Spain's first autonomous community. The option for reunification with Spain should definitely be included in the possible coming referendum!

Juan Garcia

In the S. 244 project led by J Bennett Johnston these 2 items were conceded for Commonwealth

Allows the Governor of Puerto Rico to certify that the Puerto Rico legislature has adopted a resolution that states that a Federal law should no longer apply to Puerto Rico because there is no overriding national interest in having such law apply to Puerto Rico. Provides that a Federal law so certified shall no longer apply to Puerto Rico if a joint resolution approving the recommendation of the Puerto Rican Government is enacted. Sets forth procedures for consideration of such joint resolution.

Authorizes the Governor of Puerto Rico to enter into international agreements to promote the international interests of Puerto Rico as authorized by the President

So PR could say that a law does not appply to Puerto Rico not related to security Example The Cock fights prohibition

And Puerto Rico could enter into commercial treaties with other nations

With these 2 items no one can say that Commonwealth is a colony

Frank Rivera III

Please support an independent Puerto Rico. The US has taken all that it's wanted from the island for too long and our people deserve to do as they choose and not be governed by PROMESA or suffer inflationary burdens due to the Jones Act. Soberano Puerto Rico. You even told us we could fly our flag because it represented the independence we have sought since the colonization of the island. Free Puerto Rico from the shackles set in it by the United States. Support a free Puerto Rico by supporting its right to self governance and determination.

Claudia Alayon

The only options that should be presented to our people should be statehood or independence. Having three (3) options to include sovereignty via free association would only serve to split the vote for the people who oppose statehood. Additionally, this would increase the pro-statehood discourse through unfair and innacurate results. This has happened in the past and is a big reason why our people have not taken our previous referendums seriously.

Victor Perez

Distinguish congressional guests: Thanks for the opportunity to provide us, the US citizens living in Puerto Rico, with the opportunity to actively participate and be responsible for determining our collective future status in relation to our nation. Last Monday, May 31, 2022, we gather to solemnly remember our heroes during the Memorial Day activities. Looking around the thousands of people (around the world) presenting their respects to our heroes and their families, it became evident that we're considered first class citizens to SERVE and DIE. However, while we ratified our citizenship with our military service the respect and dignity of our DEMOCRACY the one, we have sworn to protect and defend is not fully applied to us.

We need to embrace our duties and responsibilities along with our rights and benefits as every other PROUD Patriot and citizen of our great nation. A long time ago I swore to defend our Nation from enemies, Foreign and Domestic. Statehood will

HONOR that statement embracing all individual differences in the melting pot that DEMOCRACY provides. Who believes in equality and fair treatment of those who will honor the opportunity to actively participate in this exciting process will always be remembered. Let's move forward and see how much we can accomplish together as an equal partner. Always ready to serve!

Esdras Juarbe

We, Puerto Rico, deserve our independence. Nos merecemos nuestra independencia, es cuestión de moral, dignidad, respeto y prosperidad.

If the United States call themselves the land of the free and under the name of democracy they fight wars, why haven't they given us our independence? Isn't independence a human right? A right that, we, as individuals, deserve? Isn't the United States an advocate for defending the sovereignty, liberty and democracy of foreign nations? Hypocrisy.

Members of Congress, please listen our people and not corrupt politicians. I'm a 17 years old and I do care about my island and people's future, and I will not recognize my self a full American and either I want to see my island, Puerto Rico, becoming a state. Our hearts belong here, shall you honor that.

A Nation that's incompatible with mine shall not rule us. We should rule ourselves.

I completely support a fully independent and sovereign Puerto Rico; Republic of Puerto Rico, and I do believe in joining the world, not the United States.

If we are not granted our independence in which we have been fighting for more than a century, then, your government and laws should be ruled by hypocrisy and impunity.

Que viva Puerto Rico Libre!

Tiffany Lazo-Cedré

Another plebiscite is a waste of money and resources that will again be manipulated by corrupt government officials or result in zero action. Instead, the government should direct their resources and investments to fostering local businesses, infrastructure development (the roads of Puerto Rico are shameful), and education.

Merari Fernandez Castro

After reading the Puerto Rico Status bill, I understand the statehood definition is vague and doesn't explain the economical implications if Puerto Rico becoming a state. For example, are Puerto Ricans going to pay federal taxes? What economic analysis has been made to determine wether the people of Puerto Rico can afford to pay federal taxes? How statehood will make living in Puerto Rico more expensive? In addition, there is no explanation on language imposition and international sport representation if becoming a state. Also, how is statehood going to prevent the influx of Americans moving to the island to take advantage of tax benefits regular local Puerto Ricans have no access to.

In terms of the independence for Puerto Rico explanation, there was an explanation of how federal funds will decrease slowly but it doesn't mention a plan to substitute those federal funds. For example, some authors like Javier Hernández mentions in his books how that process could take place by 1) the elimination of "leyes de cabotaje", 2) control of tourism, 3) allowing Puerto Rico to control the fees paid to the federal aviation administration to Puerto Rico, 4) protecting local businesses products from unfair foreign businesses competition via legislation so local businesses can have tax and other incentive advantages.

Thank you very much.

Bianca Serrano

If god forbid Puerto Rico were to become a state Puerto Rican culture would slowly cease to exist. Pride, nationality, and moral would be lost to another imperialist country. Puerto Rico must be free!!!

Carmen Kortright

A good friend of mine was raped, sodomized and abused for many years by her boyfriend who, on top of everything, has also been unfaithful and has put her in jeopardy many, many times and given her several diseases from those encounters. Sure, he pays some of the bills but what she doesn't realize is that this has been a win-win situation for him because he makes money off of her (I won't go into details because it's just too horrible and humiliating).

Because this is an abusive relationship that has gone on for so long, she has no self esteem whatsoever and she believes she can't survive without him. She also believes she'll turn into a bad, abusive person without his "guidance". She believes she has the solution: demand that he marry her so he can do her "justice".

This is Puerto Rico asking for statehood, in a nutshell.

I believe in the good will of the congresspeople spearheading this project but I don't trust a plebiscite managed and conducted by the bipartisan machine that has held Puerto Rico hostage for decades. And the U.S. Government KNOWS them, KNOWS what they are all about and collaborates with them actively because even though colonialism is unlawful, illegal, degrading, wrong . . . it is the best status for the U.S. to have Puerto Rico under. Talk about hypocrisy from the Land of Democracy!

Also, what's with the people who spoke yesterday before the committee? How did the organizers hand out the spaces for the people who spoke? The panels were INUNDATED with people from pro-statehood organizations. These people have money, have connections, have power, do not represent the typical middle class (what's left of them; I consider myself part of the working, educated, not on welfare yet, poor) Puerto Ricans. They support laws enacted by the local, corrupt political establishment to flood Puerto Rico with people from the Mainland that use the island to evade paying taxes while the rest of us DROWN under low salaries, high cost of living, laws that protect employers and leave employees at their mercy, with no protection. These people don't live in the same Puerto Rico where I live. And THOSE PEOPLE, are the ones YOU chose to listen.

The current governor, from the New Progressive Party . . . he won with a 33% of the votes. Is that a majority, truly? Right now that party is being "investigated" by the feds. Those investigations are the crumbs the Federal government give us to pacify us but I'm sure they KNOW about everything that has been going on with these people, and they've known for ages.

The governor's sister and campaign manager works with him at La Fortaleza and because she doesn't earn a salary for her efforts . . . that's honky dory. Doesn't this remind you of Trump and his kids? How is this not illegal? We know that a salary is the least important thing you get out of working in La Fortaleza. Connections, influence, information . . . that is worth so much more.

That same governor appointed a board of lobbyists, paid by ALL PUERTO RICANS to represent statehood in the Federal Capital. Shouldn't that be paid by his party? Because those people DO NOT REPRESENT MY VIEWS.

And that is the governor, that is the government you wish to put in charge of the plebiscite. You are part of the problem then.

After 124 years of lies, abuse, half-truths, so much wrongdoing, despair, propaganda, gaslighting . . . the People of Puerto Rico are so damaged that the majority is not capable of making a rational decision on this subject. We don't trust our abilities, we don't trust our capabilities, we don't understand the concept of freedom, liberty and justice for all and that those things ARE OURS from the moment we are born, without the need for a plebiscite or Congress or the United States.

Please tell me HOW YOU are going to deal with that before we vote on a rigged and bipartisan (PNP/PPD)-controlled plebiscite. Not even your hearing yesterday was fair! There was no "equal representation" at all of all the views on this issue.

Eric Ortiz Baez

Puerto Rico need thier independence from USA but keep their relationships with United States. because the Puerto Rico economy Puerto Rican not by American government. If Puerto Rico obtain the independence obtain the reason for make the solution for what is better for the island and their citizens. the inner issue of Puerto Rico are the Puerto Rican citizens issue not American people

Ramon Crespo

Gracias a los congresistas Raul Grijalva, Nydia Velázquez, Darren Soto, Alexandria Ocasio y Jennifer Gonzalez por estar de acuerdo en presentar este borrador. si ustedes enérgicamente lo respaldan, no importando los detractores, los Estados Unidos de America se convertiría en una nación más poderosa al añadir 3.3 millones de personas para defenderla. Además nos sacaría de ser ciudadanos de segunda clase ante el mundo. Soy un americano (a orgullo) nacido en un territorio llamado Puerto Rico. Mi bandera USA, segunda bandera PR.

L. Rivera

The option of Reunification with Spain should be available to all Puerto Ricans. Puerto Rico, an autonomous province of Spain, never decided to separate from Spain, it was separated without the consent of the people in 1898. The Reunification option is the most natural status option for Puerto Rico.

Allison Raffel

AOC is antisemitic and refuses to meet with Jews in her neighborhood. She should be ashamed of herself and her blatant disregard for Jews in her district. Her

stance on ending funding for Israel, while continuing to support sending foreign aid to every other country that the US sends aid to, is antisemitic and a double standard. Her stance against Russian sanctions while wanting to sanction Israel is also an antisemitic double standard. I'm glad she's willing to help you guys, but she's a bigot and should be held accountable for that.

You should also consider working with politicians who aren't bigots. But unfortunately, politicians are largely selfish, and selfish people are usually bigoted, whether toward Jews or other groups.

Good luck to you. AOC sucks.

Luis Santos Santiago

Estimado Comite de Recursos Naturales y Distinguidos Congresistas: Mi nombre es Luis Santos Santiago soy un joven residente del pueblo de Gurabo, Puerto Rico soy parte de la Juventud del Movimiento Victoria Ciudadano actualmente los jovenes de Puerto Rico nacimos en una crisis y sobrevivimos en una crisis continua en donde no tenemos educacion accesible, Pocos Servicios de Salud y Pocos Desarrollo Socioeconomico en Puerto Rico.

Propuestas para el Puerto Rico Estatus Act:

1. Establecer el tiempo necesario para que cada ciudadano de Puerto Rico sea educada de manera Inclusiva y Vinculante.

2. Eliminacion de la Junta de Control Fiscal y toda deuda ilegal en el Gobierno de Puerto Rico.

3. Antes de la aprobacion de Puerto Rico Estatus Act todos los congresistas visitaran el teritorio de los Estados Unidos Puerto Rico para que puedan conoser de serca la crisis que se vive en este pais.

4. Establecer que el presidente de que Estados Unidos visitara el territorio de los Estados Unidos, Puerto Rico para la firma final de este Proyecto para demostrar el compromiso de su gobierno ante Puerto Rico.

5. Para establecer en el Proyecto que si el compromiso de los Estadis Unidos es genuino en no tener un territorio uncluiran en el Proyecto que las Islas Virgenes de Estados Unidos y otras Islas del Caribe que son territorio seran parte del estado de Puerto Rico.

6. Para establecer en el proyecto de Estatus de Puerto Rico que antes de aprobar este proyecto todos los problemas ambientales, gentrificacion y Socio Economico.

7. Establecer en el proyecto qie Puerto Rico no sera un Paraiso Fiscal para los Inversionistas.

8. Para establecer que para aprobar el Proyecto de Puerto Rico Estatus Act y sea uno vinculante el Sistema Electoral de Puerto Rico tendra que ser establecido de una manera Vinculante con todo la ciudadania del Pais, Organisaciones y Grupos Politicos esto ya que el Partido Nuevo Progresista aprovo un Sistema Electoral en Puerto Rico de manera no Vinculante e Inclusiva.

El Pais de Puerto Rico tiene que ser el Dueño de la Democracia de su Pais.

9. Para establecer que cada ciudadano de Puerto Rico no se podra abstener ante la eleccion del Puerto Rico Estatus.

10. Para establecer en el Proyecto de Estadidad que en cuando esta sea establecida que los inpuestos sean menos qie otros estados ya qe seremos en estado mas pobre de los Estados Unidos.

11. Incluir en la opcion de Estadidad que cada Estado de los Estados Unidos incluyendo Puerto Rico tendra una representacion en el equipo Olimpico de los Estados Unidos, estos participantes podran portar banderas de su preferencia con el objetivo de que puedan llevar la bandera de su estado representado.

Waldemar Rosario Iñigo

Honorable members of the House Committee on Natural Resources, the current status in Puerto Rico has been very beneficial to all. Bankers have laundered money, politicians have gotten kickbacks, lobbyists have bought regulations.

However, we also obtained college degrees, served in the military, achieved goals in sports, science, medicine, businesses, etc.

We are smart, genius level smart, and also brave and compassionate.

In my opinion, all we need in PR for now is to include the vote for the President, and abolish the Jones Maritime Act. Let the people decide if they want to keep the current status plus President and no Maritime Act. Note that the party that pushes for statehood will indeed claim the ownership of Government if we become a state, as they do now.

We all know Congress will not accept to change the balance of power by admitting PR as a state.

A sensible transition, or empowerment, starting with voting for the President, will increase visibility among all Americans and future Presidents will make sure they take care of PR if they want to get a big chunk of our votes.

We have had many corrupt politicians and many are pro statehood.

For example, in recent years, many jumped to illegally buy and sell, invading beach front Real Estate allowing the buyer to believe "their beach" is private. Beaches are classified as public domain in PR, construction is illegal for over 65 feet from where the wave breaks during a storm. But they allow false permits, Natural Resources destruction, favors to donors, friends, and others. These are some of the internal problems currently being addressed by regular citizens.

This committee, in my opinion, should allow PR to have the current status but empowered, as a choice in a plebiscite.

Also note that defining Independence as PR becoming a "red head step child", tells a lot about your prejudices.

On the other hand, if you assume that all the pro statehood proponents are decent and truthful like "scout honor", tells me you are naive.

Before voting, the voters should be totally informed, straight from the source, you, and as it happened with the current status (E.L.A.) that was accepted back in 1952, by more than 80% of the available voters, this time should have a similar turnout.

If you do not present viable solutions, many voters may not support the process and this will hinder the outcome.

At least the following choices should be offered:

1. Statehood
2. Independence w/partnership
3. E.L.A. w/ President and no Maritime Act

I am committed to work for the betterment of my Island regardless of what choice the People will make.

Thank you for this opportunity to express my opinion.

Eduardo Torrech

Any offer of statehood for Puerto Rico (ELA) is illegal because the island is a territory not incorporated. In other to qualify for the offer, US Congress have to legislate first the status of incorporated territory.

That could be the offer. A responsible plebiscite will be ELA > incorporated territory > independence.

But you want also to exclude the status quo legislated by your Congress (Law 600) in 1952, and ignore the Supreme Court decisions in the Insular Cases.

Carlos Moya

Please make it clear that any arrangement other than statehood or the current commonwealth status WILL result in the loss of U.S. citizenship for both the Island's inhabitants and possibly even island-born Puerto Ricans living on the mainland. An education campaign should be done to educate Islanders on the power senators and the 3–5 member congressional delegation the Island stands to gain.

Alex Flores

I support the discussion to solve the Puerto Rico Colonnial Status in the next years to come. The Draft needs several amendments.

Puerto Rico has been a colony of the two powers of the times, Spain and United States for more than 400 years. Both have neglected puertorricans to be on our own will. Do not judge puertorricans for the traitors to the Puertorrican Nation, who have govern to steal the wealth of both of us, PR and USA. We are 9 million puertorricans in the world, not only we, who lives in the archipelago. Borikén, Vieques and Culebra are the archipelago.

Changes:

First, tell the truth. USA will never give the Statehood to our Latin People. So, the vote will continue with status that both would accept.

Second, take the Statehood out of the discussion. So, the US Senate can also vote on the Act.

Third, only puertorricans nationals can vote, in USA, or in any country in the world that they may live. You will be surprised all the countries where a puertorrican live.

Forth, no foreigners living in Puerto Rico may vote. This is only our own subject.

Fifth, the debt will be paid. But the good debt, not the dirty debt. Good accounting helps to have fair business.

The actions of the Congress will tell us what do you want. If this Act is for real or another circus. Personally, I do not trust the American Goverment for their actions of the past against the Native Americans, and against Puertorricans who have live toward independence.

Eduardo Troche

I think the resolution of the PR political status is long overdue. I hope that this approach is a serious one no matter what the outcome may be. The territorial status must not be considered as decolonization option because it is the root cause of our problems. The Congress must commit to implement without delay whatever the choice is from the direct vote of the people of PR.

I hope this has nothing to do with political strategy. 100+ years is more than enough of beign US citizens without vote for those who take decisions that have direct impact in our lives. I hope this time we put and end to the colonial status and have a fresh start either as a new state of the union or as an independent nation with or without association with the USA.

José Hernández

The bill excludes commonwealth status, which is supported by at least 46% of Puerto Rican voters.

It is worrisome that progressive Democrats are willing to promote their personal preferences on this issue by disenfranchising such a large portion of the voters.

Its ok if they dislike the commonwealth alternative, but it is ugly to impose their will over the people's will.

José Vázquez

Any discussion of decolonization must start with the recognition that Puerto Rico is a Latin American and Caribbean nation and consideration of any status option should start from that premise—including US statehood. There is no equivalent of a nation-state in the US. The closest example would be Quebec in Canada. That province is given special authorities (in immigration and other cultural matters) in recognition of its unique character. Would PR be allowed the same? For ex, would Puerto Ricans retain their separate national teams and cultural international representation under statehood? Would there be a recognition that, as a nation (like Quebec, Scotland etc), it would have the right to exit the union after admission if it so chose? Let's not pretend the admission of PR would not be a novel situation for the US wish would be admitting a Latin American nation as a state (among its 50 majority anglo speaking states). Ignoring this reality and being open about it in order to address the future is a disservice to both PR and the US.

Esteban Bermudez

My name is Esteban Bermúdez, citizen of the city of Caguas in Puerto Rico. These expressions and opinions are only my own, although I do participate with other organizations in favor of the bill. I will attempt to be as succinct as possible. Also, for the record, I favor independence, but I will try to look at all options fairly and provide recommendations for each. I hope that my comments are seriously considered and carefully analyzed.

In Section 5, paragraph (3), the meaning of majority should be defined.

Section 5, (b)(3): Sovereignty in Free Association with the United States is relatively vague about the implications of the Articles of Free Association. In general, the option of Sovereignty in Free Association will have trouble in being a favorable option in relation to the other two because its consequences are unclear. I do not know if it is part of the purpose of this bill to define what things can be negotiated as part of a Free Association relationship with the United States. However, it would be favorable for voters to know what would be the result of this type of relationship, so as to inform voters in a way that they can decide if the form of Sovereignty in Free Association agreed upon is what they desire. Otherwise, the consequences of this alternative will be known ex post facto, which might be problematic for both those who voted for this option and those who voted for the other options, if it were to win. This could potentially give an unfair advantage to either statehood or full independence because their consequences are defined more clearly, are relatively well known, and might represent their interests better in the face of uncertainty about Sovereignty in Free Association. In general, this previous concern also applies to Sections 209, 210 and maybe a few others related to this status option.

In Section 6, paragraph (a) I have a concern regarding the availability of voter education materials specifically at the voting locations. This might be used by the local Elections Commission to sneak in propaganda skewed in favor of or against certain options. Although the Elections Commission should be impartial and fair in all directions, past elections (especially in 2020) have shown that this is unfortunately not the case. In addition, guaranteeing a transparent and fair process specifically within the voting locations is more difficult than in the traditional media outlets that are public for everyone to see, but in particular locations the options

that are underrepresented or not favored by the majority might be unfairly disadvantaged.

In Section 11, paragraph (3) refers to a "subparagraph (B)" that is not present in the current section (maybe it refers to a subparagraph in PROMESA?).

In Section 105, the composition of the Joint Transition Committee is not specified, while in the Bilateral Negotiating Commission of Section 209, this composition is stated as 5 appointed by the President of the United States and 5 appointed by the presiding officer of the Constitutional Convention. In addition, I think these people should be elected from among the members of the Constitutional Convention, as with the Bilateral Negotiating Commission, and not appointed unilaterally by the presiding officer.

In Section 110, paragraph (b), how will the United States ensure that the Government of the nation of Puerto Rico will not use the Social Security funds for any other purpose than its intended one if it will already be an independent nation with its own self-government and decision-making? I am not saying this will happen, and hopefully it doesn't. But given the known fact that, even within the current status where the United States actually has the power to dictate what Puerto Rico can do with its Federal funds, there have been many instances where the funds are used for purposes to which they were not intended, it's difficult to trust that this will not happen again in independence. Even if this was not the case, in theory the Government of the nation of Puerto Rico could find reasonable justification to use these funds elsewhere in a completely fair and beneficial manner, and this law would be interfering with the rights of a sovereign Puerto Rico to do as it pleases with its public funds.

While comparing the processes of independence and sovereignty in free association, I noticed that submission and ratification have different periods, 1 and 2 years, respectively. Is there a reason for this or was this a mistake?

In general, regarding the option for statehood, I agree with what many other groups and individuals have argued. It might be problematic to include the option of statehood in a manner that essentially admits Puerto Rico as a state in such a short period of time compared to the other two options. Although in theory it might seem that Puerto Rico's governmental, administrative and financial structures will not change significantly when becoming a state, I think there should still be a transition period as with independence and sovereignty in free association. In fact, as far as I know, all states that have been admitted into the Union have become incorporated territories before becoming a state. Therefore, stating in this bill that Puerto Rico will transition into a state in a year or less will make approval of this bill into law very difficult if not impossible. The local Popular Democratic Party is already in talks with Republicans to put a stop to this bill and if statehood can be implemented so "easily", it will make it even more difficult.

About the status options, under NO CIRCUMSTANCE can the current territorial and colonial status known as Estado Libre Asociado (ELA), and referred to as "Commonwealth" wrongly in English, be included as an option in this bill. The root cause of many problems in Puerto Rico is the colonial status and the solution to the problem cannot be the problem itself, no matter how much the proponents of this undignified complain.

Last, but most definitely not least, the issue of Puerto Rico's debt must be addressed in this bill, as many others have said. Puerto Rico's government has made several decisions recently that will make any of the options non-viable in the long term, since its plans for the future are unsustainable. Along with the departure of the Fiscal Oversight and Management Board, the debt must be reduced even more significantly than it already has or even eliminated completely, if not assumed completely by the United States as the imperial authority.

ere eme

In 1898 two unauthorized citizens of Spain with no legal standing met with the government of the United States offering the Spanish Province of Puerto Rico to the United States. Taking us from province to colony The province of Puerto Rico had by a majority, voted to become an autonomous province of Spain better than what Canada was to the United Kingdom. This granted far better economic and political terms than what even a State of the USA has and still does. I want my country to be returned to Spain where we belong. Our culture, blood, and history unite us.

Reinaldo Rdgz

Mr. Grijalva et al. a fully self-governing political status for our Island obviously is not Statehood (that would be the outcome of colonization) nor free sovereignty. Try yourselves as a representatives of USA to design a healthy relationship with Puerto Rico afterwards Independence. We will be free.

Jorge Aponte

The House Committee on Natural Resources: My name is Jorge E Aponte, a resident of Guaynabo City, Puerto Rico[1]; born and resident of Puerto Rico. The following is my written testimony (not the oral transcript) of my position regarding the DISCUSSION DRAFT[2], the object of the Public Input Forum on Puerto Rico Status Act Discussion Draft[3] on June 4, 2022.

Someone said for the record that Puerto Rico is Hispanic and that's going to bring a lot of trouble. And I just recalled the history of New Mexico and Arizona; being part of California, then of Mexico and now both are States. Furthermore, a summary of the geographical colonization history of the USA is that Spanish territories comprised the Atlantic plains, from the Carolinas to St. Augustine, and southern Georgia to Mobile. The Pacific side was Spanish from Oregon to Baja California and east to Houston. There was also a French colonization, from Louisiana to Ohio, and Native lands remained in the Midwest and central north until it was colonized, mostly by Europeans. I had to bring to the record that being Hispanic is part of the multi culturalism and diversity that the United States of America is enhancing in all venues; it is a plus!

Let me say, to start, that I believe in the character and the work being done by Alexandria Ocasio Cortés, Nydia Velázquez, and obviously Jenifer González, and Mr. Raúl Grijalva. And you are welcome because you have demonstrated that the value of bilingualism. And that is a true example of what the Puerto Rico people will deliver in the United States, by assembling different people. And some people won't lose their pensions earned outside the 50 states.

I will address some non-legal related specifics, since so many people are focusing about legalities of these and that, and so many experts confuse.

I don't represent any group; I tend to look for taxes and things like that because I'm a CPA on my own.

So, on accounting of the votes, Section 5 (a)(3), states that "Approval of a status option must be by a majority of the valid votes cast", but item (b)(1) recognize that some noncompliant votes will not be counted. However, since the current Puerto Rico Electoral Code (Public Law 58-2020) requires an accounting of blank ballots made available to each electoral voting room, blank votes and nullified votes somehow must be accounted, to ensure integrity of the votes in the ballot (i.e., valid votes cast and blank and null add up to the total made available at the beginning of the voting day). Then, this might get more complex if ballots are to be counted manually or by means a scanning machines. So, I suggest the Committee take a closer look at this procedure. Otherwise, people might argue negatively about results after the votes are casted.

The Committee must become aware that the Puerto Rico Electoral Commission is in a financial and administrative crisis, and that it might collapse the process unless it is overhaul. The Electoral Commission has a projected deficit for the past few years; and its President has raised some flags at a hearing this week[4]. Again, you must devote some time see that they put their act to do their job.

The Discussion Draft does not mention FEMA and CDBG-DR extraordinary funds awarded as consequence of Hurricane María. It doesn't state what is going to happen to the undisbursed funds on the Independence options; nor what going to happen on Statehood. I think you should look for that.

On Statehood there is no adjustment or retroactive benefit of SSI for the people who do not receive the benefits but meet the requirements, claimed for many years. Same thing happens with the pension of the Veterans that were calculated based on a non-continental resident, and that has to be taken for.

There is no phase-in of the federal tax liability. The Draft propose some incentives for Independence, including extra funds on a huge amount as a block grant, but there is no proposition of incentives for the people of Puerto Rico, if we become—as I expect—a State. Also, the Draft does not mention the seed money to promote economic development using zones or something like that.

And, in a personal basis becoming a State is important because I have a grandson living in the Florida Panhandle. His father is a 6-times Afghanistan active-duty veteran and needs some special health treatment and health services that the Puerto Rico veteran hospital doesn't provides, since only states have such specialized healthcare facilities.

Emil Nieves

Saludos. Agradeceré que ignoren los primeros comentarios que envié. Le hice unas correcciones para mejorar la lectura.

Los vuelvo a incluir:

Comentarios sobre el anteproyecto de ley "Puerto Rico Status Act"

"SEC. 4. DEFINITIONS"

Electores elegibles (pág 3)

La definición establece que sólo los residentes bona fide de PR que cualifiquen para votar en las elecciones generales podrán votar para elegir una de las alternativas de estatus. Sin embargo, al hacerlo incluiría electores residentes no ciudadanos y ciudadanos naturalizados. Esto permitiría la participación de "no puertorriqueños" en un proceso político de autodeterminación que debería estar reservado a los nacidos en PR y a la primera generación de descendientes de estos que residan o no residen en la isla.

Considero que la definición de electores elegibles tiene que ser discutida y debatida ampliamente antes que se apruebe un proyecto de ley que cambie el actual estatus de Puerto Rico. Después de todo, la participación en este tipo de proceso electoral no es para elegir la administración colonial de turno.

"SEC. 5. PLEBISCITE"

(3) SOVEREIGNTY IN FREE ASSOCIATION WITH THE UNITED STATES

(D) "Birth in Puerto Rico shall cease to be a basis for United States . . . citizens shall be eligible to acquire United States citizenship for the duration of the first . . . Association." (pág 7)

No es lo mismo decir "citizens shall be eligible to acquire United States citizenship" que " citizens shall acquire United States citizenship". La frase "be eligible to" debe ser eliminada de forma tal que quede claro que bajo el estatus político de Libre Asociación, la ciudadanía estadounidense de los que nazcan en PR es estrictamente ius sanguinis. Esto sería más fácil de explicar a la población en general y a los electores en particular, ya que no sería la primera vez que la ciudadanía estadounidense adviene a los puertorriqueños de esta forma. Bajo la Ley Jones de 1917 se impuso la naturalización colectiva a todos los residentes nacidos en PR, convirtiéndolos por primera vez en ciudadanos estadounidenses. Sin embargo, la ciudadanía de los futuros hijos de estos ciudadanos sólo se adquiría cuando ambos padres eran ciudadanos estadounidenses, ciudadanía ius sanguinis. Es la Nationality Act of 1940 la que establece que nacer en Puerto Rico equivale a nacer en Estados Unidos, estableciendo así la ciudadanía jus soli.

(E) "Puerto Rico enters into Articles of Free Association with the United States . . . which shall be terminable at will by either the United States or Puerto Rico at any time."

La frase "terminable at will by either the United States or Puerto Rico at any time" requiere aclaración y definición. La frase tal y como está expresada traerá incertidumbre y dudas entre los electores que pueden simpatizar por la Libre Asociación y la igualarán a la independencia plena. La misma da margen a que los electores crean que cualquier acto caprichoso de ambas partes podría darle final al pacto de asociación. Sugiero que la frase se modifique en una de las siguientes formas:

1. Se puede señalar en el texto de la ley que durante el periodo de vigencia del primer pacto de asociación el mismo "will not be terminable at will at any time by either the United States or Puerto Rico". En su lugar, se debe señalar que será durante las negociaciones del segundo pacto de asociación cuando se definan las condiciones y circunstancias bajo las cuales el pacto dejará de existir.

2. También se puede en este mismo anteproyecto de ley definir las condiciones y circunstancias bajo las cuales el pacto dejaría de existir antes de su vencimiento.

SEC. 6. NONPARTISAN VOTER EDUCATION CAMPAIGN

(b) VOTER EDUCATION MATERIALS (pág 10)

Esta sección no está clara.

SEC. 109. CITIZENSHIP; IMMIGRATION

(2) CHILDREN BORN AFTER INDEPENDENCE (pág 23)

Esta sección no está clara.

SEC. 110 & 212. INDIVIDUAL RIGHTS TO ECONOMIC BENEFITS AND GRANTS

(b) SOCIAL SECURITY SYSTEM (pág. 25 & 39)

". . . upon the proclamation of independence, are residents of the nation of Puerto Rico and are not yet eligible for old age, disability, or survivors' insurance benefits under the system, shall be transferred to the Government of the nation of Puerto Rico . . ."

Esto debe ser modificado para no afectar los derechos de las personas que cotizan actualmente o que estarán cotizando al Sistema de Seguro Social de EEUU al momento de declararse la independencia. Estas personas deben de tener igual derecho, si así lo desean, de continuar aportando a dicho sistema o de transferir sus aportaciones al sistema de seguridad social bajo la república. De esta forma, las únicas personas que no entrarían a cotizar el sistema de EEUU son aquellas que entren al mercado laboral por primera vez luego de declararse la independencia. Los cambios a la cotización del Seguro Social de EEUU deben ser prospectivos.

(c) OTHER FEDERAL TRANSFER PAYMENTS (pág 26)
(2) ANNUAL AGGREGATE FUNDING
(3) DECREASE IN AMOUNT

Estas secciones proveen para que el nivel de transferencias federales se mantenga por un espacio de 10 años (a partir del cual decrece) a un nivel equivalente a la totalidad de los fondos transferidos al momento de declararse la independencia. Dado el tiempo que requerirá desarrollar el nivel de comercio exterior y las relaciones bilaterales con otros paises, será necesario un periodo más extenso para alcanzar el flujo de fondos que actualmente provienen del Gobierno Federal. Entiendo que el periodo de 10 años es muy corto. Eete periodo debe ser más extenso o tiempo en que estarán decreciendo las transferencias más prolongado. Cuánto? Sugiero que la Oficina de Presupuesto del Congreso modele los posibles escenarios.

TITLE III—TRANSITION AND IMPLEMENTATION—STATEHOOD
(1) PRESIDENTIAL PROCLAMATION; DATE OF ADMISSION. (pág 41)

En esta sección se establece una transición de un año para la estadidad. Esto no es realista. Las complejidades en los cambios en las leyes de Puerto Rico requerirán más tiempo. Además, crea un desbalance a favor de esta opción de estatus, ya que el tiempo para salir del actual estatus colonial es más corto. El campo de juego para todas las opciones debe estar nivelado.

Entiendo que de ganar esta opción, se debe establecer un proceso con un tiempo fijo el cual en primer lugar ordenaría crear una comisión conjunta entre el Gobierno de Puerto Rico y el Gobierno Federal donde se establezca con claridad cuáles son las leyes que requerirán cambios, la forma que estas deben cambiar y cuándo deben comenzar a regir. En segundo lugar, se debe someter a la aprobación del Congreso y luego de los electores de Puerto Rico. Si los electores lo aprueban, entonces se comenzaría un proceso de incorporación completa a EEUU.

SEC. 306. CONTINUITY OF LAWS, GOVERNMENT, AND OBLIGATIONS (pág 47/48)
(3) CONTINUITY OF OBLIGATIONS

"All contracts, obligations, liabilities, debts, and claims of the territory of Puerto Rico and its instrumentalities at the moment of admission shall continue in full force . . ." Excepto por lo que se menciona en la Sección 306, el anteproyecto de ley no trata el nivel de deuda pública que tiene la isla. Considero que no importa el cambio de estatus que finalmente prevalezca, el nivel de deuda pública existente no será cónsono con el desarrollo económico futuro de Puerto Rico. Debido a que el mismo se adquirió bajo las leyes de EEUU y su pago actual es una imposición de la Junta de Control Fiscal creada por el Congreso sin el aval de los puertorriqueños, no le corresponde a Puerto Rico pagarlo. EEUU debe asumir dicha deuda para que las posibilidades de éxito económico sean mayores bajo cualquier estatus.

Luis Trinidad

Indeed the independence for Puerto Rico is a superb business for the USA.

Is a simple thing! Math! Pure Math. More than 30 states would have less power than Puerto Rico! Is never going to happen.

"And here is where the STATEHOOD BACKERS ARE ARROGANT. While they rightly insist that Puerto Rico not be give up its unique identity, they are demanding that the United States give up its unique identity—and become a bilingual and bicultural nation. THE ANSWER MUST BE NO. FOR THAT WOULD BE SUICIDAL". Pat Buchanan

"Let Puerto Rico remain Puerto Rico, and let the United States remain the United States and not try to absorb, assimilate and Americanize a people whose hearts will forever belong to that island". Pat Buchanan

"What would statehood mean? Since the island has a per-capita income one-half of Mississippi's, its unemployment is three times the U.S. level, and half its people qualify for welfare, statehood means a mammoth new unfunded liability". Pat Buchanan

Ronald Porrata

It is about time US citizens residing in Puerto Rico are allowed to vote for the US President and their own US representatives and US senators. Granting PR Statehood with cure this most undemocratic status.

Jorge Mejias

As a born and raised American from Puerto Rico, it's been difficult to understand why to live in the island diminishes rights as american. We want equality. Nothing different from what fellow Americans from other states.

Our current territorial status doesn't uphold a democratic analysis. Congress is way pass the time to act and provide an opportunity for the Americans living in the island to decide from none territorial options, what should be our fate. I

sincerely thanks the Members of Congress for taking the time, but please follow with an approval of the bill.

Christopher Lanski

Please remove the second option. This will keep it easier for the population, their discussions, and decreases similar confusion that may have occurred with earlier votes. Make it (1) Independent country of Puerto Rico, and (2) U.S. State of Puerto Rico.

In addition, to make it definitive and demonstrate greater support for either option, consider the requirement of a 60% (three-fifths) majority for either of the two options in order to take effect.

Richard Allen

I live in Puerto Rico full time for past 20 years. There is no doubt that people living here do not want statehood.

Everybody I talk to now does not want the irreversable status of statehood.

The independence movement has grown, though it still remains less popular than continuing association with USA.

Puerto Rican attitudes on the island are much different than thinking on mainland USA. Forcing or promoting statehood is not accepted well here.

I recommend you send people to take the pulse of the island. Ask people if they want statehood. Few do.

This is not Hawaii, sp Congressional push to force statehood will not work in PR. There is way too much opposition.

Congress needs to legislate better rights and conditions for Puerto Rico, not statehood. Not to do so (like removing the hated Jones Act) will result in stronger numbers of people opposing US rule.

Jose Deliz

Eliminate references to the language in this ill. It falls under the 10th amendment of our Constitution.

The Route map is clearly defined in the draft project. It does NOT require many amendments.

Albert Garnica

Election results of any kind are still merited on the mainland regardless of low voter turnout. Meanwhile, Puerto Rico has voted on 3 different instances to gain admission as a state. The most recent referendum was held in 2020 with one specific question, rather than adding confusion in language via alternate choices. Unfortunately, those results were ignored by Congress. As an American Citizen of non-Puerto Rican decent, my heart aches for this territory full of individuals who are treated as 2nd class citizens. Rather than respecting the results since the last 3 times this topic was placed before them, I can acknowledge how drafting a new bill with convoluted text would further demoralize & disenfranchise these voters yet again. An inadvertent side-effect would be further apathy and general thinking of "what's the point?" Prior to 1959, the majority of the Hawaiian people did not want to become a state, yet it did join the union. In contrast, Puerto Ricans have consistently voiced their yearning to be part of the US through the legal means at their disposal, yet no action has been taken. Please remedy this, we support any bill to immediately admit the 51st State.

Timothy Bill

Dear Committee Members, I am strongly in favor of this legislation and this approach for handling the decolonization of Puerto Rico. I have been passionate about giving Puerto Ricans the option to choose their own path forward and this bill as drafted would do so without the unconstitutional options included in some past non-bonding votes held on the island. I am also strongly in favor of this legislation creating binding outcomes based on the status vote. This issue has been holding Puerto Rico back for long enough. It's time to settle this in a just and democratic way. I believe this legislation would accomplish that goals.

Katharine Bierce

I support Puerto Rico becoming a state.

Puerto Rican people do not want to be a colony, and America should not be a colonialist power.

The benefits are numerous:

1. The sometimes bizarre legal inequalities between Puerto Rico and the states would end, immediately helping Puerto Rico's economy. For example, Puerto Rico would be eligible for D-SNAP, the special food stamp program for disaster victims.

No one can explain why Puerto Rico isn't eligible for the program now, but this situation would end if Puerto Rico were a state. The same holds true for the inequities in Medicaid, family tax credits, and many more Federal programs.

2. Like every territory which has become a state, Puerto Rico would be in a stronger economic position. Jobs for local people will come naturally as Puerto Rico rebuilds. Being part of the larger U.S. economy will increase tourism, entrepreneurship, and investment in business in Puerto Rico. Instead of having to rely on self-destructive tax loopholes, Puerto Rico will have the same opportunities for growth the other states have.

3. Puerto Rico will have full representation in the U.S. legislature, with the ability to vote on laws that affect Puerto Rico.

4. Residents of Puerto Rico will be able to vote in Presidential elections, as well as in elections for senators and congresspeople. Full participation in the democratic process will be available to all residents of Puerto Rico.

5. With increased power and prosperity, Puerto Rico will bring greater benefits to the United States as a whole, as every territory has done when it has become a state. Thank you!

Noel Fuentes

It's incredible! When Congress makes all these decisions because it's with Congress who decides, it has decided to let the island take a, vote on what a they want how about keeping it's always been but no, you let them decide did the British let it's finer colonies decide after WW 2 hell they cut them loose why won't Congress return P.R. back to spain they took her from her mother you are not their mother but that would be admitting you you were wrong in starting a war spain has 14th best economy in the let them have their identity with spain they will grow.

Conchy Perez

After 35 plus years living in the states, statehood is not the answer to all of our problems. I hear all of you talking but only few have ever lived in the states. We will be exposed to losing our culture, tourism, island identity and representation around the world and much more. My calling to you is to spend all of your energy in bringing back companies to PR so our poverty levels will decrease, household income will increase and incentivize our future generation of professionals to stay. Carlos Romero Barcelo once said " la estatidad es para los pobres" as he was right. Look at where we are (read the 2020 Census) today, financially dependent on the US as he always wanted and JGonzalez continues his legacy however those moneys hardly makes it to the needy. The people have been blindfolded, statehood is not the alternative. We are honest people, who deserve the truth of what statehood is and how will affect you as an individual and to our ISLA DEL ENCANTO.

Jose Bird

Statehood for Puerto Rico aligns with our Great Nation's democracy postulates. The People have spoken and demand statehood. All of the recent vote events on the subject have had the same result: a majority for statehood.

Only a meager minority is pulling for independence.

Statehood is what is right. Colonialism is just wrong and we have repeatedly rejected it.

The People have spoken. Congress must act.

Jason Ortiz

This suggests a poll that asks people what they agree with. The language can easily be interpreted to be asking people what the current status of Puerto Rico is, not what they want to the the future status. Many people think that Puerto Rico is a Freely Associated State, as in Spanish, the term "Estado Libre Asociado" translates to "Freely Associated State". This tactic was to give Puerto Rico it's current status. They were tricked into voting for the current status.

As a result of a misleading ballot, the ballot shall make clear, "Please choose the future you desire for Puerto Rico, you may only choose 1". It should NOT ask "which do you agree with". AGAIN, with that language, people are being asked to vote on what their reality currently is, and NOT the future.

This is a power grab by the PPD, AOC, Raul Grijalva and Nydia Velasquez. This ballot is designed to botch statehood and get a result in favor of free association.

Letter from Chair Grijalva requesting DOJ Analysis of H.R. 1522 and H.R. 2070

RAÚL M. GRIJALVA OF ARIZONA
CHAIRMAN

DAVID WATKINS
STAFF DIRECTOR

BRUCE WESTERMAN OF ARKANSAS
RANKING REPUBLICAN

VIVIAN MOEGLEIN
REPUBLICAN STAFF DIRECTOR

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

April 13, 2021

Attorney General Merrick Garland
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Garland:

I am writing to respectfully request a report from the Department of Justice (DOJ) on H.R. 1522, *"Puerto Rico Statehood Admission Act"*[1] and H.R. 2070, *"Puerto Rico Self-Determination Act of 2021."*[2] Both pieces of legislation propose a different process to end Puerto Rico's territory status.

The Committee on Natural Resources is the lead committee of the House of Representatives on matters related to the territory. The Committee will conduct legislative hearings on April 14, 2021[3] and April 20, 2021 to hear testimony from local government officials, legal experts, and other stakeholders in relation to these bills. I am also interested in DOJ's assessment about how the proposed legislation aligns with the constitutional law and fundamental policies of the United States.

Resolving Puerto Rico's relationship with the Federal government is a priority for the Committee and the U.S. citizens residing in Puerto Rico. I, therefore, request that DOJ 1) provides the Committee with a Departmental report of H.R. 1522 and H.R. 2070 by May 14, 2021, and 2) schedules a meeting with Committee staff by May 21, 2021 to discuss the results of your assessment.

Please contact Margarita Varela-Rosa with the Committee's Office of Insular Affairs at Margarita.Varela-Rosa@mail.house.gov or (202) 748-2828 if you have any questions about this request. Thank you for your attention to this matter.

Sincerely,

RAÚL M. GRIJALVA
Chair
House Committee on Natural Resources

[1] H.R. 1522, 117th Cong. (2021).
[2] H.R. 2070, 117th Cong. (2021).
[3] U.S. House Committee on Natural Resources, Press Statement, https://naturalresources.house.gov/media/media-advisories/livestreams-next-week-hearings-on-oak-flat-puerto-rico-status-and-orphaned-wells-cleanup (last visited April 11, 2021).

DEPARTMENT OF JUSTICE—ANALYSIS OF H.R. 1522

H.R. 1522, the Puerto Rico Statehood Admission Act

Executive Summary

The Department of Justice supports providing the people of Puerto Rico the opportunity to vote on whether to become a state of the Union, as H.R. 1522 would do. The Department's concerns with the bill relate only to the manner of execution. The Department's primary concerns are (1) providing for an orderly transition of the Financial Managements and Oversight Board for Puerto Rico that was established by the Puerto Rico Oversight, Management, and Economic Stability Act ("PROMESA"), Pub. L. No. 114-187, 130 Stat. 549 (2016); and (2) addressing legal complications that would ensue from application of certain constitutional uniformity doctrines upon Puerto Rico's transition to a state. The Department stands ready to assist further in refining the legislation to address these and other concerns described in more detail below.

Section-by-Section Analysis

Section 1 (Short Title)

The stated purpose of H.R. 1522 is allow the Puerto Rican people to choose whether to become a state or remain a territory. The bill itself would not admit Puerto Rico as a state; rather, it would direct the President to issue a proclamation setting a date on which Puerto Rico will become a state if a majority of Puerto Rican voters chooses statehood in a territory-wide referendum. The Department would thus recommend that the title of the bill be the "Puerto Rico Statehood Determination Act," or simply the "Puerto Rico Statehood Act," so as not imply that admission of Puerto Rico as a state is a fait accompli.

Section 2 (Findings)

Subsection (4): It is unclear what section 2(4) means in saying that Puerto Rico, unlike Alaska and Hawaii, has not achieved statehood "due to anomalies emanating from the 1901 *Downes* ruling and its progeny." Although *Downes v. Bidwell*, 182 U.S. 244 (1901), held that Puerto Rico was an unincorporated territory—and therefore not "surely destined for statehood," *Boumedienne v. Bush*, 553 U.S. 753, 757 (2008)—it did not hold that Puerto Rico's current status as an unincorporated territory is immutable.

Subsection (13): As all of the current inhabited territories of the United States (the U.S. Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands, in addition to Puerto Rico) are also considered unincorporated, we recommend changing "unlike territories that are parts of the United States" to "unlike incorporated territories in the past."

Subsections (15)–(19): We note that the validity of the plebiscites identified in these findings is disputed. The Department of Justice has previously stated that the ballot propositions in the 2012 and 2017 plebiscites contained inaccuracies and were potentially misleading and that the premise of the 2020 plebiscite—that the people of Puerto Rico had conclusively rejected the current territorial status in 2012 and 2017—was one with which the Department disagreed. *See, e.g.*, Letter for Juan Ernesto Davila Rivera, Chairman, Puerto Rico State Elections Commission, from Jeffrey A. Rosen, Deputy Attorney General, *Re: Request of Federal Funds for Puerto Rico Plebiscite* at 3 (July 29, 2020). Although the Department advised that all available status options were required to be included in the ballot for the 2017 plebiscite, we were not provided adequate time to review and approve the finalized ballot in time for the vote.*

Section 3 (Admission)

Section 3 provides:

> Subject to the provisions of this Act, and upon issuance of the proclamation required by section 7(c), the Commonwealth of Puerto Rico is hereby declared to be a State of the United States of America, and as such shall

*The Department has assumed a role in approving the ballots and voter education materials for the recent plebiscites upon Puerto Rico's requests for disbursement of funding for a plebiscite under the Consolidated Appropriations Act of 2014, Pub. L. No. 113-76, 128 Stat. 5, 61 (2014).

be declared admitted into the Union on an equal footing with the other States in all respects.

The language of section 3 is in some tension with the language of section 7(c). According to section 3, Puerto Rico would become a state upon "issuance of the proclamation required by section 7(c)." Section 7(c), however, directs the President to issue a proclamation that declares the date (no more than twelve months after the Governor's certification) on which Puerto Rico would become a state, in order to "facilitate a transition process." Under section 7(c), therefore, Puerto Rico becomes a state upon the date specified in the proclamation, not upon the issuance of the proclamation. Section 10, providing for termination of all federal and territorial laws incompatible with a status of statehood for Puerto Rico under the Constitution, similarly is tied to "the date of statehood admission proclaimed by the President under section 7(c)." We presume that one of the purposes of this transition process is to give Congress time to adjust federal law to be consistent with Puerto Rico's new status as a state (by, for instance, repealing tax and bankruptcy laws unique to Puerto Rico that might implicate the uniformity requirements of the Constitution, discussed further below). Declaring that Puerto Rico will become a state "upon issuance of the proclamation required by section 7(c)" will not afford time for these adjustments.

The Department therefore recommends that section 3 be revised as follows:

> Subject to the provisions of this Act, and upon **the date declared by the President for admission of Puerto Rico as a State in** ~~issuance of~~ the proclamation required by section 7(c), the Commonwealth of Puerto Rico is hereby declared to be a State of the United States of America, and as such shall be ~~declared~~ admitted into the Union on an equal footing with the other States in all respects.

Section 4 (Physical Territory)

The Department has no concerns with this section.

Section 5 (Constitution)

Section 5 provides:

> The constitution of the State of Puerto Rico shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. The constitution of the Commonwealth of Puerto Rico, as approved by Public Law 82-447 and subsequently amended, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed as the constitution of said State.

This provision seems to leave open the possibility of further amendments to the Constitution of Puerto Rico that would not have been known to Congress or the President at the time this bill is enacted into law. The Department recommends that section 5 be revised as follows:

> The constitution of the State of Puerto Rico shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence. The constitution of the Commonwealth of Puerto Rico, as approved by Public Law 82-447 and subsequently amended **as of the date of enactment of this statute**, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed as the constitution of said State.

Section 6 (Certification by President)

Section 6 provides:

> Upon enactment of this Act, the President of the United States shall certify such fact to the Governor of Puerto Rico. Thereupon the Governor shall, within 30 days after receipt of the official notification of such approval, issue a proclamation for the election of Senators and Representatives in Congress.

This language could be read to imply that Puerto Rico will be entitled to Senators and Representatives in Congress as soon as the bill is enacted, instead of on the date set by the President in section 7(c) for Puerto Rico's admission as a state. To avoid that implication, the Department recommends that section 6 be revised as follows:

> Upon enactment of this Act, the President of the United States shall certify such fact to the Governor of Puerto Rico. Thereupon the Governor shall, within 30 days after receipt of the official notification of such approval, issue a proclamation for the election of Senators and Representatives **to serve** in Congress **upon admission of Puerto Rico as a State**.

Section 7 (Ratification Vote)

Subsection (a) (Ratification of Proposition): Subsection (a) prescribes the method by which the Puerto Rican people may vote to approve making Puerto Rico into a state. It requires a ballot with the following question:

> Shall Puerto Rico immediately be admitted into the Union as a State, in accordance with terms prescribed in the Act of Congress approved [date of approval of this Act]? Yes_____ No_____.

Because this language incorporates by reference the terms of this bill, including the territorial bounds of the new state (section 4) and other legal effects (sections 9 and 10), the Department believes it is constitutionally adequate to provide the voters of Puerto Rico with clear notice of what they would be approving. There is some tension, however, between voting that Puerto Rico be "immediately" admitted as a state and voting that Puerto Rico be admitted "in accordance with terms prescribed in the Act of Congress," since that Act provides for the President to declare a later date on which Puerto Rico would be admitted. We recommend deleting the word "immediately."

It should also be noted that the prescribed ballots for Alaska and Hawaii statehood included some additional detail about the legal effects of statehood that might have prompted voters to inspect the acts of Congress more closely. *See* Hawaii Statehood Act, Pub. L. No. 86-3, § 7(b), 73 Stat. 4, 7 (1959) ("(2) The boundaries of the State of Hawaii shall be as prescribed in the Act of Congress approved [on date of enactment], and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States. (3) All provisions of the Act of Congress approved [on date of enactment] reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Hawaii[,] are consented to fully by said State and its people."); Alaska Statehood Act, Pub. L. No. 85-508, § 8(b), 72 Stat. 339, 343 (1958) ("(2) The boundaries of the State of Alaska shall be as prescribed in the Act of Congress approved [on date of enactment] and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States. (3) All provisions of the Act of Congress approved [on date of enactment] reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Alaska, are consented to fully by said State and its people."). Congress might consider instructing Puerto Rico to include similar informative language on the ballot, which might include language making clear the effect of statehood on any federal laws found to be at odds with constitutional uniformity requirements, discussed further below.

Subsection (b) (Certified Results): Subsection (b) prescribes a process by which the Governor of Puerto Rico would certify to the President and to Congress the results of the voter referendum in subsection (a). The Department does not recommend changes to this provision.

Subsection (c) (Presidential Proclamation): Subsection (c) would direct the President, upon receiving the Governor's certification in subsection (b), to issue a proclamation "declaring . . . the date Puerto Rico is admitted as a State of the Union on an equal footing with all other States." In this proclamation, the President would certify that the people of Puerto Rico have voted in favor of statehood (based on a certification by the Governor of Puerto Rico to that fact) and would designate a date on which Puerto Rico would become a state. The President could declare that Puerto Rico is to be admitted as a state as much as 12 months after the certification of results by the Governor, "in order to facilitate a transition process." Confusingly, however, the final sentence of subsection (c) provides: "Upon issuance of the proclamation by the President, Puerto Rico shall be deemed admitted into the Union as

a State." This contradiction is similar to the one noted above in section 3. Assuming that Congress intends for the transition process to be effective, the Department recommends deleting the final sentence in section 7(c).

Section 8 (Election of Officers)

Section 8 provides that, upon issuing the proclamation required by section 6, the Governor of Puerto Rico shall institute a process for the voters of Puerto Rico to elect Senators and Representatives. "Puerto Rico shall be entitled to the same number of Representatives as the State whose most recent Census population was closest to, but less than, that of Puerto Rico," H.R. 1522, § 8(2), and that number of Representatives would be added temporarily to the current total of 435 Representatives in the House, until the next apportionment, at which time the number of Representatives in the House would revert to 435. "Thereafter, the State of Puerto Rico shall be entitled to such number of Representatives as provided for by applicable law based on the next reapportionment." *Id*.

According to the Census Bureau's recently issued population counts and apportionments based on the 2020 Census, Puerto Rico's population in 2020 was 3,285,874. Utah was the State with the closest population that was less than Puerto Rico's, with a population of 3,275,252 and four Representatives. As a result, under section 8 Puerto Rico would be temporarily entitled to four Representatives and the House would increase temporarily to 439 members. This arrangement would last until the next apportionment following the next decennial census, likely in 2031.

The temporary designation of Representatives for Puerto Rico based on its population count in the most recent census would comply with the constitutional requirements for apportionment of Representatives. Other than stating that "Representatives shall be apportioned among the several States *according to their respective numbers*, counting the whole number of persons in each State excluding Indians not taxed," U.S. Const. amend. XIV, § 2 (Apportionment Clause) (emphasis added), the Constitution does not prescribe a precise formula by which population is to be used in determining how many Representatives each state will receive. Exact apportionment "according to [the states'] respective numbers" is not possible, since it would yield a non-whole number of Representatives for each state, and the Apportionment Clause necessarily accords Congress some flexibility in devising a formula to distribute Representatives among the states. Congress has used a variety of methods over time to determine the number of Representatives for each state, settling on the current method of equal proportions in 1941. *See* Royce Crocker, Cong. Research Serv., *The U.S. House of Representatives Apportionment Formula in Theory and Practice*, No. R41357, at 1–2 (Aug. 4, 2013); Pub. L. No. 77-291, § 1, 55 Stat. 761, 762 (1941), *codified as amended at* 2 U.S.C. § 2a. Although the apportionment of Representatives to Puerto Rico equivalent to the number apportioned to the state with the closest, but lower, population than Puerto Rico deviates slightly from simple application of the equal proportions approach, it appears well within the range of discretion accorded to Congress by the Apportionment Clause and is consistent with historical practice when a territory is newly admitted as a state. For example, Hawaii received one Representative following its admission to statehood, and its apportionment then rose to two Representatives under the equal proportions approach after the 1960 census. *See* Cong. Research Serv., *Puerto Rican Statehood: Effects on House Apportionment*, No. R41113, at 2, 5 (Mar. 16, 2011); Hawaii Statehood Act, Pub. L. No. 86-3, § 8, 73 Stat. 4, 8 (1959).

In addition, temporarily increasing the number of Representatives to 439 would come nowhere close to contravening the constitutional requirement that "[t]he number of Representatives shall not exceed one for every Thirty Thousand." U.S. Const. art. I, § 2, cl. 3. Here, too, this approach accords with historical practice. With the admission of Alaska and Hawaii, each of which received one Representative, the House of Representatives increased temporarily from 435 to 437 members until the next apportionment following the 1960 census. At that time, the House reverted to 435 members and the newly admitted states received Representatives along with the other 48 states in accordance with the method of equal proportions.

Section 9 (Continuity of Laws, Government, and Obligations)

Subsection (1) (Continuity of Laws): Subsection (1) would provide that laws both of the United States and of Puerto Rico shall remain in effect following Puerto Rico's admission as a state, if they are "not in conflict with this Act." Section 10, discussed next, would provide for the repeal of any law "incompatible with the political and legal status of statehood under the Constitution." To make these provisions parallel, the Department recommends that subsection (1) be modified to provide

that the laws of the United States and of Puerto Rico shall remain in effect if they are "not in conflict with this Act *or with the Constitution*."

The Department additionally recommends that Congress consider providing a more tailored solution for continuity in the operations of the Financial Managements and Oversight Board for Puerto Rico ("Oversight Board"). The Oversight Board was established by the Puerto Rico Oversight, Management, and Economic Stability Act ("PROMESA"), Pub. L. No. 114-187, § 101, 130 Stat. 549, 553 (2016), *codified at* 48 U.S.C. § 2121, to approve plans for restructuring Puerto Rico's debt as well as Puerto Rico's budget and fiscal plans, *id*. §§ 201–212, *codified at* 48 U.S.C. §§ 2141–2152. PROMESA created the Oversight Board "as an entity within the territorial government for which it is established," pursuant to Congress's authority under the Territory Clause, Article IV, Section 3. Pub. L. No. 114-187, § 101(b), (c). The Supreme Court recently held that the members of the Oversight Board were local or territorial officers because they have "primarily local duties." *Fin. Oversight & Management Bd. for P.R. v. Aurelius Inv., LLC*, 140 S. Ct. 1649, 1663 (2020).

Subsection (2) (Continuity of Government): Subsection (2) would provide that "individuals holding legislative, executive, and judicial offices of Puerto Rico shall continue to discharge the duties of their respective offices when Puerto Rico becomes a State." As the Oversight Board is statutorily denominated part of the territorial government, and the Board members are territorial officers, the Oversight Board would appear to become part of the new state government if Puerto Rico becomes a state. This would accord with historical practice, although the statehood admission acts for Alaska and Hawaii more clearly provided that, upon admission as a state, "officers not required to be elected . . . shall be selected or continued in office as provided by the constitution and laws of said State" and would "exercise all the functions pertaining to their offices" in, under, or by the authority of the government of said State. Alaska Statehood Act, Pub. L. No. 85-508, § 8(c), 72 Stat. 339, 344 (1958); Hawaii Statehood Act, Pub. L. No. 86-3, § 7(c), 73 Stat. 4, 8 (1959).

One complication, however, is that PROMESA provides that the seven members of the Oversight Board will be appointed by the President and sets out an elaborate structure whereby the President can select from congressionally provided lists, thereby avoiding the need for Senate confirmation, or can appoint "off-list" in which case Senate advice and consent is required. 48 U.S.C. § 2121(e)(2). It is unclear whether or how this appointment structure would transfer over to the state level upon Puerto Rico's becoming a state. Questions about the Oversight Board's composition might undercut its capacity to operate.

The Department thus recommends that Congress expressly provide in H.R. 1522, or in separate legislation enacted during the transition period effected by the President's proclamation of a date for admission of Puerto Rico, for an orderly transition of the Oversight Board into an entity of the new State of Puerto Rico. Alternatively, of course, Congress may decide that the Oversight Board should terminate operations if Puerto Rico becomes a state, in which case the Department would also recommend express legislation to that effect.

Section 10 (Repeals)

Section 10 provides that "[a]ll Federal . . . laws, rules, and regulations, or parts of Federal . . . laws, rules, and regulations, applicable to Puerto Rico that are incompatible with the political and legal status of statehood under the Constitution and the provisions of this Act are repealed and terminated as of the date of statehood admission proclaimed by the President under section 7(c) of this Act." This abrupt transition oversimplifies what it will take to admit Puerto Rico on an equal footing with other states. Some additional legislation will likely be required to address instances where federal law regarding Puerto Rico is not compatible "with the political and legal status of statehood."

Under current federal tax and bankruptcy law, for example, Puerto Rico is treated differently than states. *See, e.g.*, 26 U.S.C. § 933 (providing tax credit to "a bona fide resident of Puerto Rico" for "income derived from sources within Puerto Rico"); *id*. § 7653(b) ("Articles, goods, wares, or merchandise going into Puerto Rico, the Virgin Islands, Guam, and American Samoa from the United States shall be exempted from the payment of any tax imposed by the internal revenue laws of the United States."); PROMESA, Pub. L. No. 114-187, 130 Stat. 549 (2016), *codified at* 48 U.S.C. ch. 20 (providing special process for restructuring the debt of Puerto Rico). The Constitution meanwhile requires that all "Duties, Imposts, and Excises shall be uniform throughout the United States," U.S. Const. art. I, § 8, cl. 1, and authorizes Congress to make "uniform Laws on the subject of Bankruptcies throughout the United States," *id*. cl. 4; *see also id*. § 9, cl. 6 ("No Preference shall be given by any

Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State be obliged to enter, clear, or pay Duties to another."). These uniformity requirements have not applied to Puerto Rico given its status as an unincorporated territory, *Downes v. Bidwell*, 182 U.S. 244, 282–84, 287 (1901); *id.* at 291, 339–40 (White, J., concurring, joined by Shiras and McKenna, JJ.), but would become applicable upon Puerto Rico's becoming a state.

Presumably, one reason why the Act allows up to a year between a vote by Puerto Rico in favor of statehood and Puerto Rico's admission as a state is to provide a window within which Congress can address this conflict between current law and uniformity requirements, as well as any other issues implicated by Puerto Rico's transition to statehood. It is possible, however, that Puerto Rico would become an incorporated territory, and thus fully subject to the Constitution and the uniformity requirements of Article I, even before the date the President designates for Puerto Rico to be admitted as a state. Although the case law on when a territory is deemed to be incorporated is not "altogether harmonious," *Downes*, 182 U.S. at 258, one formulation the Supreme Court has frequently used is that an incorporated territory is one that is "surely destined for statehood." *Boumediene*, 553 U.S. at 757; *see also United States v. Verdugo-Urquidez*, 494 U.S. 259, 268 (1990) (an "unincorporated territory" is one "not clearly destined for statehood"). Under H.R. 1522, Puerto Rico would appear to be "surely destined for statehood" when the President of the State Elections Commission for Puerto Rico certifies under section 7(b) that a majority of Puerto Rican voters have cast ballots in favor of statehood. At that point, section 7(c) requires the President to proclaim the date on which Puerto Rico would succeed to statehood.

Attorney General Thornburgh took a similar view in 1991, regarding a bill that would have authorized a referendum on the legal status of Puerto Rico accompanied by a non-binding "commitment by Congress to implement the status receiving a majority." S. 244, § 101(e)(2). The bill contemplated that the implementing legislation would include a five-year transition period to phase out the special tax treatments for Puerto Rico that would have come into conflict with the Uniformity Clause. Attorney General Thornburgh testified that Puerto Rico "would become subject to the requirements of the [U]niformity [C]lause as soon as Congress passe[d] implementing legislation to make Puerto Rico a State," because at that point in time it would have to be considered "destined for statehood." *Political Status of Puerto Rico: Hearings on S. 244 Before the S. Comm. on Energy and Natural Resources*, 102d Cong. at 189–90 (Feb. 7, 1991) ("1991 Hearings").

We nevertheless believe that Congress should be able to enact legislation providing for a delayed or gradual application of the Constitution's uniformity requirements, including the potential delay of up to a year before these requirements apply envisioned by the combination of sections 7(c) and 10. Some case law suggests that incorporation rests on the intent of Congress as expressed in statutes (or on the intent of the President and Senate, as expressed in treaties), and not just on an independent judicial assessment of the likelihood that a particular territory will eventually become a state. *See Balzac v. People of Porto Rico*, 258 U.S. 298, 309 (1922) ("[I]n the absence of other and countervailing evidence, a law of Congress or a provision in a treaty acquiring territory, declaring an intention to confer political and civil rights on the inhabitants of the new lands as American citizens, may be properly interpreted to mean an incorporation of it into the Union[.]"); *see also Rassmussen v. United States*, 197 U.S. 516, 523 (1905) ("That Congress, shortly following the adoption of the treaty with Russia, clearly contemplated the incorporation of Alaska into the United States as a part thereof, we think plainly results from the act[s] . . . concerning internal revenue taxation, . . . extending the laws of the United States relating to customs, commerce and navigation over Alaska and establishing a collection district therein.") In *Balzac*, the Court reasoned that, "[h]ad Congress intended to take the important step of changing the treaty status of Porto Rico by incorporating it into the Union, it is reasonable to suppose that it would have done so by the plain declaration, and would not have left it to mere inference." 258 U.S. at 306; *see also id.* ("[I]ncorporation is not to be assumed without express declaration, or an implication so strong as to exclude any other view."). The Supreme Court has also highlighted the role of "practical considerations" in determining which constitutional provisions apply to a given territory, noting "a common thread" in the relevant case law: "the idea that questions of extraterritoriality turn on objective factors and practical concerns, not formalism." *Boumediene*, 553 U.S. at 757–64.

H.R. 1522 does not contain an express declaration of intent to make Puerto Rico an "incorporated" territory immediately upon certification of a pro-statehood vote. To the contrary, H.R. 1522 seems designed to postpone incorporation until the

effective date in the President's declaration, at which time Puerto Rico would skip past the intermediate step of being considered an incorporated territory and be admitted directly into the Union as a state. Moreover, the immediate disruption that would result were Puerto Rico to quickly become subject to the Constitution's uniformity provisions should count strongly against such a result. To reduce the possibility of immediate incorporation even further, however, the Department recommends that Congress state expressly that Puerto Rico shall remain unincorporated until its admission as a state under section 3.

Even if the uniformity requirements of Article I were to become immediately applicable upon certification of a pro-statehood vote, we think that legislation providing for a gradual transition to tax and bankruptcy uniformity for Puerto Rico would be constitutional. In *United States v. Ptasynski*, 462 U.S. 74 (1983), the Court upheld a tax exemption for crude oil produced in a geographically defined area that encompassed Alaska and "certain offshore territorial waters" that were "beyond the limits of any State" against a uniformity challenge. *Id*. at 78. Previously, the Court had made clear that the Uniformity Clause "does not require Congress to devise a tax that falls equally or proportionately on each State" and thus had confirmed Congress's authority to draw "distinctions between similar classes" in "defining the subject of a tax," as long as the tax applied evenly "wherever the classification is found." *Id*. at 82. The Court appeared to regard the geographic classification in *Ptasynski* as a logical extension of this principle, in view of credible evidence amassed by Congress of "climatic and geographic conditions" unique to the covered geographic region. *Id*. at 78; *see id*. at 78–79 & nn.6–7 (discussing evidence).

Although the tax exemptions for Puerto Rico in 26 U.S.C. §§ 933 and 7653 are arguably distinct in being expressly "drawn on state political lines," *id*. at 78, the reasoning of *Ptasynski* suggests that a geographic classification based on state boundaries does not violate the Uniformity Clause if Congress can demonstrate that the classification arises from genuine differences in economic circumstance that fall incidentally along state lines. In the case of Puerto Rico, the objective of maintaining the tax preferences for a short transition period would be to ameliorate the economic dislocation that would result from a sudden loss of pre-existing tax preferences accompanying the switch from commonwealth status to statehood. Attorney General Thornburgh testified to similar effect in 1991, stating that "the uniformity clause permits tax transition provisions, provided they are narrowly tailored, to prevent specific and identified problems of economic dislocation that Congress concludes would otherwise result from the transition from a non-incorporated territorial status to either an incorporated territorial or State status." 1991 Hearings at 190; *see also Puerto Rico's Political Status: Hearings on S. 712 Before the S. Comm. on Finance*, 101st Cong. at 7 (1989) ("1989 Hearings") (testimony of Shirley D. Peterson, Assistant Attorney General for the Tax Division of the Department, that the Uniformity Clause did not "disable Congress from fashioning reasonable and necessary transitional measures").

To the best of our knowledge, no court has addressed the extent to which Congress may provide for transitional disuniformity in the tax treatment of an incoming state, so any attempt to suggest an outer limit on how long the transition period could last would be speculative at best. In 1989, the Department testified that a three-year transition period to phase out special tax treatment was permissible, *see* 1989 Hearings at 7 (testimony of Peterson); in 1991, the Department intimated that five years might be too much, *see* 1991 Hearings at 189 (testimony of Thornburgh). Notably, at least one statute, retained from the period before Alaska and Hawaii were admitted as states, continues to single out portions of the routes to and from those states for a reduced tax on air transportation. *See* 26 U.S.C. § 4262(b)(2), (c)(1); 26 C.F.R. § 49.4262–2(b). It does not appear that this differential treatment has been challenged constitutionally, and this treatment may be justified by a uniform principle of reducing the incidence of the tax on routes of longer distances. By similar logic, Congress might be able to cite economic circumstances unique to Puerto Rico—perhaps, for example, patterns of investment undertaken in reliance on Puerto Rico's disuniform tax treatment—as a basis for a continuation or longer phase-out of tax statutes that treat Puerto Rico differently.

We believe a transition period should also be permissible for the special bankruptcy provisions for Puerto Rico in PROMESA. In *Railway Labor Executives Ass'n v. Gibbons*, 455 U.S. 457 (1982) ("*Rock Island*"), the Court struck down on uniformity grounds a federal law designed solely for the bankruptcy of the Rock Island Railroad, reasoning that "[t]o survive scrutiny under the Bankruptcy Clause, a law must at least apply uniformly to a defined class of debtors," and "a bankruptcy law . . . confined as it is to the affairs of one named debtor can hardly be considered uniform." *Id*. at 473. Yet the Court also stated, similar to *Ptasyski*,

that the uniformity requirement "'does not deny Congress power to take into account differences that exist between different parts of the country, and to fashion legislation to resolve geographically isolated problems.'" *Id*. at 469 (quoting *Regional Railroad Reorganization Act Cases*, 419 U.S. 102, 159 (1974)). Arguably, legislation limited to Puerto Rico should be viewed not as legislation directed at Puerto Rico as a specific debtor, but at Puerto Rico as a specific region for which it is necessary to resolve "geographically isolated problems." In advising on the constitutionality of PROMESA before it was enacted, we had considerable doubts that this argument would prevail. But we believe that such an argument would be more likely to succeed as a justification for disuniformity during a transition period, given that Puerto Rico's change in status to a state is a factor distinct from its status as a debtor.

More broadly, we think a good argument can be made that PROMESA would not violate the uniformity requirements of the Bankruptcy Clause at all were Puerto Rico to become a state. PROMESA was enacted under the Territories Clause and its bankruptcy provisions would attach to any relevant debt *before* Puerto Rico becomes a state and uniformity requirements applied. Congress could also determine that it is "necessary and proper for carrying into Execution" its Article IV powers to fashion a broader solution for territories entering the Union, thereby avoiding the pitfall of "a bankruptcy law . . . confined as it is to the affairs of one named debtor." *Rock Island*, 455 U.S. at 473. "As stated by the Supreme Court in the *Railroad Rail Reorganization Cases*," the Bankruptcy Clause "'was not intended to hobble Congress by forcing it into nationwide enactments to deal with conditions calling for a remedy only in certain regions.'" 1989 Hearings at 8 (quoting 419 U.S. at 159) (testimony of Peterson).

In short, regardless of whether Puerto Rico becomes subject to the uniformity requirements in Article I at the time a pro-statehood vote is certified or on the date set by the President for admission to statehood, we think there will be opportunity for Congress to enact further legislation providing for a phase-out of those tax and bankruptcy laws that single out Puerto Rico for special treatment. We recommend, however, that Congress include findings in any such bill, ideally supported by expert testimony in public hearings, explaining why a phase-out period is necessary to avoid specific economic problems unique to Puerto Rico.

Section 11 (Severability)

The Department has no concerns with this section.

DEPARTMENT OF JUSTICE—ANALYSIS OF H.R. 2070

H.R. 2070, the Puerto Rico Self-Determination Act of 2021

Executive Summary

The Department of Justice agrees that the people of Puerto Rico should be allowed to choose whether to become a nation independent of the United States, become a state within the United States, or retain the current status of a territory. Insofar as H.R. 2070 would facilitate a choice among those three options, which we believe are the three constitutional options available to Puerto Rico, the Department supports the bill. In the section-by-section analysis, the Department explains the basis for its view more fully and advises of its comments on certain sections of the bill.

Section-by-Section Analysis

Section 1 (Short Title)

The Department has no comment on this section.

Section 2 (Findings)

The Department has no comment on this section.

Section 3 (Puerto Rico Status Convention)

Section 3(a) provides that the Puerto Rico legislature will have "inherent authority" to call a status convention "for the purpose of proposing to the people of Puerto Rico self-determination options." The convention, consisting of delegates elected by Puerto Rico voters, would be tasked with "debat[ing] and draft[ing] definitions on self-determination options for Puerto Rico, which shall be outside the Territorial Clause of the United States Constitution," and presenting those options, along with at least one transition plan for each option, to Puerto Rico voters in a referendum. H.R. 2070, § 3(c). Once assembled, the convention would be "dissolved only when the United States ratifies the self-determination option presented to Congress by the status convention as selected by the people of Puerto Rico in the referendum." *Id.* § 3(a)(1).

The Department has three comments on this section.

1. The Department's first comment relates to the reference to the Puerto Rico legislature's having "inherent" authority to call a status convention. H.R. 2070, § 3(a). We surmise that this description of the nature of Puerto Rico's authority is intended to acknowledge the Commonwealth's significant autonomy and powers of self-government. We note, however, that the use of the word "inherent" may create confusion as to the ultimate source of the Puerto Rico government's authority. As the Supreme Court recently noted, even though "Puerto Rico today has a distinctive, indeed exceptional, status as a self-governing Commonwealth," the "ultimate source" of Puerto Rico law is an enactment of the U.S. Congress. *Puerto Rico v. Sanchez Valle*, 136 S. Ct. 1863, 1874 (2016) (concluding that Puerto Rico and the United States are not separate sovereigns for purposes of the Double Jeopardy Clause). Describing Puerto Rico's authority as "inherent"—that is, "existing . . . as a permanent attribute or quality . . . indwelling, intrinsic," OED Online (Mar. 2021)—when in fact that authority derives from Congress, is legally inaccurate. The Department does not object to some sort of acknowledgment of Puerto Rico's self-governance, but to avoid confusion as to the source of the Puerto Rico legislature's authority, we recommend striking the word "inherent."

2. Second, the Department notes that section 3 appears to be in tension with the Executive Branch's longstanding "policy . . . to enable Puerto Ricans to determine their preference among options for the islands' future status that are not incompatible with the Constitution and basic laws and policies of the United States" and to "consider and develop positions on proposals, without preference among the options, for the Commonwealth's future status." Exec. Order No. 13183 (Dec. 23, 2000). The tension results because of the combination of several provisions: section 3(a)(1), which provides that the convention would be "dissolved only when the United States ratifies the self-determination option presented to Congress by the status convention as selected by the people of Puerto Rico" pursuant to the referendum authorized in section 5; section 3(c)(1), which expressly instructs the status convention to develop options for Puerto Rico that are "outside the Territorial Clause of the United States

Constitution"; and section 3(c)(3), which provides that the convention "shall . . . select and present to the people of Puerto Rico the self-determination options that will be included in the referendum under section 5." *See also* § 5(a)(1)(B) ("A referendum vote by the people of Puerto Rico . . . may consist of choices each composed of a self-determination definition and accompanying transition plan as presented by the delegates under section 3").

Taken together, these provisions appear to eliminate the current territorial status as an available choice for the people of Puerto Rico under the procedures in the bill. Moreover, these provisions may be read to imply that the United States has determined that the people of Puerto Rico may not decide to retain the island's current territorial status, departing from the Executive Branch's longstanding view that "Puerto Ricans should determine for themselves the future status of the Island" and the federal government's responsibility is to facilitate "the desire of the people of Puerto Rico to change status or to establish, for some period of time, that they have chosen no change in status." Report by the President's Task Force on Puerto Rico's Status at 23–24 (Mar. 2011) ("2011 Task Force Report"); *see also* Presidential Memorandum of December 23, 2000 ("Resolution of Puerto Rico's Status") (noting that "[s]uccessive Presidents . . . have supported the people of Puerto Rico in determining their status preference from among options that are not incompatible with the Constitution and basic laws and policies of the United States" and concluding that the Executive Branch has "the responsibility to help Puerto Ricans obtain the necessary transitional legislation toward a new status, if chosen"). One way to address these concerns is to remove the phrase "which shall be outside the Territorial Clause of the United States Constitution" from section 3(c)(1).

3. Finally, the Department notes that section 3 does not specify that the only constitutionally permissible status options available to the status convention—and thus the only options that Congress could subsequently adopt by joint resolution, *see* H.R. 2070, § 6—are statehood, independence, or Puerto Rico's current status as a territory. Independence is a general term that refers to the possibilities both of full independence from the United States and of a compact of free association, in which Puerto Rico would become a sovereign nation but would continue to have close ties to the United States under the terms of a mutually agreed-upon compact. *See* 2011 Task Force Report at 25. Were Puerto Rico to choose a compact of free association, it would occupy a status similar to the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau. *Id.*

As has been the Department's consistent view since 1991, we continue to believe that the Constitution limits Puerto Rico to three constitutional choices: the current territorial status, statehood, or independence. The District of Columbia aside, land under United States sovereignty must be either a state or a territory; and if land is "not included in any State," it "must necessarily be governed by or under the authority of Congress." *First Nat'l Bank v. Yankton County*, 101 U.S. 129, 133 (1879). Congress may, in its administration of non-state land, afford such a territory considerable powers of self-government, as it has already done with Puerto Rico. *See* Puerto Rican Federal Relations Act, Pub. L. No. 81-600, 64 Stat. 319 (1950), *codified at* 48 U.S.C. §§ 731b–731e. But Congress cannot constitutionally relinquish its ability to legislate with respect to that territory under the Territories Clause unless it either admits the territory as a state, U.S. Const. art. IV, § 3, cl. 1, or enacts legislation making the territory independent and no longer subject to the jurisdiction of the United States. *See Mutual Consent Provisions in the Guam Commonwealth Legislation*, Op. O.L.C. Supp. , at *5 (July 28, 1994) ("*Mutual Consent*") ("The requirement that the delegation of governmental authority to the non-state areas be subject to federal supremacy and federal supervision means that such delegation is necessarily subject to the right of Congress to revise, alter, or revoke the authority granted.") (citing *Dist. of Columbia v. Thompson Co.*, 346 U.S. 100, 109 (1953), among other cases). In other words, there is no constitutionally permissible status "outside of the Territorial Clause" other than statehood or independence (including free-association agreements).

Our view on this issue also rests on the general rule that one Congress cannot irrevocably bind subsequent Congresses. *See Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 177 (1803) (Marshall, C.J.) (noting that legislative acts are "alterable when the legislature shall please to alter [them]"). Although this general rule is subject to limitations imposed by the Due Process Clause of the Fifth Amendment, those limitations do not apply to protect Puerto Rico's political status from congressional revision if Puerto Rico remains a territory. *Mutual Consent* at *8–9. Territories, like states and their political subdivisions, are not "persons" for purposes of due process. *Id.* at *6–7. And a particular political relationship with the national government is not the type of vested property right that due process protects. *Id.* at *8–9 (citing

Bowen v. Public Agencies Opposed to Social Security Entrapment, 477 U.S. 41, 55 (1986), among other cases).

In the past, Congress has purported to enter into covenants with territories that would be alterable only with mutual consent. *See, e.g.*, Pub. L. No. 24-241, 90 Stat. 263, 264 (1976) (approving the "Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America," section 105 of which provides that certain provisions of the Covenant "may be modified only with the consent of the Government of the United States and the Government of the Northern Mariana Islands"); Act of Aug. 7, 1789, ch. 8, 1 Stat. 50, 52 n.a (maintaining the Northwest Ordinance, including a prefatory clause providing that the articles of the compact would "forever remain unalterable, unless by common consent"); *Mutual Consent* at *2 n.2. But in view of the foregoing principles, we believe that these provisions cannot be binding—a view to which the Department has long subscribed. *See Mutual Consent* at *13.

We note, in addition, that the principle of a current Congress's not being able to bind future Congresses would also apply to any compact of free association entered into with Puerto Rico if Puerto Rico were to choose that type of independence. As a matter of our domestic law, such a compact would necessarily be revocable or subject to revision by a subsequent act of Congress. *See Medellín v. Texas*, 552 U.S. 491, 509 n.5 (2008) ("[A] later-in-time federal statute supersedes inconsistent treaty provisions.").

Section 4 (Congressional Bilateral Negotiating Commission)

Section 4(a) would establish a "Congressional Bilateral Negotiating Commission . . . to provide advice and consultation to delegates elected" to the status convention established under section 3. H.R. 2070, § 4(a). It would be composed of a number of members of Congress, including the chairs and ranking members of the relevant congressional committees, members selected by congressional leadership, and the Resident Commissioner of Puerto Rico. *Id.* § 4(b)(1). In addition, the Commission would include "a member from the Department of Justice" and "a member from the Department of the Interior," both "with the consent of the Speaker of the House of Representatives and majority leader of the Senate." *Id.* § 4(b)(1)(H), (I).

The Commission would seem to be a legislative branch entity that reports only to congressional leadership and is limited to purely advisory functions, such as "develop[ing] recommendations regarding self-determination options on constitutional issues and policies" and "provid[ing] technical assistance and constitutional advice to the delegates during the Puerto Rico status convention." *Id.* § 4(c). Consistent with separation of powers constraints, we do not understand that policy or legal recommendations issued by the Commission would bind the Executive Branch. *See, e.g., Metro. Wash. Airports Auth. v. Citizens for the Abatement of Aircraft Noise, Inc.*, 501 U.S. 252, 276 (1991) ("If the power is executive, the Constitution does not permit an agent of Congress to exercise it."); *Buckley v. Valeo*, 424 U.S. 1, 139 (1976) (per curiam) (holding that congressional appointees may "perform duties only in aid of those functions that Congress may carry out by itself, or in an area sufficiently removed from the administration and enforcement of the public law").

Finally, we note that the name of the Commission, the "Congressional Bilateral Negotiating Commission," does not seem to be an apt description of the Commission's advisory duties. The Department does not read the duties of the Commission to include negotiations with the convention and would accordingly suggest that the name be modified to more accurately characterize the Commission's role—e.g., the Congressional Advisory Commission.

Section 5 (Puerto Rico Status Referendum; Education Campaign)

The Department has identified no legal concerns with this provision, which sets out the structure for a referendum vote on the status options developed by the convention under section 3. We note, however, that in the past Congress has sought the Department of Justice's involvement in ensuring that the options presented to the Puerto Rican people in a plebiscite are constitutional. *See* H.R. Rep. No. 113-171, at 54 (2014). Were the legislation to provide for the Department of Justice to have a certification role here, it would help ensure that any status option developed by the convention and selected by the people of Puerto Rico would be constitutional and thus could be ratified by Congress.

Section 6 (Congressional Deliberation and Enacting Resolution)

Section 6 would provide that "[i]f the referendum under this Act is approved by the people of Puerto Rico, Congress shall approve a joint resolution to ratify the

preferred self-determination option approved in that referendum vote." This provision is constitutional only if it is read to mean that Congress shall consider *whether* to approve a joint resolution ratifying the results of the referendum. If, instead, it were read to bind Congress to approve a joint resolution, it would impermissibly constrain Congress.

To address this constitutional concern, the Department recommends changing "shall" to "may" in section 6. Alternatively, section 6 could be amended to provide that Puerto Rico's status shall become whatever the people selected. The Department has concluded that contingent legislation of that type is constitutionally permissible. *See Altering Puerto Rico's Relationship with the United States Through Referendum*, 36 Op. O.L.C. 93, 93–94 (2012) (concluding that "legislation conditioning a change in Puerto Rico's political relationship with the United States on the results of one or more referenda by the Puerto Rican electorate, without subsequent congressional action, would be constitutional, insofar as the referendum . . . presented voters in the territory with a limited set of options specified in advance by Congress"). However, for this alternative approach to be available, it would be necessary for Congress to approve the options presented to the Puerto Rican people ahead of the vote (or to provide a list of acceptable options from which the status convention could choose).

PUERTO RICO STATUS ACT—SECTION BY SECTION SUMMARY (ENGLISH)

NATURAL RESOURCES
COMMITTEE
CHAIR RAÚL M. GRIJALVA

H.R. 8393, THE PUERTO RICO STATUS ACT

SECTION-BY-SECTION

Section 1. Short Title.

Section 2. Table of Contents.

Section 3. Findings.

Recognizes the inherent limitations of Puerto Rico's territorial status and the Federal Government's responsibility to facilitate the selection of and transition to a permanent, non-territorial, fully self-governing political status.

Section 4. Definitions.

Section 5. Plebiscite.

Establishes a plebiscite to resolve Puerto Rico's political status that offers eligible voters three options: Independence, Sovereignty in Free Association with the United States, and Statehood. A majority vote (50% +1) is required to approve any status option, and if none of the options receive a majority in the initial vote, a runoff plebiscite will take place for voters to choose among the two options that received the most votes.

Sets requirements for plebiscite ballot language, including descriptions of each of the three status options. Sets procedure for implementing the plebiscite and informing officials of the results.

Provides the United States District Court for the District of Puerto Rico jurisdiction of any dispute or controversy related to the electoral process.

Section 6. Nonpartisan voter education campaign.

Requires the Puerto Rico State Elections Commission to lead a nonpartisan voter education campaign that includes voter education materials related to the plebiscites at all voting locations. Specifies some of the topics at minimum that must be addressed in the voter education materials.

Section 7. Oversight.

Sets a process and timeline for the Elections Commission to submit, and the United States Attorney General to review and require revisions to, the plebiscite ballot design and voter education materials.

Section 8. Funds for voter education; plebiscites.

Authorizes necessary funds to carry out a nonpartisan voter education campaign, an initial plebiscite and, if necessary, a runoff plebiscite.

Section 9. Bilingual voter educational materials and ballots.

Requires all voter educational materials and ballots to be made available in English and Spanish.

Section 10. Puerto Rico Oversight, Management, and Economic Stability Act.

Provides that the Puerto Rico, Oversight, Management and Economic Stability Act (PROMESA) will no longer apply to Puerto Rico after it becomes a state or a nation.

Requires the termination of the Financial Oversight and Management Board of Puerto Rico and the transfer of all duties, responsibilities, funds, property, and assets of the Board to the State of Puerto Rico or the nation of Puerto Rico.

Section 11. Severability.

Provides that any part of this Act being held invalid by a court of jurisdiction does not invalidate the remainder of the Act.

TITLE I—TRANSITION AND IMPLEMENTATION—INDEPENDENCE

Section 101. Constitutional convention.

Requires the legislature of Puerto Rico to provide for an election of delegates to a constitutional Convention within six months of the certification of a plebiscite result in favor of independence to draft a constitution for the nation of Puerto Rico.

Provides that all eligible voters may vote in the special election and that the electoral process will occur according to the laws of the territory of Puerto Rico.

Requires the elected delegates to the constitutional Convention to meet within three months after the special election. This initial meeting constitutes the establishment of the Convention.

Section 102. Character of the constitution.

Requires the constitutional Convention to draft a constitution that guarantees the protection of fundamental human rights.

Section 103. Submission; Ratification.

Requires the drafted constitution to be submitted to eligible voters for ratification or rejection in a special election within one year after the establishment of the constitutional Convention.

Provides that the special election process will be determined by the legislature of Puerto Rico.

Section 104. Election of officers.

Requires the Governor of the territory of Puerto Rico to issue a proclamation within one month of the constitution's ratification calling for the election of officers of the nation of Puerto Rico. The election of officers will be held within six months of the constitution's ratification and conducted according to the requirements in the constitution.

Provides that the Elections Commission will certify the results of the election of officers within ten days of the election. The Governor of the territory of Puerto Rico then informs U.S. federal officials of the results.

Requires another special election if voters reject the drafted constitution. Following the process described in Sections 101–103, eligible voters will elect officers to a constitutional Convention and officers are responsible for drafting a constitution to be ratified or rejected by voters.

Section 105. Conforming amendments to existing law.

Directs the President to review Federal law with respect to Puerto Rico within 30 days of the initial meeting of the constitutional Convention and submit recommendations as the President deems appropriate to Congress for changes to Federal law within one year of initiating the review.

Section 106. Joint Transition Commission.

Establishes a Joint Transition Commission within three months of the constitutional Convention's establishment. The Joint Transition Commission is responsible for expediting the transfer of all functions of the Federal Government in or relating to Puerto Rico to the nation of Puerto Rico.

Section 107. Proclamations by President of the United States; Head of State of Puerto Rico.

Requires the President of the United States to issue a proclamation within one month of the certification of elected officers of the nation of Puerto Rico to withdraw United States sovereignty exercised in Puerto Rico and to recognize the independence of the nation of Puerto Rico and the authority of its government under its constitution.

Requires the presiding officer of the constitutional Convention to determine, within one week of receiving the Presidential proclamation, the date that the Government of the nation of Puerto Rico takes office.

Section 108. Legal and constitutional provisions.

Provides that all property, rights, and interests of the United States government over Puerto Rico is transferred to the nation of Puerto Rico.

Provides that all laws of the United States applicable to the territory of Puerto Rico prior to the proclamation of independence will no longer apply in the nation of Puerto Rico.

Section 109. Judicial pronouncements.

Provides that the nation of Puerto Rico will recognize all orders and judgments made by the United States or territorial courts before the proclamation of independence.

Provides that the judicial power of the United States will no longer extend to Puerto Rico upon the proclamation of independence. Pending proceedings will be transferred to the corresponding courts of the nation of Puerto Rico for disposition according to the laws applicable at the time when the controversy arose.

Section 110. Citizenship and immigration laws after Puerto Rican independence.

Provides that the Puerto Rican citizenship status of a person born in Puerto Rico will be determined according to the Constitution and laws of the nation of Puerto Rico.

Provides that citizens of Puerto Rico seeking to enter the United States or obtain U.S. citizenship after the effective date of independence shall be subject to U.S. immigration laws.

Clarifies that the provision of Puerto Rican citizenship by the laws of Puerto Rico shall not constitute or otherwise serve as the basis of loss or relinquishment of U.S. citizenship.

Provides that an individual born in Puerto Rico after the effective date of independence to at least one parent who became a United States citizen under section 302 of the Immigration and Nationality Act (INA) is not a United States citizen at birth under subsections (c), (d), or (g) of section 301 of the INA.

Describes temporary authorizations for Puerto Rican citizens who are not U.S. citizens to enter, work, and establish residence as a nonimmigrant in the United States without the need for a visa. However, the right of such persons to establish residence in the United States may be subjected to limitations provided for in statutes or regulations of the United States. These authorizations are modeled after travel, work, and residence authorizations available to citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. These authorizations expire 25 years after independence.

Section 111. Individual rights to economic benefits and grants.

Provides that all vested rights and benefits available to residents of the territory of Puerto Rico will continue after the proclamation of independence until they are extinguished according to the applicable laws of the United States. All services provided as part of these rights and benefits will be available through the Government of the nation of Puerto Rico.

Provides that all contributions made by employees and employers to Social Security with respect to residents of the nation of Puerto Rico, who are not yet eligible for old age, disability, or survivor's insurance benefits, be transferred to the Government of the nation of Puerto Rico once it establishes its own social security system. The Government of the nation of Puerto Rico may use these funds only to establish

and operate a social security system. Once the transfer is made, the United States Government's obligations under the Social Security Act to such residents of the nation of Puerto Rico will end.

Provides that all Federal transfer payments to the territory of Puerto Rico are maintained in the form of annual block grants to be used by the Government of the nation of Puerto Rico. For ten fiscal years following the proclamation of independence, the annual block grants will amount to the annual aggregate funding of either all programs that currently extend to the territory of Puerto Rico or all programs that will be extended during the fiscal year prior to the proclamation of independence, whichever is greater. Beginning on the eleventh fiscal year, the annual block grants will decrease at a rate of ten percent each year.

TITLE II—TRANSITION AND IMPLEMENTATION—SOVEREIGNTY IN FREE ASSOCIATION WITH THE UNITED STATES

Section 201. Constitutional convention.

Requires the legislature of Puerto Rico to provide for an election of delegates to a constitutional Convention within six months of the certification of a plebiscite result being certified in favor of Sovereignty in Free Association with the United States to draft a constitution for the nation of Puerto Rico.

Provides that all eligible voters may vote in the special election and that the electoral process will occur according to the laws of the territory of Puerto Rico.

Requires the elected delegates to the constitutional Convention to meet within three months after the special election. This initial meeting constitutes the establishment of the Convention.

Section 202. Character of the constitution.

Requires the constitutional Convention to draft a constitution that guarantees the protection of fundamental human rights.

Section 203. Submission; Ratification.

Requires the drafted constitution to be submitted to eligible voters for ratification or rejection in a special election within two years of the establishment of the constitutional Convention.

Provides that the special election process will be determined by the legislature of Puerto Rico.

Section 204. Election of officers.

Requires the Governor of the territory of Puerto Rico to issue a proclamation within one month of the constitution's ratification calling for the election of officers of the nation of Puerto Rico. The election of officers will be held within six months of the constitution's ratification and conducted according to the requirements in the constitution.

Provides that the Elections Commission will certify the results of the election of officers within ten days of the election. The Governor of the territory of Puerto Rico then informs U.S. federal officials of the result.

Requires another special election if voters reject the drafted constitution. Following the process described in Sections 201–203, eligible voters will elect officers to a constitutional Convention and officers are responsible for drafting a constitution to be ratified or rejected by voters.

Section 205. Proclamations by president of the United States; Head of State of Puerto Rico.

Requires the President of the United States to issue a proclamation within one month of the certification of elected officers of the nation of Puerto Rico to withdraw United States sovereignty exercised in Puerto Rico and to recognize the international sovereignty through free association of the nation of Puerto Rico and the authority of its government under its constitution.

Requires the presiding officer of the constitutional Convention to determine, within one week of receiving the Presidential proclamation, the date that the Government of the nation of Puerto Rico takes office.

Section 206. Legal and constitutional provisions.

Provides that all property, rights and interests of the United States government over Puerto Rico is transferred to the nation of Puerto Rico.

Provides that all laws of the United States applicable to the territory of Puerto Rico prior to the proclamation of international sovereignty through free association will no longer apply in the nation of Puerto Rico.

Section 207. Judicial pronouncements.

Provides that the nation of Puerto Rico will recognize all orders and judgments made by the United States or territorial courts before the proclamation of international sovereignty through free association.

Provides that the judicial power of the United States will no longer extend to Puerto Rico upon the proclamation of international sovereignty through free association. Pending proceedings will be transferred to the corresponding courts of the nation of Puerto Rico for disposition according to the laws applicable at the time when the controversy arose.

Section 208. Citizenship and immigration laws after sovereignty through free association

Provides that the Puerto Rican citizenship status of a person born in Puerto Rico will be determined according to the Constitution and laws of the nation of Puerto Rico.

Provides that citizens of Puerto Rico seeking to enter the United States or obtain U.S. citizenship after the proclamation of international sovereignty through free association shall be subject to U.S. immigration laws.

Clarifies that the provision of Puerto Rican citizenship by the laws of Puerto Rico shall not constitute or otherwise serve as the basis of loss or relinquishment of U.S. citizenship.

Provides that an individual born in Puerto Rico after the proclamation of international sovereignty through free association to at least one parent who became a United States citizen under section 302 of the INA is not a United States citizen at birth under subsections (c), (d), or (g) of section 301 of the INA—except as follows. During the first Articles of Free Association, an individual born in Puerto Rico to two parents who are U.S. citizens shall be a U.S. citizen at birth under section 301(c) of the INA if otherwise eligible.

Describes temporary authorizations for Puerto Rican citizens who are not U.S. citizens to enter, work, and establish residence as a nonimmigrant in the United States without the need for a visa. However, the right of such persons to establish residence in the United States may be subjected to limitations provided for in statutes or regulations of the United States. These authorizations are modeled after travel, work, and residence authorizations available to citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. These authorizations expire upon the termination of the Articles of Free Association.

Section 209. Conforming amendments to existing law.

Directs the President to review Federal law with respect to Puerto Rico within 30 days of the initial meeting of the constitutional Convention and submit recommendations as the President deems appropriate to Congress for changes to Federal law within one year of initiating the review.

Section 210. Bilateral Negotiating Commission.

Establishes a Bilateral Negotiating Commission to conduct negotiations on Articles of Free Association with the United States if a plebiscite results in a majority vote for sovereignty in free association with the United States. The Commission is responsible for (1) expediting the transfer of all functions of the United States government in Puerto Rico to Puerto Rico, (2) negotiating the development of the Articles of Free Association, and (3) completing the Articles of Free Association within two years of the establishment of the constitutional Convention.

Requires members to be assigned to the Bilateral Negotiating Commission within three months of the establishment of the constitutional Convention. The Convention will elect, by majority vote, five members among its delegates and the President of

the United States will designate five members, including one with the rank of Ambassador.

Requires the Bilateral Negotiating Commission to meet within three months of the election and designation of its members.

Requires that the Government of the territory of Puerto Rico and the agencies of the Government of the United States will collaborate with the Commission.

Section 211. Articles of Free Association approval and effective date.

Provides that the Articles of Free Association are effective upon mutual agreement between the Government of the United States and the Government of Puerto Rico and after approval by a separate ratification vote by eligible voters of Puerto Rico in a special election held under Section 203 and by the Government of the United States in accordance with its constitutional processes.

Requires that the process for negotiating, drafting, and approving Articles of Free Association be repeated if the special election results in the rejection of the Articles of Free Association.

Section 212. Termination.

Provides that the Articles of Free Association between the United States and Puerto Rico may be terminated at will by either party at any time.

Section 213. Individual rights to economic benefits and grants.

Provides that all vested rights and benefits available to residents of the territory of Puerto Rico will continue after the proclamation of international sovereignty through free association until they are extinguished according to the applicable laws of the United States. All services provided as part of these rights and benefits will be available through the Government of the nation of Puerto Rico according to agreements reached by the two nations.

Provides that all contributions made by employees and employers to Social Security with respect to residents of the nation of Puerto Rico, who are not yet eligible for old age, disability, or survivor's insurance benefits, be transferred to the Government of the nation of Puerto Rico once it establishes its own social security system. The Government of the nation of Puerto Rico may use these funds only to establish and operate a social security system. Once the transfer is made, the United States Government's obligations under the Social Security Act to such residents of the nation of Puerto Rico will end.

Provides that all Federal transfer payments to the territory of Puerto Rico are maintained in the form of annual block grants to be used by the Government of the nation of Puerto Rico. For ten fiscal years following the proclamation of international sovereignty through free association, the annual block grants will amount to the annual aggregate funding of either all programs that currently extend to the territory of Puerto Rico or all programs that will be extended during the fiscal year prior to the proclamation of international sovereignty through free association, whichever is greater. Beginning on the eleventh fiscal year, the annual block grants will decrease at a rate of ten percent each year.

Provides that the terms and conditions of this section may be revised by agreement under the Articles of Free Association.

TITLE III—TRANSITION AND IMPLEMENTATION—STATEHOOD

Section 301. Presidential proclamation; Admission into the Union.

Requires the President to issue a proclamation declaring the date that Puerto Rico is admitted as a State of the Union. This date must be within one year after the effective date of the plebiscite results in favor of statehood.

Provides that the territory of Puerto Rico will be a State of the United States of America, known as the State of Puerto Rico, and admitted into the Union on an equal footing with the other States upon the date selected by the President. Puerto Rico will remain unincorporated until its admission.

Section 302. Conforming amendments to existing law.

Directs the President to review Federal law with respect to Puerto Rico within 30 days of the certification of a plebiscite result in favor of statehood and submit

recommendations as the President deems appropriate to Congress for changes to Federal law within one year of initiating the review.

Section 303. Territory and boundaries.

Specifies the territory and boundaries of the State of Puerto Rico, including all the islands currently under Puerto Rico's jurisdiction.

Section 304. Constitution.

Declares the Constitution of the territory of Puerto Rico, previously found to be republican in form and aligned with the Constitution of the United States and the Declaration of Independence, is accepted as the Constitution of the State of Puerto Rico. Requires all future constitutions of the State of Puerto Rico also be republican in form and not contrary to the United States Constitution or the Declaration of Independence.

Section 305. Elections of Senators and Representatives, certification, and legal disputes.

Requires the Governor of Puerto Rico to announce the dates and other requirements for primary and general elections for representation in the Senate and the House of Representatives of the United States within one month of the President's proclamation to admit Puerto Rico as a state.

Provides that the office of the Resident Commissioner of Puerto Rico will cease to exist upon swearing in the first Representative from the State of Puerto Rico to the House of Representatives.

Provides for two senatorial offices separately identified and designated in the first election of Senators.

Provides that the State of Puerto Rico is entitled to the same number of Representatives as the State whose most recent census population was closest to, but less than, that of Puerto Rico in the first election of Representatives and subsequent elections until the next census-based reapportionment cycle. The addition of these Representatives will temporarily increase the membership of the House of Representatives prescribed by law. The State of Puerto Rico will subsequently be entitled to the number of Representatives provided for by applicable law based on the next reapportionment.

Requires the Elections Commission to certify the results of the primary and general elections for representation in Congress to the Governor and requires the Governor to declare and transmit the results within ten days of each certification.

Provides the United States District Court for the District of Puerto Rico jurisdiction over any dispute or controversy related to the electoral process.

Section 306. State title to land and property.

Provides that the State of Puerto Rico retains title to all property held by the territory of Puerto Rico on the date of admission of Puerto Rico into the Union. Any property that has been set aside for the use of the United States at the time of admission of Puerto Rico into the Union will remain the property of the United States.

Provides the State of Puerto Rico exclusive right to all seabed, natural, and mineral resources within three marine leagues (nine nautical miles) from its shore. All other rights of sovereignty regarding the continental shelf and waters will belong to the United States, except those already vested in Puerto Rico.

Section 307. Continuity of laws, government, and obligations.

Provides that all territorial laws existing upon the President's proclamation of Puerto Rico's admission into the Union will remain in place under State of Puerto Rico until the State amends, modifies, or repeals such laws. All United States laws will have the same force and effect within the State of Puerto Rico as in other states.

Provides that individuals holding legislative, executive, and judicial offices of the territory of Puerto Rico will continue their duties when Puerto Rico becomes a State of the Union.

Provides that all contracts, obligations, debts, and claims of the territory of Puerto Rico at the time of admission continue as those of the State of Puerto Rico.

Provides that all United States laws reserving free use or enjoyment of property that vests in or is conveyed to the State of Puerto Rico will cease to be effective.

Section 308. Judicial pronouncements.

Provides for all pending actions in any court of the territory of Puerto Rico to proceed within the appropriate State courts as established under the Constitution of the State of Puerto Rico or within the U.S. District Court for the District of Puerto Rico as appropriate.

Provides that all civil causes of action and criminal offenses that arise before admission but that do not have pending action at the time of admission will be subject to prosecution in the appropriate State courts or in the U.S. District Court for the District of Puerto Rico.

Provides parties with the same rights of judicial review and appeal regarding any case of the U.S. District Court for the District of Puerto Rico or the Supreme Court of Puerto Rico upon admission into the Union as before admission.

PUERTO RICO STATUS ACT—CITIZENSHIP PROVISIONS (ENGLISH)

H.R. 8393, THE PUERTO RICO STATUS ACT

Citizenship Provisions Explained

The *Puerto Rico Status Act* is a historic proposal that represents an offer from Congress to the people of Puerto Rico to make an informed choice on their political future.

The bill sets up a binding plebiscite in which Puerto Rico voters would select among three self-governing, non-territorial statuses: Independence, Sovereignty in Free Association with the United States, and Statehood. Importantly, the bill would implement the status option selected.

Citizenship Under the Bill Generally

Under Statehood, citizenship would operate in Puerto Rico as it does in the other fifty states.

Under Independence and Sovereignty in Free Association with the United States, Puerto Rican citizenship would be determined by the nation of Puerto Rico, and U.S. citizenship would be determined by Congress.

Generally, current law provides several scenarios for persons to be U.S. citizens when born outside of the United States to parents who are U.S. citizens. However, the new nation of Puerto Rico would be unique among foreign nations in that it would already be populated overwhelmingly by U.S. citizens. Keeping these default rules would prevent Puerto Rico from becoming a nation that is populated by a majority of its own citizens.

The bill's sponsors agree that causing the nation of Puerto Rico to remain indefinitely with a population that is the majority the citizens of the United States would not be in the interest of the nation of Puerto Rico or in the interest of the United States.

Accordingly, the bill would limit some of the scenarios in which persons born in the nation of Puerto Rico would be U.S. citizens at birth.

Background on U.S. Citizenship

The U.S. citizenship provisions in the bill require the following context regarding provisions of the Immigration and Nationality Act (INA).

INA § 301(a): INA section 301, subsection (a), implements the U.S. Constitution by providing U.S. citizenship at birth to persons born in the fifty states.

INA § 302: INA section 302 provides U.S. citizenship to persons born in the territory of Puerto Rico.

INA § 301(c), (d), and (g): These subsections regard births that occur *outside* of the United States:

- 301(c) grants U.S. citizenship when both parents are U.S. citizens. (At least one parent must have had a U.S. residence at some point.)
- 301(d) grants U.S. citizenship when one parent is a U.S. citizen and the other parent is a U.S. national but not a U.S. citizen. (The citizen parent must have been physically present in the United States for at least one continuous year at some point.)
- 301(g) grants U.S. citizenship when one parent is a U.S. citizen and the other parent is not a U.S. citizen or national. (The citizen parent must have been

physically present in the United States for at least five years, at least two of which were after reaching the age of 14.)

U.S. Citizenship in the Nation of Puerto Rico

Under Independence or Sovereignty in Free Association with the United States, the default in existing law would be that INA 301(c), (d), and (g) would apply to births in the nation of Puerto Rico just like those provisions apply to births in other foreign countries.

However, for the reasons discussed above, the bill modifies how INA 301(c), (d), and (g) would apply for purposes of births in the nation of Puerto Rico as follows.

- Under Independence, INA 301(c), (d), and (g) would not provide U.S. citizenship to a person born in the nation of Puerto Rico if one of the U.S. citizen parents obtained their citizenship under INA 302. (INA 301(c), (d), and (g) would remain applicable for persons born to parents who are U.S. citizens under provisions other than INA 302.)
- Under Sovereignty in Free Association with the United States, the bill provides for the same, with one key exception. During the *first* Articles of Free Association, INA 301(c) would remain available as in other foreign countries—that is, a person born in Puerto Rico to two U.S. citizens would be a U.S. citizen (regardless of whether the parents obtained their U.S. citizenships under INA 302 or under another provision of law).[1]

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[1] Reminder: The duration of the first Articles would be subject to negotiation between the countries and would require approval by Congress and by the people of Puerto Rico.

PUERTO RICO STATUS ACT—CITIZENSHIP PROVISIONS (SPANISH)

NATURAL RESOURCES
COMMITTEE
CHAIR RAÚL M. GRIJALVA

H.R. 8393, LA LEY DEL ESTATUS DE PUERTO RICO

Explicación de las disposiciones de ciudadanía

La *Ley del Estatus de Puerto Rico* es una propuesta histórica que representa una oferta del Congreso al pueblo de Puerto Rico para tomar una decisión informada sobre su futuro político.

El proyecto de ley establece un plebiscito vinculante en el que los votantes de Puerto Rico elegirían entre tres estatus políticos autónomos y no territoriales: Independencia, Soberanía en Libre Asociación con los Estados Unidos y Estadidad. El proyecto de ley implementaría la opción de estatus seleccionada.

Ciudadanía bajo el proyecto de ley en general

Bajo la Estadidad, la ciudadanía operaría en Puerto Rico como opera en los otros cincuenta estados.

Bajo la Independencia y Soberanía en Libre Asociación con los Estados Unidos, la ciudadanía puertorriqueña sería determinada por la nación de Puerto Rico, y la ciudadanía estadounidense sería determinada por el Congreso.

En general, la ley actual proporciona varios escenarios para que las personas sean ciudadanos estadounidenses cuando nacen fuera de los Estados Unidos de padres que son ciudadanos estadounidenses. Sin embargo, la nueva nación de Puerto Rico sería única entre las naciones extranjeras en que ya estaría poblada abrumadoramente por ciudadanos estadounidenses. Mantener estas reglas predeterminadas evitaría que Puerto Rico se convierta en una nación poblada por una mayoría de sus propios ciudadanos.

Los auspiciadores del proyecto de ley están de acuerdo en que hacer que la nación de Puerto Rico permanezca indefinidamente con una población que es en su mayoría de ciudadanos de los Estados Unidos no sería en el interés de la nación de Puerto Rico ni en el interés de los Estados Unidos.

Por consiguiente, el proyecto de ley limitaría algunos de los escenarios en los que las personas nacidas en la nación de Puerto Rico serían ciudadanos estadounidenses al nacer.

Trasfondo sobre la ciudadanía estadounidense

Las disposiciones de ciudadanía estadounidense en el proyecto de ley requieren el siguiente contexto con respecto a las disposiciones de la Ley de Inmigración y Nacionalidad (INA).

INA § 301(a): La sección 301, subsección (a) de INA implementa la Constitución de los EE. UU. al proporcionar la ciudadanía estadounidense al nacer a las personas nacidas en los cincuenta estados.

INA § 302: La sección 302 de INA otorga la ciudadanía estadounidense a las personas nacidas en el territorio de Puerto Rico.

INA § 301(c), (d) y (g): Estas subsecciones se refieren a los nacimientos que ocurren *fuera* de los Estados Unidos:

- 301(c) otorga la ciudadanía estadounidense cuando ambos padres son ciudadanos estadounidenses. (Al menos uno de los padres debe haber tenido residencia en los EE. UU. en algún momento).
- 301(d) otorga la ciudadanía estadounidense cuando uno de los padres es ciudadano estadounidense y el otro padre es nacional estadounidense pero no

ciudadano estadounidense. (El padre ciudadano debe haber estado físicamente presente en los Estados Unidos durante al menos un año continuo en algún momento).

- 301(g) otorga la ciudadanía estadounidense cuando uno de los padres es ciudadano estadounidense y el otro padre no es ciudadano ni nacional estadounidense. (El padre ciudadano debe haber estado físicamente presente en los Estados Unidos durante al menos cinco años, al menos dos de los cuales fueron después de cumplir los 14 años).

Ciudadanía estadounidense en la nación de Puerto Rico

Bajo la Independencia o Soberanía en Libre Asociación con los Estados Unidos, la ley existente por defecto sería que INA 301(c), (d) y (g) se aplicaría a los nacimientos en la nación de Puerto Rico al igual que esas disposiciones se aplican a nacimientos en otros países extranjeros.

Sin embargo, por las razones discutidas anteriormente, el proyecto de ley modifica cómo se aplicaría INA 301(c), (d) y (g) para los nacimientos en la nación de Puerto Rico de la siguiente manera.

- Bajo la Independencia, INA 301(c), (d) y (g) no proporcionaría la ciudadanía estadounidense a una persona nacida en la nación de Puerto Rico si uno de los padres ciudadanos estadounidenses obtuvo su ciudadanía bajo INA 302. (INA 301(c), (d) y (g) seguirían siendo aplicables a las personas nacidas de padres que son ciudadanos estadounidenses según disposiciones distintas de INA 302).
- Bajo la Soberanía en Libre Asociación con los Estados Unidos, el proyecto de ley prevé lo mismo, con una excepción clave. Durante los *primeros* Artículos de Libre Asociación, INA 301(c) permanecería disponible como en otros países extranjeros—es decir, una persona nacida en Puerto Rico de dos ciudadanos estadounidenses sería ciudadano estadounidense (independientemente de si los padres obtuvieron su ciudadanía estadounidense bajo INA 302 o bajo otra disposición de ley).[1]

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[1] Un recordatorio: La duración de los primeros artículos estaría sujeta a negociación entre los países y requeriría la aprobación del Congreso y del pueblo de Puerto Rico.

PUERTO RICO STATUS ACT—FREQUENTLY ASKED QUESTIONS (ENGLISH)

NATURAL RESOURCES
COMMITTEE
CHAIR RAÚL M. GRIJALVA

H.R. 8393, PUERTO RICO STATUS ACT

Frequently Asked Questions

1. What opportunities were available to residents of Puerto Rico and other members of the public to provide input on this legislation?

This Congress, the House Committee on Natural Resources held two hearings on bills relating to Puerto Rico's political status that eventually became the *Puerto Rico Status Act*. The first hearing, held on April 14, 2021, included testimony from elected officials and legal experts. The second hearing, held on June 16, 2021, included testimony from residents and human rights and legal experts. All witnesses were provided the opportunity to give their testimony in Spanish with the assistance of an interpreter.

On May 19, 2022, the Committee on Natural Resources released a discussion draft of the *Puerto Rico Status Act* and made it available on an online portal for public comment, which was followed by an unofficial Spanish translation of the discussion draft. Approximately 120 online comments were ultimately submitted in response to the request for public input.

On June 2, 2022, a congressional delegation including Chair Raúl M. Grijalva (D-AZ), Rep. Nydia M. Velázquez (D-NY), Rep. Jenniffer González-Colón (R-PR), and Rep. Alexandria Ocasio-Cortez (D-NY) visited Puerto Rico to receive feedback on the discussion draft. On June 2, 3, and 4, the delegation met with representatives of the Popular Democratic Party, Puerto Rican Independence Party, New Progressive Party, Citizens' Victory Movement, Project Dignity Party, Puerto Rico Democratic Party, and Puerto Rico Republican Party. On June 4, 2022, the delegation also hosted a Congressional Public Input Forum. Registration for the event was open to the public and all attendees were provided an opportunity to join a panel to provide testimony and respond to the delegation's questions. Over the course of more than four hours, 38 witnesses provided testimony and 56 members of the public provided written comments. All witnesses were provided the opportunity to give their testimony and provide written comments in Spanish.

2. Why is territory status not included among the political status options on the plebiscite ballot?

The intent of this legislation is to establish a path for decolonizing Puerto Rico from the territorial status that it has held for more than a century. The non-territorial status options made available to Puerto Rico through this Act—Independence; Sovereignty in Free Association with the United States; and Statehood—are the only non-territorial political status options acceptable under the United States Constitution and international law that would address the second-class treatment Puerto Rico receives due to its present territory status.

Under territory status, Puerto Rico's residents are denied access to certain federal services and benefits and are unable to participate in U.S. presidential elections or have voting representation in Congress. At the same time, Puerto Rico currently does not have the full powers that devolve upon a sovereign nation to enter into relations with other nations or international organizations. The preservation of Puerto Rico's territory status would not resolve these issues and including territory status among the options to be selected by voters would undermine the overall intent of the legislation.

3. Why are Puerto Ricans residing in the states or abroad unable to participate in the plebiscite?

"Eligible voters" in this bill are defined as bona fide residents of Puerto Rico who are otherwise qualified to vote in general elections in Puerto Rico. This definition respects the electoral laws of the Government of Puerto Rico.

The U.S. House of Representatives has overwhelmingly rejected past recommendations to expand voter eligibility to individuals residing outside of Puerto Rico within previous legislation regarding Puerto Rico's political status.

4. In the event a majority of voters choose Independence or Sovereignty in Free Association with the United States, why does a transition to these status options require a constitutional convention?

The federal government has a responsibility to the U.S. citizens residing in Puerto Rico to facilitate a stable and orderly transition. Should one of those options be selected by a majority of voters, a constitutional convention is necessary to ensure a rigorous and democratic process is in place for drafting a constitution for the nation of Puerto Rico so it may successfully transition to an independent or freely associated status.

5. In the event a majority of voters choose Independence or Sovereignty in Free Association with the United States, why does a transition to these status options provide financial support to Puerto Rico?

The federal government has a responsibility to resolve Puerto Rico's political status in recognition of the United States acquiring Puerto Rico by conquest, not consent, more than a century ago. If Independence or Sovereignty in Free Association with the United States is selected by a majority of voters, this responsibility would be carried out through the provision of temporary support, in the form of federal transfer payments and economic benefits to the nation of Puerto Rico, to facilitate a stable transition.

6. Why is the process for obtaining U.S. citizenship different for Puerto Rico compared to other countries under Independence and Sovereignty in Free Association with the United States?

Generally, current law provides several scenarios for persons to be U.S. citizens when born outside of the United States to parents who are U.S. citizens. However, the new nation of Puerto Rico would be unique among foreign nations in that it would already be populated overwhelmingly by U.S. citizens.

Keeping these default rules would prevent Puerto Rico from becoming a nation that is populated by a majority of its own citizens. Therefore, the bill proposes limitations to some of the scenarios in which persons born in the nation of Puerto Rico would be U.S. citizens at birth. For more information about the citizenship provisions in the bill, see: https://naturalresources.house.gov/imo/media/doc/Puerto%20Rico%20Status%20Act%20-%20citizenship%20one-pager.pdf

7. What is the difference between Independence and Sovereignty in Free Association regarding the transferring of U.S. citizenship from a parent to their child?

Under Independence and Sovereignty in Free Association with the United States, Puerto Rican citizenship would be determined by the nation of Puerto Rico, and U.S. citizenship would be determined by the U.S. Congress.

For more information about the citizenship provisions in the bill, see https://naturalresources.house.gov/imo/media/doc/Puerto%20Rico%20Status%20Act%20-%20citizenship%20one-pager.pdf

8. If a majority of eligible voters in Puerto Rico choose Statehood, will the transition process for admitting Puerto Rico as a state occur within one year?

This bill recognizes that any of the three non-territorial status options—Independence, Sovereignty in Free Association with the U.S., and Statehood—will require contingent federal laws to facilitate Puerto Rico's full transition to a new political status.

Under the transition process of the three non-territorial status options, the President must conduct a review of federal law to address and resolve any conflicts between the laws of the United States and the laws of the state or nation of Puerto Rico. The President must then submit recommendations to Congress for changes to federal law within a year of initiating the review. This review process ensures that appropriate changes are made by Congress to avoid disruptions to the implementation of the status option selected by voters in the federal plebiscite.

AMENDMENTS TO H.R. 8393 FILED BY MEMBERS

BOEBERT—AMENDMENT #4

Amendment to the Amendment in the Nature of a Substitute to H.R. 8393 Offered by Mrs. Boebert of Colorado

On page 14, strike section 8.

On pages 14 and 15, renumber sections 9 through 11 as 8 through 10, accordingly.

HICE—AMENDMENT #45

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8393 OFFERED BY MR. HICE OF GEORGIA

Add at the end of title I the following:

SEC. ___. PROHIBITION ON ACCEPTANCE OF FUNDS FROM CHINA.

Notwithstanding any other provision of this title, the President may not issue a proclamation under section 107 unless Puerto Rico commits to not accepting any assistance relating to debt service from the Government of China or any person associated with that Government.

Add at the end of title II the following:

SEC. ___. PROHIBITION ON ACCEPTANCE OF FUNDS FROM CHINA.

Notwithstanding any other provision of this title, the President may not issue a proclamation under section 205 unless Puerto Rico commits to not accepting any assistance relating to debt service from the Government of China or any person associated with that Government.

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HICE—AMENDMENT #46

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8393 OFFERED BY MR. HICE OF GEORGIA

At the end of title I, add the following:

SEC. ___. RETENTION OF ASSETS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Notwithstanding any other provision of this title, the property, rights, and interests of the United States in any national security infrastructure or assets in Puerto Rico that are under the management, control, or operation of the Department of Defense as of the day before the date of the enactment of this Act may not be transferred to the independent nation of Puerto Rico, including the following:

(1) Fort Buchanan.

(2) Camp Santiago Army Base.

(3) Fort Allen Army Base.

(4) Coast Guard Air Station Borinquen.

(5) Coast Guard Station San Juan.

(6) Any other asset the Secretary of Defense or the Secretary of Homeland Security determines critical to the national security of the United States as of such date of enactment.

(b) AUTHORITY FOR CLOSURE.—Notwithstanding the requirements under subsection (a), the Secretary of Defense is authorized to close or transition control over any military or national security asset of the United States that the Secretary determines to be unnecessary to maintain after the proclamation of independence of Puerto Rico.

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HICE—AMENDMENT #47

Amendment to the Amendment in the Nature of a Substitute to H.R. 8393 Offered by Mr. Hice of Georgia

On page 2, the Table of Contents are amended to add at the end the following——

"TITLE IV—ENACTMENT

"Sec. 401. Condition for Enactment."

On page 57, following line 3, insert the following——

"Title IV—Enactment

"Sec. 401. Condition for Enactment.—This Act shall not take effect until the territory of Puerto Rico has repaid in full the debt such territory has as of the day before the date of enactment of this Act."

HICE—AMENDMENT #48

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8393 OFFERED BY MR. HICE OF GEORGIA

At the end of title I, add the following:

SEC. ___. CONTINUITY OF OBLIGATIONS.

All contracts, obligations, liabilities, debts, and claims of the territory of Puerto Rico and its instrumentalities at the moment of independence shall continue in full force and effect as the contracts, obligations, liabilities, debts, and claims of the nation of Puerto Rico and its instrumentalities when Puerto Rico becomes an independent nation.

At the end of title II, add the following:

SEC. ___. CONTINUITY OF OBLIGATIONS.

All contracts, obligations, liabilities, debts, and claims of the territory of Puerto Rico and its instrumentalities at the moment of independence shall continue in full force and effect as the contracts, obligations, liabilities, debts, and claims of the nation of Puerto Rico and its instrumentalities when Puerto Rico becomes an independent nation.

At the end of title III, add the following:

SEC. ___. CONTINUITY OF OBLIGATIONS.

All contracts, obligations, liabilities, debts, and claims of the territory of Puerto Rico and its instrumentalities at the moment of statehood shall continue in full force and effect as the contracts, obligations, liabilities, debts, and claims of the State of Puerto Rico and its instrumentalities when Puerto Rico becomes a State of the Union.

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HICE—AMENDMENT #49

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8393 OFFERED BY MR. HICE OF GEORGIA

At the end of title I, add the following:

SEC. ___. EXTRADITION TREATY REQUIRED.

A proclamation under section 107 may not be issued until Puerto Rico commits to signing an extradition treaty with the United States.

☒

HICE—AMENDMENT #50

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8393 OFFERED BY MR. HICE OF GEORGIA

After section 11, insert the following:

SEC. ___. REQUIREMENT TO REIMBURSE DISASTER RELIEF ASSISTANCE.

(a) REIMBURSEMENT REQUIRED.—This Act and the authorities provided by this Act—

(1) shall not take effect until Puerto Rico reimburses the Federal Emergency Management Agency in an amount equal to the total funding provided for the purpose of repairing infrastructure projects or emergency work incurred from natural disasters that occurred between October 1, 2014, and September 30, 2022; and

(2) shall cease to have effect if more than 2 consecutive payments for such reimbursement are missed beginning after the date of the enactment of this Act.

(b) ADDITIONAL CONSTRAINTS ON ASSISTANCE.—If the consecutive payments described in subsection (a) are missed, no Federal funds area may be made available to carry out this Act or to otherwise provide financial aid

or loans to Puerto Rico until the date on which such missed payments are restored.

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MCCLINTOCK—AMENDMENT #70

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8393 OFFERED BY MR. MCCLINTOCK OF CALIFORNIA

After section 11, insert the following:

SEC. ___. COMMONWEALTH OPTION.

In addition to the options listed in section 4, the plebiscite shall offer the option of retaining its present political status as a commonwealth.

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MCCLINTOCK—AMENDMENT #71

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8393 OFFERED BY MR. MCCLINTOCK OF CALIFORNIA

After section 11, insert the following:

SEC. ___. NEGATIVE OPTION.

In addition to the options listed in section 4, the plebiscite shall offer an option at the end to indicate that the voter would prefer "none of the above".

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MCCLINTOCK—AMENDMENT #72

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8393 OFFERED BY MR. MCCLINTOCK OF CALIFORNIA

After section 11, insert the following:

SEC. ___. TWO-THIRDS MAJORITY REQUIRED.

Notwithstanding section 4(a), a status option may only be treated as approved if it receives two thirds of the valid votes cast in a plebiscite or runoff plebiscite.

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MCCLINTOCK—AMENDMENT #74

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8393 OFFERED BY MR. MCCLINTOCK OF CALIFORNIA

At the end of title III, insert the following:

SEC. ___. ENGLISH LANGUAGE REQUIRED.

The presidential proclamation required by section 301(1) may not be issued before the date on which the President certifies to Congress that—

(1) English is the official language of all business and communication of the Federal Government of the United States and all communications with the Federal Government shall be in English unless generally applicable Federal law provides otherwise;

(2) Puerto Rico, as a new State, will promote English as the official language of the State government, courts, and agencies;

(3) English will be the language of instruction in public schools in the new State; and

(4) the official functions of the government of the new State will be conducted in English.

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MCCLINTOCK—AMENDMENT #75

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8393 OFFERED BY MR. MCCLINTOCK OF CALIFORNIA

After section 11, insert the following:

SEC. ___. CONGRESSIONAL RATIFICATION REQUIRED.

The result of a plebiscite under section 4 may not be certified before the date on which each House of Congress approves, by a two-thirds majority vote, the result of the plebiscite.

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TIFFANY—AMENDMENT #9

Amendment to the Amendment in the Nature of a Substitute to H.R. 8393 Offered by Mr. Tiffany of Wisconsin

On page 7, line 25, strike "Individuals born in Puerto Rico to parents".

On page 8, strike lines 1 through 5.

On page 37, lines 24 through 25, strike "Except as described in paragraph (2),".

On page 38, strike lines 9 through 15.

TIFFANY—AMENDMENT #10

Amendment to the Amendment in the Nature of a Substitute to H.R. 8393 Offered by Mr. Tiffany of Wisconsin

On page 25, strike lines 13 through 25.

On page 26, strike lines 1 through 17.

On page 38, strike lines 16 through 25.

On page 39, strike lines 1 through 22.

WESTERMAN—AMENDMENT #2

Amendment to the Amendment in the Nature of a Substitute to H.R. 8393 Offered by Mr. Westerman of Arkansas

On Page 28, strike lines 17 through 25.

On Page 29, strike lines 1 through 15.

On Page 45, strike lines 9 through 24.

On Page 46, strike lines 1 through 9.

WESTERMAN—AMENDMENT #7

Amendment to the Amendment in the Nature of a Substitute to H.R. 8393 Offered by Mr. Westerman of Arkansas

In Title I——

Strike Sections 101, 102, 103, 104, 106, and 109.

On page 27, line 21, strike "All services which must be rendered" through line 24.

On page 28, line 10, strike "The Government of the nation of Puerto Rico" through line 12.

Renumber Sections 105, 107, and 108 accordingly.

In Title II——

Strike Sections 201, 202, 203, and 204.

On page 35, strike lines 13 through 25;

On page 36——

On line 1, strike "(c)" and insert "(a)";

On line 4, strike "All proceedings pending" through the end of section 207.

On page 44, line 14, strike "All" through line 18.

On page 45, lines 2 through 5, strike "The Government of the nation of Puerto Rico may not use these funds for any purpose other than the establishment and operation of a social security system."

Renumber Sections 205, 207, and 208 accordingly.

WESTERMAN—AMENDMENT #12

Amendment to the Amendment in the Nature of a Substitute to H.R. 8393 Offered by Mr. Westerman of Arkansas

On page 2, the Table of Contents are amended to add at the end the following——

"TITLE IV—ENACTMENT

"Sec. 401. Condition for Enactment."

On page 57, following line 3, insert the following——

"Title IV—Enactment

"Sec. 401. Condition for Enactment.—This Act shall not take effect until the terms of Section 209 of the Puerto Rico Oversight, Management, and Economic Stability Act (Pub. L. 114–187) have been satisfied."

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8393

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AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 8393 OFFERED BY MR. GRIJALVA OF ARIZONA

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Puerto Rico Status Act".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Findings.
Sec. 4. Definitions.
Sec. 5. Plebiscite.
Sec. 6. Nonpartisan voter education campaign.
Sec. 7. Oversight.
Sec. 8. Funds for voter education; plebiscites.
Sec. 9. Bilingual voter educational materials and ballots.
Sec. 10. Puerto Rico Oversight, Management, and Economic Stability Act.
Sec. 11. Severability.

TITLE I—TRANSITION AND IMPLEMENTATION — INDEPENDENCE

Sec. 101. Constitutional convention.
Sec. 102. Character of the constitution.
Sec. 103. Submission; ratification.
Sec. 104. Election of officers.
Sec. 105. Conforming amendments to existing law.
Sec. 106. Joint Transition Commission.
Sec. 107. Proclamations by President of the United States; Head of State of Puerto Rico.
Sec. 108. Legal and constitutional provisions.
Sec. 109. Judicial pronouncements.
Sec. 110. Citizenship and immigration laws after Puerto Rican independence.
Sec. 111. Individual rights to economic benefits and grants.

TITLE II—TRANSITION AND IMPLEMENTATION — SOVEREIGNTY IN FREE ASSOCIATION WITH THE UNITED STATES

Sec. 201. Constitutional convention.
Sec. 202. Character of the constitution.
Sec. 203. Submission; ratification.
Sec. 204. Election of officers.
Sec. 205. Proclamations by President of the United States; Head of State of Puerto Rico.
Sec. 206. Legal and constitutional provisions.
Sec. 207. Judicial pronouncements.
Sec. 208. Citizenship and immigration laws after sovereignty through free association.
Sec. 209. Conforming amendments to existing law.
Sec. 210. Bilateral Negotiating Commission.
Sec. 211. Articles of Free Association approval and effective date.
Sec. 212. Termination.
Sec. 213. Individual rights to economic benefits and grants.

TITLE III—TRANSITION AND IMPLEMENTATION — STATEHOOD

Sec. 301. Presidential proclamation; Admission into the Union.
Sec. 302. Conforming amendments to existing law.
Sec. 303. Territory and boundaries.
Sec. 304. Constitution.
Sec. 305. Elections of Senators and Representatives, certification, and legal disputes.
Sec. 306. State title to land and property.
Sec. 307. Continuity of laws, government, and obligations.
Sec. 308. Judicial pronouncements.

SEC. 3. FINDINGS.

In recognition of the inherent limitations of Puerto Rico's territorial status, and the responsibility of the Federal Government to enable the people of the territory to freely express their wishes regarding political status and achieve full self-government, Congress seeks to enable the eligible voters of Puerto Rico to choose a permanent, nonterritorial, fully self-governing political status for Puerto Rico and to provide for a transition to and the implementation of said permanent, nonterritorial, fully self-governing status.

SEC. 4. DEFINITIONS.

In this Act:

(1) BILATERAL NEGOTIATING COMMISSION.—The term ''Bilateral Negotiating Commission'' means the Bilateral Negotiating Commission established under section 209(a).

(2) ELECTIONS COMMISSION.—The term ''Elections Commission'' means the Puerto Rico State Elections Commission (Comisión Estatal de Elecciones de Puerto Rico, in Spanish).

(3) ELIGIBLE VOTERS.—The term ''eligible voters'' means bona fide residents of Puerto Rico who are otherwise qualified to vote in general elections in Puerto Rico.

(4) INITIAL PLEBISCITE.—The term ''initial plebiscite'' means the plebiscite required by section 5(a)(1).

(5) MAJORITY.—The term ''majority'' means more than 50 percent.

(6) RUNOFF PLEBISCITE.—The term ''runoff plebiscite'' means the plebiscite required by section 5(a)(4).

SEC. 5. PLEBISCITE.

(a) IN GENERAL.—

(1) INITIAL PLEBISCITE.—A plebiscite to resolve Puerto Rico's political status shall be held on November 5, 2023.

(2) OPTIONS.—The plebiscite held under paragraph (1) shall offer eligible voters a choice of one of the three options which shall be presented on the ballot as follows:

(A) Independence.

(B) Sovereignty in Free Association with the United States.

(C) Statehood.

(3) MAJORITY VOTE REQUIRED.—Approval of a status option must be by a majority of the valid votes cast.

(4) RUNOFF PLEBISCITE.—If there is not a majority in favor of one of the three options defined in this Act, then a runoff plebiscite shall be held on March 3, 2024, which shall offer eligible voters a choice of the two options that received the most votes in the plebiscite held under paragraph (1).

(b) BALLOT LANGUAGE.—A ballot for a plebiscite required by subsection (a) shall include the following language, except that the ballot for the runoff plebiscite shall omit the option that received the fewest votes in the initial plebiscite:

(1) INSTRUCTIONS.—Mark the status option you choose as each is defined below. A ballot with more than 1 option marked will not be counted. A ballot with no option marked will not be counted.

(2) INDEPENDENCE.—If you agree, mark here _____.

(A) Puerto Rico is a sovereign nation that has full authority and responsibility over its territory and population under a constitution of its own adoption which shall be the supreme law of the nation.

(B) Puerto Rico is vested with full powers and responsibilities consistent with the rights and responsibilities that devolve upon a sovereign nation under international law, including its own fiscal and monetary policy, immigration, trade, and the conduct in its own name and right of relations with other nations and international organizations.

(C) Puerto Rico has full authority and responsibility over its citizenship and immigration laws, and birth in Puerto Rico or relationship to persons with statutory United States citizenship by birth in the former territory shall cease to be a basis for United States nationality or

citizenship, except that persons who have such United States citizenship have a right to retain United States nationality and citizenship for life, by entitlement or election as provided by Federal law.

(D) Puerto Rico will no longer be a possession of the United States for purposes of the Internal Revenue Code. In general, United States citizens and United States businesses in the nation of Puerto Rico will be subject to United States Federal tax laws (as is the case with any other United States citizen or United States business abroad) and to Puerto Rican tax laws. Puerto Rico's status as an independent, sovereign nation will be the controlling factor in the taxation of Puerto Rican taxpayers.

(E) The Constitution and laws of the United States no longer apply in Puerto Rico and United States sovereignty in Puerto Rico is ended.

(3) SOVEREIGNTY IN FREE ASSOCIATION WITH THE UNITED STATES.—If you agree, mark here _____.

(A) Puerto Rico is a sovereign nation that has full authority and responsibility over its territory and population under a constitution of its own adoption which shall be the supreme law of the nation.

(B) Puerto Rico is vested with full powers and responsibilities consistent with the rights and responsibilities that devolve upon a sovereign nation under international law, including its own fiscal and monetary policy, immigration, trade, and the conduct in its own name and right of relations with other nations and international organizations, except as otherwise provided for in the Articles of Free Association to be negotiated by Puerto Rico and the United States.

(C) Puerto Rico has full authority and responsibility over its citizenship and immigration laws, and persons who have United States citizenship have a right to retain United States nationality and citizenship for life by entitlement or election as provided by Federal law.

(D) Birth in Puerto Rico shall cease to be a basis for United States nationality or citizenship. Individuals born in Puerto Rico to parents

both of whom are United States citizens shall be United States citizens at birth, consistent with the immigration laws of the United States, for the duration of the first agreement of the Articles of Free Association.

(E) Puerto Rico enters into Articles of Free Association with the United States, with such devolution and reservation of governmental functions and other bilateral arrangements as may be agreed to by both Parties under the Articles, which shall be terminable at will by either the United States or Puerto Rico at any time.

(F) Puerto Rico will no longer be a possession of the United States for purposes of the Internal Revenue Code. In general, United States citizens and United States businesses in the nation of Puerto Rico will be subject to United States Federal tax laws (as is the case with any other United States citizen or United States business abroad) and to Puerto Rican tax laws. Puerto Rico's status as an independent, sovereign nation will be the controlling factor in the taxation of Puerto Rican taxpayers. In addition, Puerto Rico will enter into

an agreement with the United States to provide for "Sovereignty in Free Association" between the two nations. This agreement may modify the otherwise applicable tax rules, subject to negotiation and ratification by the two nations.

(G) The Constitution of the United States no longer applies in Puerto Rico, the laws of the United States no longer apply in Puerto Rico except as otherwise provided in the Articles of Free Association, and United States sovereignty in Puerto Rico is ended.

(H) All matters pertaining to the government-to-government relationship between Puerto Rico and the United States, which may include foreign affairs, trade, finance, taxation, currency, economic assistance, security and defense, dispute resolution and termination, shall be provided for in the Articles of Free Association.

(4) STATEHOOD.—If you agree, mark here _____.

(A) The State of Puerto Rico is admitted into the Union on an equal footing with the other States in all respects whatever and is a part of the permanent union of the United

States of America, subject to the United States Constitution, with powers not prohibited by the Constitution to the States and reserved to the State of Puerto Rico or to its residents.

(B) The residents of Puerto Rico are fully self-governing with their rights secured under the United States Constitution, which shall be fully applicable in Puerto Rico and which, with the laws and treaties of the United States, is the supreme law and has the same force and effect in Puerto Rico as in the other States of the Union.

(C) United States citizenship of those born in Puerto Rico is recognized, protected, and secured under the United States Constitution in the same way such citizenship is for all United States citizens born in the other States.

(D) Puerto Rico will no longer be a possession of the United States for purposes of the Internal Revenue Code. Instead, the State of Puerto Rico will become a State on equal footing with each of the current 50 States in the United States of America. Individuals and businesses resident in the State of Puerto Rico will

be subject to United States Federal tax laws as well as applicable State tax laws.

(c) IMPLEMENTATION OF PLEBISCITE.—The plebiscites authorized by this section shall be implemented by the Elections Commission, consistent with the laws of Puerto Rico and Federal law.

(d) RESULTS.—The Elections Commission shall inform the President of the United States, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Senate Committee on Energy and Natural Resources, and the House Committee on Natural Resources of—

(1) the results of the initial plebiscite not later than 30 calendar days after the initial plebiscite is held; and

(2) the results of the runoff plebiscite, if held, not later than 30 calendar days after the runoff plebiscite is held.

(e) JURISDICTION OF DISTRICT COURT.—The United States District Court for the District of Puerto Rico shall have original and exclusive jurisdiction of any civil action alleging a dispute or controversy pertaining to electoral processes conducted under this section.

SEC. 6. NONPARTISAN VOTER EDUCATION CAMPAIGN.

(a) IN GENERAL.—The Elections Commission shall carry out a nonpartisan voter education campaign through traditional paid media and make available at all voting locations voter education materials related to the plebiscites authorized under this Act consistent with Department of Justice approval under section 7.

(b) VOTER EDUCATION MATERIALS.—At a minimum, the voter education materials shall address for each option—

(1) international representation;

(2) citizenship and immigration; and

(3) access and treatment under Federal law and programs.

SEC. 7. OVERSIGHT.

(a) SUBMISSION OF MATERIALS.—Not later than 60 days after the date of the enactment of this Act, the Elections Commission shall submit the ballot design and voter education materials for the plebiscites authorized under this Act to the United States Attorney General for review and the Elections Commission shall make not more than one submission of the ballot design and voter education materials to the Attorney General for review.

(b) EFFECT OF FAILURE TO COMPLY.—If the Attorney General fails to comply with subsection (c) within the

45-day period, the ballot design and voter education materials shall be considered approved.

(c) REVIEW.—Not later than 45 days after receiving the ballot design and voter education materials under subsection (a), the Attorney General shall review the ballot design and voter education materials to ensure consistency with this Act and to ensure that the three options defined in this Act are represented fairly, especially in the event that any of the three options are not represented on the Elections Commission by a member of a political party that supports such option, and—

(1) return the materials to the Elections Commission with comments and instructions for changes; or

(2) before the expiration of the 45-day period, inform the Elections Commission that no instructions or requests for changes shall be made under paragraph (1), but that the Attorney General reserves the right to submit instructions for changes in accordance with this section if additional information comes to the attention of the Attorney General during the remainder of the 45-day period.

(d) REVISION.—Not later than 45 days after receiving comments and instructions for changes from the Attorney General under subsection (c), the Elections Com-

mission shall revise the ballot design and voter education materials as requested by the Attorney General.

SEC. 8. FUNDS FOR VOTER EDUCATION; PLEBISCITES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as are necessary for the Elections Commission to carry out a nonpartisan voter education campaign and an initial plebiscite and, if necessary, a runoff plebiscite under this Act.

(b) EXISTING FUNDS.—Notwithstanding any provision of Public Law 113–76, funds made available under such Act to carry out a plebiscite on Puerto Rico's status shall be made available to carry out this Act.

SEC. 9. BILINGUAL VOTER EDUCATIONAL MATERIALS AND BALLOTS.

All voter educational materials and ballots used to carry out this Act shall be made available in English and Spanish.

SEC. 10. PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT.

Upon the admission of the State of Puerto Rico into the Union or on the date that the Government of the nation of Puerto Rico initially takes office:

(1) IN GENERAL.—The Puerto Rico Oversight, Management, and Economic Stability Act (48 U.S.C. 2101 et seq.) shall no longer apply to the

State of Puerto Rico or the nation of Puerto Rico, as the case may be.

(2) OVERSIGHT BOARD.—The Financial Oversight and Management Board for Puerto Rico established under section 101(b)(1) of the Puerto Rico Oversight, Management, and Economic Stability Act (48 U.S.C. 2121(b)(1)) is terminated and all duties and responsibilities assigned to the Oversight Board shall return to the State of Puerto Rico or the nation of Puerto Rico, as the case may be.

(3) TRANSFER.—All funds, property, and assets of the board described in subparagraph (B) shall be transferred to the State of Puerto Rico or the nation of Puerto Rico, as the case may be.

SEC. 11. SEVERABILITY.

If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, or the application thereof to any person or circumstance is held invalid by a court of jurisdiction, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase, or individual word to other persons and circumstances shall not be affected thereby.

TITLE I—TRANSITION AND IMPLEMENTATION — INDEPENDENCE

SEC. 101. CONSTITUTIONAL CONVENTION.

(a) ELECTION OF DELEGATES.— Not later than 6 months after the effective date of certification of a plebiscite result under this Act in favor of independence, the legislature of Puerto Rico shall provide for the election of delegates to a constitutional Convention to formulate and draft a Constitution for the nation of Puerto Rico.

(b) ELIGIBLE VOTERS.—All eligible voters may vote in the election of delegates to the constitutional Convention.

(c) GENERAL APPLICABILITY OF ELECTORAL LAW.—The laws of the territory of Puerto Rico relating to the electoral process shall apply to a special election held under this Act.

(d) INITIAL MEETING.—Not later than 3 months after the election of delegates to the constitutional Convention, the elected delegates shall meet at such time and place as the legislature of Puerto Rico shall determine. The initial meeting shall constitute the establishment of the constitutional Convention.

SEC. 102. CHARACTER OF THE CONSTITUTION.

The constitutional Convention under section 101 shall formulate and draft a Constitution for Puerto Rico that guarantees the protection of fundamental human rights, including—

(1) due process and equal protection under the law;

(2) freedom of speech, press, assembly, association, and religion;

(3) the rights of the accused;

(4) any other economic, social, and cultural rights as the constitutional Convention may deem appropriate and necessary; and

(5) provisions to ensure that no individual born in the nation of Puerto Rico shall be stateless at birth.

SEC. 103. SUBMISSION; RATIFICATION.

(a) SUBMISSION.—Not later than one year after the establishment of the constitutional Convention, the Constitution formulated and drafted by the constitutional Convention shall be submitted to the eligible voters of Puerto Rico for ratification or rejection in a special election.

(b) MANNER OF ELECTION.—The special election held under this subsection shall be held in the manner prescribed by the legislature of Puerto Rico.

SEC. 104. ELECTION OF OFFICERS.

(a) IN GENERAL.—Not later than one month after the ratification of the Constitution under section 103, the Governor of the territory of Puerto Rico shall issue a proclamation calling for the election of such officers of the nation of Puerto Rico as may be required by the ratified Constitution.

(b) REJECTION.—If the special election results in rejection of the Constitution, the process provided for in sections 101 through 103 shall be repeated, except that section 101(a) shall be applied by substituting—

(1) ''the special election'' for ''a plebiscite''; and

(2) ''rejecting of the Constitution'' for ''in favor of independence''.

(c) DEADLINE; PROCEDURES.—The election under subsection (a) shall be held—

(1) not later than 6 months after the date of ratification of the Constitution; and

(2) in accordance with the procedures and requirements established in the Constitution of the nation of Puerto Rico.

(d) CERTIFICATION OF RESULTS.—Not later than 10 days after the election of officers under subsection (a), the Elections Commission shall certify the results of the election. The Governor of the territory of Puerto Rico shall inform the results of the election to the President of the

United States, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committee on Natural Resources of the House of Representatives.

SEC. 105. CONFORMING AMENDMENTS TO EXISTING LAW.

(a) REVIEW.—Not later than 30 days after the initial meeting of a constitutional Convention under section 101(d), the President shall initiate a review of Federal law with respect to Puerto Rico, including those regarding—

(1) taxation of persons and businesses;

(2) health care;

(3) housing;

(4) transportation;

(5) education; and

(6) entitlement programs.

(b) RECOMMENDATIONS.—Not later than one year after the date on which the President initiates a review under subsection (a), the President shall submit recommendations to Congress for changes to Federal law identified during such review, as the President deems appropriate.

SEC. 106. JOINT TRANSITION COMMISSION.

(a) APPOINTMENT.—Not later than 3 months after the establishment of a constitutional Convention under

section 101(d), a Joint Transition Commission shall be appointed in equal numbers by the President of the United States and the presiding officer of the Constitutional Convention of Puerto Rico.

(b) DUTIES.—The Joint Transition Commission shall be responsible for expediting the orderly transfer of all functions currently exercised by the Federal Government in Puerto Rico, or in relation to Puerto Rico to the nation of Puerto Rico, and shall recommend to Congress any appropriate legislation to carry out such transfer.

(c) COLLABORATION.—The Government of the territory of Puerto Rico and the agencies of the Government of the United States shall collaborate with the Joint Transition Commission and subsequently the officers of the nation of Puerto Rico, to provide for the orderly transfer of the functions under subsection (b).

SEC. 107. PROCLAMATIONS BY PRESIDENT OF THE UNITED STATES; HEAD OF STATE OF PUERTO RICO.

(a) PROCLAMATION.—Not later than one month after the official certification of the elected officers of the nation of Puerto Rico under section 104(d), the President of the United States shall by proclamation—

(1) withdraw and surrender all rights of possession, supervision, jurisdiction, control, or sovereignty

then existing and exercised by the United States over the territory and residents of Puerto Rico;

(2) recognize, on behalf of the United States of America, the independence of the nation of Puerto Rico and the authority of the government instituted by eligible voters of Puerto Rico under the Constitution of their own adoption; and

(3) state that the effective date of withdrawal of the sovereignty of the United States and recognition of independence shall be the same as the date of the proclamation.

(b) COPY OF PROCLAMATION FORWARDED.—The President of the United States shall forward a copy of the proclamation issued under subsection (a) not later than one week after signature to the presiding officer of the Constitutional Convention of Puerto Rico, the officer elected as head of state of the nation, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Senate Committee on Energy and Natural Resources, and the House Committee on Natural Resources.

(c) DATE GOVERNMENT TO TAKE OFFICE.—Not later than one week after the date of receipt of the Presidential proclamation and with the advice of the officer elected as head of state of the nation, the presiding officer

of the constitutional Convention shall determine the date on which the Government of the nation shall take office, and shall so notify the Governor of the territory of Puerto Rico, the President of the United States, the President pro tempore of the United States Senate, and the Speaker of the United States House of Representatives.

SEC. 108. LEGAL AND CONSTITUTIONAL PROVISIONS.

Upon the proclamation of independence as provided in this Title, and except as otherwise provided in this Title or in any separate agreements thereafter concluded between the United States and the nation of Puerto Rico—

(1) all property, rights and interests which the United States may have acquired over Puerto Rico by virtue of the Treaty of Paris of 1898, and thereafter by cession, purchase, or eminent domain, with the exception of such land and other property, rights, or interests as may have been sold or otherwise legally disposed of prior to the proclamation of Independence, shall vest ipso facto in the nation of Puerto Rico; and

(2) except as provided in section 110, all laws of the United States applicable to the territory of Puerto Rico immediately prior to the proclamation of Independence shall no longer apply in the nation of Puerto Rico.

SEC. 109. JUDICIAL PRONOUNCEMENTS.

(a) JUDGMENTS BEFORE PROCLAMATION.—The nation of Puerto Rico shall recognize and give effect to all orders and judgments rendered by United States or territorial courts before the date of the proclamation of independence pursuant to the laws of the United States then applicable to the territory of Puerto Rico.

(b) CONTINUITY OF PENDING PROCEEDINGS.—All judicial proceedings pending in the courts of the territory of Puerto Rico on the day of the proclamation of independence shall be continued in the corresponding courts under the Constitution of the nation of Puerto Rico.

(c) TRANSFER OF JUDICIAL POWER.—Upon the proclamation of independence, the judicial power of the United States shall no longer extend to Puerto Rico. All proceedings pending in the United States District Court for the District of Puerto Rico shall be transferred to the corresponding Puerto Rican courts of competence or other competent judicial authority under the Constitution of the nation of Puerto Rico for disposition in conformity with laws applicable at the time when the controversy in process arose. All proceedings pending in the United States Court of Appeals for the First Circuit, or in the Supreme Court of the United States, that initiated in, or that could have been initiated in, the courts of the territory or in the United States District Court for the District of Puerto

Rico shall continue until their final disposition and shall be submitted to the competent authority of the nation of Puerto Rico for proper execution: *Provided*, That neither the United States nor any of its officers is a party, in which case any final judgment shall be properly executed by the competent authority of the United States.

SEC. 110. CITIZENSHIP AND IMMIGRATION LAWS AFTER PUERTO RICAN INDEPENDENCE.

(a) IN GENERAL.—

(1) PUERTO RICAN NATIONALITY.—After the effective date of independence, the citizenship status of each individual born in Puerto Rico shall be determined in accordance with the Constitution and laws of the nation of Puerto Rico.

(2) UNITED STATES IMMIGRATION LAWS.—Except as described in this section, after the effective date of independence citizens of Puerto Rico seeking to enter into the United States or obtain citizenship in the United States shall be subject to the immigration laws of the United States (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)).

(b) EFFECT OF PUERTO RICAN CITIZENSHIP.—Nothing in this Act precludes or limits the applicability of section 349 of the Immigration and Nationality Act (8

U.S.C. 1481), except that the provision of citizenship by the laws of Puerto Rico shall not constitute or otherwise serve as the basis of loss, or relinquishment of United States citizenship under such section.

(c) CITIZENSHIP AT BIRTH AFTER INDEPENDENCE.—An individual born in Puerto Rico after the effective date of independence to at least one parent who became a United States citizen under section 302 of the Immigration and Nationality Act (8 U.S.C. 1402) is not a United States citizen at birth under subsections (c), (d), or (g) of section 301 of the Immigration and Nationality Act (8 U.S.C. 1401(c), (d) or (g)).

(d) TRAVEL AND WORK AUTHORIZATION.—

(1) Any person in the following categories may enter, lawfully engage in occupations, and establish residence as a nonimmigrant in the United States and its territories and possessions without regard to paragraphs (5)(A) and (7) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a); (5)(A) and (7))—

(A) a person who acquires the citizenship of Puerto Rico, at birth, on or after the effective date of independence; or

(B) a naturalized citizen of Puerto Rico, who has been an actual resident there for not

less than five years after attaining such naturalization and who holds a proof of such residence.

Such persons shall be considered to have the permission of the Secretary of Homeland Security to accept employment in the United States.

(2) The right of such persons to establish habitual residence in a territory or possession of the United States may, however, be subjected to nondiscriminatory limitations provided for—

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

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

(3) This subsection shall expire 25 years after the date of independence.

(e) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 101 of the Immigration and Nationality Act (8 U.S.C. 1101) is amended by striking "Puerto Rico," in subsection (a) paragraph (36) and in subsection (a) paragraph (38).

(2) PRIOR TO INDEPENDENCE.—Puerto Rico shall be considered to be in the United States, as such term is defined in section 101(a)(38) of the

Immigration and Nationality Act (8 U.S.C. 1101(a)(38)) prior to the effective date of independence.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall limit the power and authority of the United States to change policy requirements for United States citizenship.

SEC. 111. INDIVIDUAL RIGHTS TO ECONOMIC BENEFITS AND GRANTS.

(a) RIGHTS AND BENEFITS.—All vested rights and benefits which accrue to residents of the territory of Puerto Rico under the laws of the United States from past services or contributions, such as rights and benefits for veterans or relatives of veterans of the Armed Forces of the United States, retired Government employees, or beneficiaries of old age, disability, or survivors' insurance benefits under the Social Security Act, shall not be interrupted after the proclamation of independence but will continue until such time as said rights and benefits are completely extinguished according to the applicable laws of the United States. All services which must be rendered as part of these rights and benefits shall be made available through the Government of the nation of Puerto Rico in accordance with agreements reached by the two nations.

(b) SOCIAL SECURITY SYSTEM.—Notwithstanding the provisions in subsection (a), all contributions made by employees and employers in Puerto Rico to the Social Security system with respect to persons who, upon the proclamation of independence, are residents of the nation of Puerto Rico and are not yet eligible for old age, disability, or survivors' insurance benefits under the system, shall be transferred to the Government of the nation of Puerto Rico once said Government establishes its own social security system. The Government of the nation of Puerto Rico may not use these funds for any purpose other than the establishment and operation of a social security system. Upon the transfer described herein, the obligations of the United States Government under the Social Security Act with respect to such residents of the nation of Puerto Rico shall cease.

(c) OTHER FEDERAL TRANSFER PAYMENTS.—

(1) BLOCK GRANTS.—All other Federal transfer payments to individuals and to the Government of the territory of Puerto Rico shall be maintained in the form of annual block grants to be used discretionally by the Government of the nation of Puerto Rico.

(2) ANNUAL AGGREGATE FUNDING.—During the ten fiscal years following the proclamation of

independence, the annual block grants shall amount to the annual aggregate funding of all programs which currently extend to the territory of Puerto Rico, or of all programs which shall have been extended to the territory of Puerto Rico during the fiscal year immediately prior to the proclamation of independence, whichever shall be greater.

(3) DECREASE IN AMOUNT.—The annual block grants shall decrease thereafter on a straight-line basis, at the rate of ten percent each year, beginning on the eleventh fiscal year after the proclamation of independence. At any time during the aforementioned transition period the terms of this subsection may be modified by agreement between the United States and the nation of Puerto Rico.

TITLE II—TRANSITION AND IMPLEMENTATION — SOVEREIGNTY IN FREE ASSOCIATION WITH THE UNITED STATES

SEC. 201. CONSTITUTIONAL CONVENTION.

(a) ELECTION OF DELEGATES.—Not later than 6 months after the effective date of certification of a plebiscite result under this Act in favor of Sovereignty in Free Association with the United States, the legislature of

Puerto Rico shall provide for the election of delegates to a constitutional Convention to formulate and draft a Constitution for the nation of Puerto Rico.

(b) ELIGIBLE VOTERS.—All eligible voters may vote in the election of delegates to the constitutional Convention.

(c) GENERAL APPLICABILITY OF ELECTORAL LAW.—The laws of the territory of Puerto Rico relating to the electoral process shall apply to a special election held under this Act.

(d) INITIAL MEETING.—Not later than 3 months after the election of delegates to the constitutional Convention, the elected delegates shall meet at such time and place as the legislature of Puerto Rico shall determine. The initial meeting shall constitute the establishment of the constitutional Convention.

SEC. 202. CHARACTER OF THE CONSTITUTION.

The constitutional Convention under section 201 shall formulate and draft a Constitution for Puerto Rico that guarantees the protection of fundamental human rights, including—

(1) due process and equal protection under the law;

(2) freedom of speech, press, assembly, association, and religion;

(3) the rights of the accused;

(4) any other economic, social, and cultural rights as the constitutional Convention may deem appropriate and necessary; and

(5) provisions to ensure that no individual born in the nation of Puerto Rico shall be stateless at birth.

SEC. 203. SUBMISSION; RATIFICATION.

(a) SUBMISSION.—Not later than 2 years after the establishment of the constitutional Convention, the Constitution formulated and drafted by the constitutional Convention shall be submitted to the eligible voters of Puerto Rico for ratification or rejection in a special election.

(b) MANNER OF ELECTION.—The special election held under this subsection shall be held in the manner prescribed by the legislature of Puerto Rico.

SEC. 204. ELECTION OF OFFICERS.

(a) IN GENERAL.—Not later than one month after the ratification of the Constitution under section 203, the Governor of the territory of Puerto Rico shall issue a proclamation calling for the election of such officers of the nation of Puerto Rico as may be required by the ratified Constitution.

(b) REJECTION.—If the special election results in rejection of the Constitution, the process provided for in sections 201 through 203 shall be repeated, except that section 201(a) shall be applied by substituting—

(1) "the special election" for "a plebiscite"; and

(2) "rejecting the Constitution" for "in favor of sovereignty in free association with the United States".

(c) DEADLINE; PROCEDURES.—The election under subsection (a) shall be held—

(1) not later than 6 months after the date of ratification of the Constitution; and

(2) in accordance with the procedures and requirements established in the Constitution of the nation of Puerto Rico.

(d) CERTIFICATION OF RESULTS.—Not later than 10 days after the election of officers under subsection (a), the Elections Commission shall certify the results of the election. The Governor of the territory of Puerto Rico shall inform the results of the election to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committee on Natural Resources of the House of Representatives.

SEC. 205. PROCLAMATIONS BY PRESIDENT OF THE UNITED STATES; HEAD OF STATE OF PUERTO RICO.

(a) PROCLAMATION.—Not later than one month after the official certification of the elected officers of the nation of Puerto Rico under section 204, the President of the United States shall by proclamation—

(1) withdraw and surrender all rights of possession, supervision, jurisdiction, control, or sovereignty then existing and exercised by the United States over the territory and residents of Puerto Rico;

(2) recognize, on behalf of the United States of America, the international sovereignty through free association of the nation of Puerto Rico and the authority of the government instituted by eligible voters of Puerto Rico under the Constitution of their own adoption; and

(3) state that the effective date of withdrawal of the sovereignty of the United States and recognition of international sovereignty through free association shall be the same as the date of the proclamation.

(b) COPY OF PROCLAMATION FORWARDED.—The President of the United States shall forward a copy of the proclamation issued under subsection (a) not later than one week after signature to the presiding officer of the Constitutional Convention of Puerto Rico, the officer elect-

ed as head of state of the nation, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Senate Committee on Energy and Natural Resources, and the House Committee on Natural Resources.

(c) DATE GOVERNMENT TO TAKE OFFICE.—Not later than one week after the date of receipt of the Presidential proclamation and with the advice of the officer elected as head of state of the nation, the presiding officer of the constitutional Convention shall determine the date on which the Government of the nation shall take office, and shall so notify the Governor of the territory of Puerto Rico, the President of the United States, the President pro tempore of the United States Senate, and the Speaker of the United States House of Representatives.

SEC. 206. LEGAL AND CONSTITUTIONAL PROVISIONS.

Upon the proclamation of international sovereignty through free association as provided in this Title, and except as otherwise provided in this Title or in any separate agreements thereafter concluded between the United States and the nation of Puerto Rico—

(1) all property, rights and interests which the United States may have acquired over Puerto Rico by virtue of the Treaty of Paris of 1898, and thereafter by cession, purchase, or eminent domain, with

the exception of such land and other property, rights, or interests as may have been sold or otherwise legally disposed of prior to the proclamation of international sovereignty through free association, shall vest ipso facto in the nation of Puerto Rico; and

(2) except as provided in section 209, all laws of the United States applicable to the territory of Puerto Rico immediately prior to the proclamation of international sovereignty through free association shall no longer apply in the nation of Puerto Rico.

SEC. 207. JUDICIAL PRONOUNCEMENTS.

(a) JUDGMENTS BEFORE PROCLAMATION.—The nation of Puerto Rico shall recognize and give effect to all orders and judgments rendered by United States or territorial courts before the date of the proclamation of international sovereignty through free association pursuant to the laws of the United States then applicable to the territory of Puerto Rico.

(b) CONTINUITY OF PENDING PROCEEDINGS.—All judicial proceedings pending in the courts of the territory of Puerto Rico on the day of the proclamation of international sovereignty through free association shall be continued in the corresponding courts under the Constitution of the nation of Puerto Rico.

(c) TRANSFER OF JUDICIAL POWER.—Upon the proclamation of international sovereignty through free association, the judicial power of the United States shall no longer extend to Puerto Rico. All proceedings pending in the United States District Court for the District of Puerto Rico shall be transferred to the corresponding Puerto Rican courts of competence or other competent judicial authority under the Constitution of the nation of Puerto Rico for disposition in conformity with laws applicable at the time when the controversy in process arose. All proceedings pending in the United States Court of Appeals for the First Circuit, or in the Supreme Court of the United States, that initiated in, or that could have been initiated in, the courts of the territory or in the United States District Court for the District of Puerto Rico shall continue until their final disposition and shall be submitted to the competent authority of the nation of Puerto Rico for proper execution: *Provided*, That neither the United States nor any of its officers is a party, in which case any final judgment shall be properly executed by the competent authority of the United States.

SEC. 208. CITIZENSHIP AND IMMIGRATION LAWS AFTER SOVEREIGNTY THROUGH FREE ASSOCIATION.

(a) IN GENERAL.—

(1) PUERTO RICAN NATIONALITY.—After the proclamation of international sovereignty through free association, the citizenship status of each individual born in Puerto Rico shall be determined in accordance with the Constitution and laws of the nation of Puerto Rico.

(2) UNITED STATES IMMIGRATION LAWS.—Except as described in this section, after the proclamation of international sovereignty through free association, citizens of Puerto Rico seeking to enter into the United States or obtain citizenship in the United States shall be subject to the immigration laws of the United States (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)).

(b) EFFECT OF PUERTO RICAN CITIZENSHIP.—Nothing in this Act precludes or limits the applicability of section 349 of the Immigration and Nationality Act (8 U.S.C. 1481), except that the provision of citizenship by the laws of Puerto Rico shall not constitute or otherwise serve as the basis of loss, or relinquishment of United States citizenship under such section.

(c) CITIZENSHIP AT BIRTH AFTER SOVEREIGNTY.—

(1) IN GENERAL.—Except as described in paragraph (2), an individual born in Puerto Rico after

the proclamation of international sovereignty through free association to at least one parent who became a United States citizen under section 302 of the Immigration and Nationality Act (8 U.S.C. 1402) is not a United States citizen at birth under subsections (c), (d), or (g) of section 301 of the Immigration and Nationality Act (8 U.S.C. 1401 (c), (d) or (g)).

(2) TRANSITION PERIOD.—During the implementation of the first Articles of Free Association, an individual born in Puerto Rico to two parents who are citizens of the United States shall be a United States citizen at birth under subsection (c) of section 301(c) of the Immigration and Nationality Act (8 U.S.C. 1401(c)) if otherwise eligible.

(d) TRAVEL AND WORK AUTHORIZATION.—

(1) Any person in the following categories may enter, lawfully engage in occupations, and establish residence as a nonimmigrant in the United States and its territories and possessions without regard to paragraphs (5)(A) and (7) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a); (5)(A) and (7)):

(A) a person who acquires the citizenship of Puerto Rico, at birth, on or after the effec-

tive date of international sovereignty through free association; or

(B) a naturalized citizen of Puerto Rico, who has been an actual resident there for not less than five years after attaining such naturalization and who holds a proof of such residence.

Such persons shall be considered to have the permission of the Secretary of Homeland Security to accept employment in the United States.

(2) The right of such persons to establish habitual residence in a territory or possession of the United States may, however, be subjected to nondiscriminatory limitations provided for—

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

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

(3) This subsection shall expire upon the termination of the Articles of Free Association in accordance with section 211.

(e) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 101 of the Immigration and Nationality Act (8 U.S.C. 1101) is amend-

ed by striking "Puerto Rico," in subsection (a) paragraph (36) and in subsection (a) paragraph (38).

(2) PRIOR TO SOVEREIGNTY.—Puerto Rico shall be considered to be in the United States, as such term is defined in section 101(a)(38) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(38)) prior to the date of international sovereignty through free association.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall limit the power and authority of the United States to change policy requirements for United States citizenship.

SEC. 209. CONFORMING AMENDMENTS TO EXISTING LAW.

(a) REVIEW.—Not later than 30 days after the initial meeting of a constitutional Convention under section 201(d), the President shall initiate a review of Federal law with respect to Puerto Rico, including those regarding—

(1) taxation of persons and businesses;

(2) health care;

(3) housing;

(4) transportation;

(5) education; and

(6) entitlement programs.

(b) RECOMMENDATIONS.—Not later than one year after the date on which the President initiates a review

under subsection (a), the President shall submit recommendations to Congress for changes to Federal law identified during such review, as the President deems appropriate.

SEC. 210. BILATERAL NEGOTIATING COMMISSION.

(a) IN GENERAL.—If a plebiscite held under this Act results in a majority vote for sovereignty in free association with the United States, there shall be a Bilateral Negotiating Commission which shall conduct negotiations on Articles of Free Association with the United States.

(b) MEMBERS.—Not later than 3 months after the establishment of the constitutional Convention under section 201—

(1) the Convention shall elect, by majority vote, 5 members from among its delegates to join the Bilateral Negotiating Commission on behalf of Puerto Rico; and

(2) the President of the United States shall designate 5 members to the Bilateral Negotiating Commission, one of whom shall also be nominated for the rank of Ambassador, to negotiate on behalf of the United States.

(c) INITIAL MEETING.—Not later than 3 months after the election and designation of members to the Bilateral Negotiating Commission, members shall meet at such

time and place as the legislature of Puerto Rico shall determine. Such meeting shall constitute the establishment of the Bilateral Negotiating Commission.

(d) DUTIES.—The Bilateral Negotiating Commission shall—

(1) be responsible for expediting the orderly transfer of all functions currently exercised by the Government of the United States in Puerto Rico, to Puerto Rico, and shall recommend to Congress any appropriate legislation to carry into effect such transfer, including any appropriate enabling legislation as may be required by the Articles of Free Association;

(2) negotiate all matters pertaining to the government-to-government relationship between Puerto Rico and the United States through the development of the Articles of Free Association, including foreign affairs, trade, finance, taxation, currency, economic assistance, security and defense, dispute resolution, immigration, economic benefits (including grants), and termination of the free association status; and

(3) endeavor to complete the Articles of Free Association not later than 2 years after the commencement of the constitutional Convention.

(e) COLLABORATION.—The Government of the territory of Puerto Rico and the agencies of the Government of the United States shall collaborate with the Bilateral Negotiating Commission to provide for the orderly transfer of the functions of government as required by the Articles of Free Association.

SEC. 211. ARTICLES OF FREE ASSOCIATION APPROVAL AND EFFECTIVE DATE.

(a) APPROVAL.—The Articles of Free Association shall come into effect upon mutual agreement between the Government of the United States and the Government of Puerto Rico after completion of approval by—

(1) a separate ratification vote on the Articles by the eligible voters in the special election held under section 203; and

(2) the Government of the United States in accordance with its constitutional processes.

(b) REJECTION.—If the special election under subsection (a)(1) results in rejection of the Articles of Free Association, the process provided for in section 210 and subsection (a) shall be repeated.

SEC. 212. TERMINATION.

The Articles of Free Association between the United States and Puerto Rico may be terminated at will by either party at any time.

SEC. 213. INDIVIDUAL RIGHTS TO ECONOMIC BENEFITS AND GRANTS.

(a) RIGHTS AND BENEFITS.—All vested rights and benefits which accrue to residents of the territory of Puerto Rico under the laws of the United States from past services or contributions, such as rights and benefits for veterans or relatives of veterans of the Armed Forces of the United States, retired Government employees, or beneficiaries of old age, disability, or survivors' insurance benefits under the Social Security Act, shall not be interrupted after the proclamation of international sovereignty through free association but will continue until such time as said rights and benefits are completely extinguished according to the applicable laws of the United States. All services which must be rendered as part of these rights and benefits shall be made available through the Government of the nation of Puerto Rico in accordance with agreements reached by the two nations.

(b) SOCIAL SECURITY SYSTEM.—Notwithstanding subsection (a), all contributions made by employees and employers in Puerto Rico to the Social Security system with respect to persons who, upon the proclamation of international sovereignty through free association, are residents of the nation of Puerto Rico and are not yet eligible for old age, disability, or survivors' insurance benefits under the system, shall be transferred to the Govern-

ment of the nation of Puerto Rico once said Government establishes its own social security system. The Government of the nation of Puerto Rico may not use these funds for any purpose other than the establishment and operation of a social security system. Upon the transfer described herein, the obligations of the United States Government under the Social Security Act with respect to such residents of the nation of Puerto Rico shall cease.

(c) OTHER FEDERAL TRANSFER PAYMENTS.—All other Federal transfer payments to individuals and to the Government of the territory of Puerto Rico shall be maintained in the form of annual block grants to be used discretionally by the Government of the nation of Puerto Rico—

(1) during the 10 fiscal years following the proclamation of international sovereignty through free association, the annual block grants shall amount to the annual aggregate funding of all programs which currently extend to the territory of Puerto Rico, or of all programs which shall have been extended to the territory of Puerto Rico during the fiscal year immediately prior to the proclamation of international sovereignty through free association, whichever shall be greater; and

(2) the annual block grants shall decrease thereafter on a straight-line basis, at the rate of ten percent each year, beginning on the eleventh fiscal year after the proclamation of international sovereignty through free association. At any time during the aforementioned transition period the terms of this subsection may be modified by agreement between the United States and the nation of Puerto Rico.

(d) REVISION.—The terms and conditions of this subsection may be revised as part of an agreement under the Articles of Free Association.

TITLE III—TRANSITION AND IMPLEMENTATION — STATEHOOD

SEC. 301. PRESIDENTIAL PROCLAMATION; ADMISSION INTO THE UNION.

If a plebiscite held under this Act results in a majority vote for statehood:

(1) PRESIDENTIAL PROCLAMATION; DATE OF ADMISSION.—Upon receipt of the Elections Commission's certification of the plebiscite results pursuant to section 5(d), the President shall issue a proclamation declaring the date that Puerto Rico is admitted as a State of the Union on an equal footing with all

other States, which shall be a date not later than one year after the effective date of the plebiscite results.

(2) SUBMISSION OF PROCLAMATION.—The President shall cause such proclamation to be submitted to the Governor of Puerto Rico, the legislature of Puerto Rico, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the Senate Committee on Energy and Natural Resources, and the House Committee on Natural Resources.

(3) ADMISSION INTO THE UNION.—Subject to the provisions of this Act, and upon the date declared by the President for admission of Puerto Rico as a State under the proclamation under paragraph (1), the territory of Puerto Rico shall be a State of the United States of America and as such admitted into the Union on an equal footing with the other States in all respects. Upon admission, Puerto Rico shall be known as the State of Puerto Rico.

(4) INCORPORATION.—Puerto Rico shall remain unincorporated until its admission as a State of the Union under paragraph (3).

SEC. 302. CONFORMING AMENDMENTS TO EXISTING LAW.

(a) REVIEW.—Not later than 30 days after the certification of a plebiscite result under this Act in favor of statehood, the President shall initiate a review of Federal law with respect to Puerto Rico, including those regarding—

(1) taxation of persons and businesses;

(2) health care;

(3) housing;

(4) transportation;

(5) education; and

(6) entitlement programs.

(b) RECOMMENDATIONS.—Not later than one year after the date on which the President initiates a review under subsection (a), the President shall submit any recommendations to Congress for changes to Federal law identified during such review, as the President deems appropriate.

SEC. 303. TERRITORY AND BOUNDARIES.

The State of Puerto Rico shall consist of all of the islands, together with their appurtenant reefs, seafloor, submerged lands, and territorial waters in the seaward boundary, presently under the jurisdiction of the territory of Puerto Rico.

SEC. 304. CONSTITUTION.

(a) IN GENERAL.—The Constitution of the territory of Puerto Rico, as approved by Public Law 82–447 and subsequently amended as of the date of enactment of this Act is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed as the Constitution of the State of Puerto Rico.

(b) FUTURE CONSTITUTIONS.—The Constitution of the State of Puerto Rico—

(1) shall always be republican in form; and

(2) shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 305. ELECTIONS OF SENATORS AND REPRESENTATIVES, CERTIFICATION, AND LEGAL DISPUTES.

(a) ELECTIONS OF SENATORS AND REPRESENTATIVES.—Not more than one month after the proclamation under section 301, the Governor of Puerto Rico shall issue a declaration that shall designate and announce the dates and other requirements for primary and general elections under applicable Federal and local law for representation in the Senate and the House of Representatives of the United States upon admission of Puerto Rico as a State.

(b) RESIDENT COMMISSIONER.—The office of Resident Commissioner of Puerto Rico shall cease to exist upon the swearing in of the first Representative from the State of Puerto Rico to the House of Representatives.

(c) SENATORS AND REPRESENTATIVES.—

(1) IN GENERAL.—Upon its admission into the Union, the State of Puerto Rico shall be entitled to Senators and Representatives who shall be entitled to be admitted to seats in the Congress of the United States and to all the rights and privileges of Senators and Representatives of the other States in the Congress of the United States.

(2) FIRST ELECTION OF SENATORS.—In the first election of Senators, the two senatorial offices shall be separately identified and designated, and no person may be a candidate for both offices. Nothing in this section shall impair the privilege of the Senate to determine the class and term to which each of the Senators elected shall be assigned, with the exception that the Senators shall not be in the same class.

(3) FIRST ELECTION OF REPRESENTATIVES.—In the first election of Representatives, and subsequent elections until the next Census-based reapportionment cycle, the State of Puerto Rico shall be en-

titled to the same number of Representatives as the State whose most recent Census population was closest to, but less than, that of Puerto Rico, and such Representatives shall be in addition to the membership of the House of Representatives as now prescribed by law. Any such increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13), nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761), for the 83d Congress and each Congress thereafter, unless Congress acts to increase the total number of Members of the House of Representatives. Thereafter, the State of Puerto Rico shall be entitled to such number of Representatives as provided for by applicable law based on the next reapportionment. The apportionment of congressional districts for the first election and subsequent election of Representatives shall be conducted as provided for by the Constitution and laws of the State of Puerto Rico for state legislative districts.

(d) CERTIFICATION OF RESULTS.—The Elections Commission shall certify the results of primary and gen-

eral elections for representation in the Senate and the House of Representatives of the United States to the Governor. Not later than 10 days after the date of each certification, the Governor shall declare the results of the primary and general elections, and transmit the results of each election to the President of the United States, the President pro tempore of the Senate, and the Speaker of the House of Representatives.

(e) JURISDICTION OF DISTRICT COURT.—The United States District Court for the District of Puerto Rico shall have original and exclusive jurisdiction of any civil action alleging a dispute or controversy pertaining to electoral processes conducted under this section.

SEC. 306. STATE TITLE TO LAND AND PROPERTY.

(a) STATE TITLE.—The State of Puerto Rico and its political subdivisions and dependencies shall have and retain title to all property, real and personal, held by the territory of Puerto Rico and its political subdivisions and dependencies on the date of the admission of Puerto Rico into the Union.

(b) FEDERAL TITLE.—Any lands and other properties that, as of the date of admission of Puerto Rico into the Union, are set aside pursuant to law for the use of the United States under any—

(1) Act of Congress;

(2) Executive order;

(3) proclamation of the President; or

(4) proclamation of the Governor of the territory of Puerto Rico,

shall remain the property of the United States.

(c) CONTINENTAL SHELF.—The State of Puerto Rico shall have the exclusive right to explore, exploit, lease, possess, and use all seabed, natural, and mineral resources lying within three marine leagues (nine nautical miles) from its shore, as granted under section 8 of the Act of March 2, 1917 (48 U.S.C. 749; 39 Stat. 954). All other rights of sovereignty in regards to the continental shelf and waters, shall belong to the United States, except those already vested in Puerto Rico.

SEC. 307. CONTINUITY OF LAWS, GOVERNMENT, AND OBLIGATIONS.

Upon the admission of the State of Puerto Rico into the Union:

(1) CONTINUITY OF LAWS.—All of the territorial laws in force in Puerto Rico on the date of issuance of the proclamation described in section 301(1) not inconsistent with this Act or the Constitution of the State of Puerto Rico shall be and continue in force and effect throughout the State, until amended, modified, or repealed by the State.

All of the laws of the United States shall have the same force and effect within the State as in the other several States.

(2) CONTINUITY OF GOVERNMENT.—The individuals holding legislative, executive, and judicial offices of Puerto Rico shall continue to discharge the duties of their respective offices when Puerto Rico becomes a State of the Union in, under, or by authority of the government of the State, as provided by the constitution and laws of the State.

(3) CONTINUITY OF OBLIGATIONS.—All contracts, obligations, liabilities, debts, and claims of the territory of Puerto Rico and its instrumentalities at the moment of admission shall continue in full force and effect as the contracts, obligations, liabilities, debts, and claims of the State of Puerto Rico and its instrumentalities when Puerto Rico becomes a State of the Union.

(4) USE AND ENJOYMENT OF PROPERTY.—All laws of the United States reserving to the United States the free use or enjoyment of property which vests in or is conveyed to the State of Puerto Rico or its political subdivisions pursuant to this section or reserving the right to alter, amend, or repeal laws relating thereto, shall cease to be effective.

SEC. 308. JUDICIAL PRONOUNCEMENTS.

(a) PENDING.—No writ, action, indictment, cause, or proceeding pending in any court of the territory of Puerto Rico, shall abate by reason of the admission of the State of Puerto Rico into the Union, but shall proceed within such appropriate State courts as shall be established under the Constitution of the State of Puerto Rico, or shall continue in the United States District Court for the District of Puerto Rico, as the nature of the case may require.

(b) NOT YET PENDING.—All civil causes of action and all criminal offenses, which shall have arisen or been committed before the admission of the State, but as to which no writ, action, indictment, or proceeding shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Puerto Rico in like manner, to the same extent, and with like right of appellate review, as if such State had been created and such State courts had been established prior to the accrual of such causes of action or the commission of such offenses. The admission of the State shall effect no change in the procedural or substantive laws governing causes of action and criminal offenses which shall have arisen or been committed, and any such criminal offenses as shall have been committed against the laws of the territory of

Puerto Rico, shall be tried and punished by the appropriate courts of the State, and any such criminal offenses as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Puerto Rico.

(c) APPEALS.—Parties shall have the same rights of judicial review of final decisions of the United States District Court for the District of Puerto Rico or the Supreme Court of Puerto Rico, in any case finally decided prior to the admission of the State of Puerto Rico into the Union, whether or not an appeal therefrom shall have been perfected prior to such admission. The United States Court of Appeals for the First Circuit and the Supreme Court of the United States, shall have the same jurisdiction in such cases as by law provided prior to the admission of the State into the Union. Any mandate issued subsequent to the admission of the State, shall be to the United States District Court for the District of Puerto Rico or a court of the State, as appropriate. Parties shall have the same rights of appeal from and appellate review of all orders, judgments, and decrees of the United States District Court for the District of Puerto Rico and of the Supreme Court of Puerto Rico, in any case pending at the time of admission of the State into the Union, and the Supreme Court of Puerto Rico and the Supreme Court of the

United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of the State into the Union.

MARKUP ACTION REPORT

Committee on Natural Resources

Markup Action Report

The Committee on Natural Resources met on Wednesday, July 20, 2022, to consider the following measures. Per Committee Rule 9(f)(1), roll call votes will be posted no later than 48 hours after the vote is taken. These documents and the amendments below can be found at docs.house.gov, found here: https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=115035.

H.R. 6353 (Rep. Susan Wild), To authorize the National Service Animals Monument Corporation to establish a commemorative work in the District of Columbia and its environs, and for other purposes. *National Service Animals Memorial Act*.

Available at: https://www.congress.gov/117/bills/hr6353/BILLS-117hr6353ih.pdf

Subcommittee on National Parks, Forests, and Public Lands was discharged from further consideration of H.R. 6353 by unanimous consent.

- The bill was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

H.R. 6438 (Rep. Ken Buck), To authorize the Secretary of the Interior to conduct a special resource study of the site known as "Dearfield" in the State of Colorado. *Dearfield Study Act*.

Available at: https://www.congress.gov/117/bills/hr6438/BILLS-117hr6438ih.pdf

Subcommittee on National Parks, Forests, and Public Lands was discharged from further consideration of H.R. 6438 by unanimous consent.

- The bill was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

H.R. 6799 (Rep. Brad R. Wenstrup), To direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of establishing the John P. Parker House in Ripley, Ohio, as a unit of the National Park System. *John P. Parker House Study Act*.

Available at: https://www.congress.gov/117/bills/hr6799/BILLS-117hr6799ih.pdf

Subcommittee on National Parks, Forests, and Public Lands was discharged from further consideration of H.R. 6799 by unanimous consent.

- The bill was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

H.R. 7618 (Rep. Shontel M. Brown), To designate the Kol Israel Foundation Holocaust Memorial in Bedford Heights, Ohio, as a national memorial.

Available at: https://www.congress.gov/117/bills/hr7618/BILLS-117hr7618ih.pdf

Subcommittee on National Parks, Forests, and Public Lands was discharged from further consideration of H.R. 7618 by unanimous consent.

- The bill was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

H.R. 8393 (Chair Raúl M. Grijalva), To enable the people of Puerto Rico to choose a permanent, nonterritorial, fully self-governing political status for Puerto Rico and to provide for a transition to and the implementation of that permanent, nonterritorial, fully self-governing political status, and for other purposes. *Puerto Rico Status Act*.

Available at: https://www.congress.gov/117/bills/hr8393/BILLS-117hr8393ih.pdf

- Chair Raúl M. Grijalva (D-AZ) offered an amendment in the nature of a substitute.
- Rep. Tom McClintock (R-CA) offered an amendment designated McClintock #070 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 15 yeas and 27 nays.

- Rep. McClintock offered an amendment designated McClintock #071 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 14 yeas and 28 nays.
- Ranking Member Bruce Westerman (R-AR) offered an amendment designated Westerman #12 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 18 yeas and 25 nays.
- Rep. McClintock offered an amendment designated McClintock #075 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 17 yeas and 26 nays.
- Rep. Lauren Boebert (R-CO) offered an amendment designated Boebert #4 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 18 yeas and 25 nays.
- Rep. McClintock offered an amendment designated McClintock #074 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 14 yeas and 30 nays.
- Rep. McClintock offered an amendment designated McClintock #072 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 18 yeas and 27 nays.
- Ranking Member Westerman offered an amendment designated Westerman #7 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 19 yeas and 26 nays.
- Ranking Member Westerman offered an amendment designated Westerman #2 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 18 yeas and 26 nays.
- Rep. Tom Tiffany (R-WI) offered an amendment designated Tiffany #10 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 17 yeas and 26 nays.
- Rep. Tiffany offered an amendment designated Tiffany #9 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 17 yeas and 26 nays.
- Rep. Jody B. Hice (R-GA) offered an amendment designated Hice #045 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 18 yeas and 26 nays.
- Rep. Hice offered an amendment designated Hice #046 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 18 yeas and 27 nays.
- Rep. Hice offered an amendment designated Hice #047 (Revised) to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 18 yeas and 28 nays.
- Rep. Hice offered an amendment designated Hice #048 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 17 yeas and 27 nays.
- Rep. Hice offered an amendment designated Hice #049 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 17 yeas and 27 nays.[1]
- Rep. Hice offered an amendment designated Hice #050 to the amendment in the nature of a substitute. The amendment was withdrawn.
- The amendment in the nature of a substitute was agreed to by voice vote.
- The bill, as amended, was adopted and ordered favorably reported to the House of Representatives by a roll call vote of 25 yeas and 20 nays.

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[1] During the markup, the total on this vote was announced incorrectly. The numbers above are accurate and authoritative.

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

José F. Aponte – Hernández
Former Speaker
Representative at Large

REPUBLICAN CAUCUS OF THE HOUSE REPRESENTATIVES
OF PUERTO RICO

July 19, 2022

Hon. Jenniffer González-Colón
House Committee on Natural Resources
2338 Rayburn House Office Building
Washington, DC 20515

Dear Congresswoman González:

On behalf of the Republican Legislative Caucus of Puerto Rico, I want to express our unwavering support for H.R. 8393, the "Puerto Rico Status Act." H.R. 8393 allows and provides for a federally sanctioned plebiscite, under the American Constitution and legal system, for the U.S. Citizens in Puerto Rico to choose freely a permanent, non-territorial, fully self-governing political status.

Puerto Rico's territorial condition, the actual Commonwealth, also known in Spanish as "Estado Libre Asociado" has restricted its opportunity to achieve full political, economic, and social growth for years. This situation looks awry in the 21st Century, especially when the United States is the leader of the Free World. The time to end the underprivileged territorial-colonial relationship of our beloved Island has arrived.

Every law approved and enacted by a U.S. President, and Congress applies to Puerto Rico. Because of the territorial status, the residents of Puerto Rico have limited rights and can't choose an elected official with full voting rights in either the House or the Senate. Furthermore, they can't vote for the President and/or the Commander in Chief, despite over 250,000 US Citizens born in Puerto Rico who have honorably defended the United States and its democratic principles since World War I.

The latest example of how the territorial status negatively affects the U.S. Citizens on the Island was recently illustrated by the U.S. Supreme Court's decision in United States v. Vaello Madero, decided on April 21, 2022. The case involved the question of whether the equal-protection component of the Fifth Amendment's Due Process Clause requires U.S. Congress to make Supplemental Security Income (SSI) benefits available to the U.S. Citizens residents in Puerto Rico to the same extent U.S. Congress makes those benefits available to U.S. Citizens residents of the States. SCOTUS answer was "no". It reaffirmed Article IV, § 3, Clause 2, known as "the Territory Clause" of the U.S. Constitution, the power of Congress to "make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States." The Territory Clause allows Congress to exercise any discretion to legislate for the U.S. Territories.

By approving H.R. 8393, Congress would be providing, under a federally sponsored plebiscite, the opportunity to the U.S. Citizens in Puerto Rico to choose between specific non-territorial status options, which include: Statehood, Independence, and Sovereignty in Free Association with the United States. Any attempt to include the actual Commonwealth or "Estado Libre Asociado" as part of

H.R. 8393 is archaic and detrimental to the principles of self-determination and our American tradition.

Former Republican Presidents such as Gerald Ford, Ronald Reagan, George H.W. Bush, and George Bush expressed public support for Puerto Rico's right to self-determination. In 2016, even President Trump publicly expressed that the residents of Puerto Rico deserve a process of self-determination and to resolve their political status under the U.S. Constitution.

Approval of H.R. 8393 or, more importantly, bringing the territorial status debate to a close by providing a sanctioned path to the U.S. Citizens in Puerto Rico is the American way. "A person in a U.S. territory with national citizenship, but not state citizenship, is denied the most fundamental rights in the domestic community of states." Dick Thornburgh, Former Attorney General for President Ronald Reagan and President George H. Bush.

We, the Republican Legislative Caucus of Puerto Rico, representatives of the majority conservative constituency, thank you for your leadership. Hence, we respectfully request your support for H.R. 8393. May God bless you.

Best regards,

JOSE F. APONTE-HERNÁNDEZ

DEMOCRATIC PARTY OF PUERTO RICO

July 19, 2022

Hon. Raúl Grijalva, Chairman
Natural Resources Committee
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I write to you on behalf of the Democratic Party of Puerto Rico to express our gratitude for having introduced H.R. 8393, the Puerto Rico Status Act, a consensus bill co-sponsored by Majority Leader Steny Hoyer, Rep. Nydia Velázquez, Rep. Darren Soto, Rep. Ruben Gallego, Rep. Betty McCollum, Rep. Katie Porter, and Delegate Michael F.Q. San Nicolas. The bill is also supported by Resident Commissioner Jenniffer González-Colón and Rep. Maria Elvira Salazar.

Puerto Rico has been a territorial colony of the United States for more than a century. After 124 years under the American flag, the island's undemocratic and unequal territory status has failed both the people on the Island and America as a whole. Congress needs to vote "YES" for H.R. 8393 to finally end colonialism in Puerto Rico.

Even though Puerto Rico residents pay most federal taxes and serve in the U.S. military, the 3.2 million U.S. citizens living in Puerto Rico lack basic democracy having only one non-voting representative in the U.S. House, no U.S. Senators, and no chance to vote in presidential elections. To make matters worse, Puerto Rico can legally be treated differently from states and is therefore excluded from many federal programs. This disparity has diminished Puerto Rico's quality of life, prevented its people from growing their local economy, forced millions of Puerto Ricans to leave for the states, and has hurt veterans with less support and lower benefits.

As you are fully aware, piecemeal solutions to the island's problems are simply not good enough anymore. There is no way to help Puerto Rico fully recover or reach its potential under the current territory status, which is why it is not surprising that on November 3, 2020, an absolute majority of voters in Puerto Rico chose to be immediately admitted into the Union as a state. That was the third time in ten years where voters rejected the territory and favored statehood among the non-territory options.

The leadership of the Democratic Party of Puerto Rico strongly urges you to bring H.R. 8393 to a vote on the Natural Resources Committee and recommend its approval to the House. This bill will finally allow the people of Puerto Rico, your fellow U.S. citizens, the option to choose to become full and equal participants in American society through statehood or to create a separate country through either independence or sovereignty in free association.

Congress cannot continue to perpetuate the injustice of territorial colonialism anymore.

Sincerely,

CHARLES A. RODRIGUEZ,
Chair

PROYECTO DIGNIDAD

INITIAL POSITION STATEMENT FOR THE RECORD

PERTAINING TO THE DISCUSSION DRAFT BILL CIRCULATED BY SEVERAL MEMBERS OF THE FEDERAL HOUSE OF REPRESENTATIVES

TO ENABLE THE PEOPLE OF PUERTO RICO TO CHOOSE A PERMANENTE, NONTERRITORIAL, FULLY SELF-GOVERNING POLITICAL STATUS FOR PUERTO RICO AND TO PROVIDE FOR A TRANSITION TO AND THE IMPLEMENTATION OF THAT PERMANENT, NONTERRITORIAL, FULLY SELF-GOVERNING POLITICAL STATUS, AND FOR OTHER PURPOSES

June 3, 2022

I. Proyecto Dignidad's (PD) position as to the circulated Draft Bill:

It is PD's position to support all efforts initiated by Congress, including the submitted draft, that will enable the people of Puerto Rico to choose a permanent, nonterritorial, fully self-governing political status that provides for a transition to and the implementation of the status options presented, without supporting any specific status as a political institution.

II. Why PDSupports this Bill:

a. Coincides with PD's Declaration of Principles as to Puerto Rico Status, which in principle supports all efforts in which the following criterions are included: (1) Democratic Process in all essential determinations that enable the recognition and acceptance of the Puerto Rico electorate self-determination; (2) Congress is involved and takes responsibility to enable all democratic results; (3) the status options presented to the electorate provide for a permanent and non-colonial/ territorial solution to the political relationship with the USA; (4) PD will not support any specific status in the process and its members, as individuals, will be free to advocate in favor of any of the status included in the process.

b. The draft Bill recognizes Congress responsibility as an indispensable participant in any effective and permanent implementation of the plebiscite electoral results and its follow up consequences.

c. The draft Bill is in accordance and in compliance with federal, international and Commonwealth of Puerto Rico laws.

d. The draft Bill enables a non-partisan educational process in Puerto Rico related to all status options and the effects and consequences of each transition process.

e. If the draft Bill is presented as is, without any substantial amendment, PD is in the position to publicly support the same.

f. PD's official position as to the political status of Puerto Rico enables our party to, along side with Congress, become an impartial educational voice pertaining to the electoral process contained in the Bill and the consequences under each political status options provided by the Bill.

Statement for the Record

Pedro R. Pierluisi
Governor of Puerto Rico and President of the New Progressive Party

to the Delegation of the Natural Resources Committee
of the U.S. House of Representatives

June 3, 2022

Chairman Grijalva and all members of the Delegation from the House Natural Resources Committee:

It is a pleasure to welcome you to Puerto Rico and I particularly thank you for your work to resolve the century-old Puerto Rico status issue. For 124 years Puerto Rico has been a territory of the United States, "*separate and unequal*".

During the past decade the colonial nature of the powers of Congress over Puerto Rico has been revealed for all to see. The PROMESA law with an unelected Oversight Board controlling our local government; several opinions of the U.S. Supreme Court upholding unequal treatment for Puerto Ricans under federal law, including denying them access to SSI just because they reside on the Island; the year-to-year funding debacles for important programs such as Medicaid, and limited block grants for nutritional assistance are all examples of the unfair use of the plenary power of Congress over Puerto Rico.

In fact, these matters have been a catalyst in our fight to have the democratic self-government that Puerto Rico deserves either through statehood or through nationhood.

This Committee, and all Members of Congress, have the great responsibility of heeding our people's call to put an end to the territorial status of Puerto Rico. For many years this body has been called to deal with this issue. For over thirteen years, Resident Commissioner Jenniffer González and I, in my previous role in Congress, have been urging Congressional action to resolve Puerto Rico's status and to achieve equality.

All those born in Puerto Rico have been American citizens for over 105 years. Congress approved Puerto Rico's constitution in 1952. Since then, almost 70 years ago, Congress has never even asked the American citizens of Puerto Rico if they continue to accept the Island's territorial form of government or if they want to become a state or a sovereign nation.

This context is important because since the late 80s and early 90s the U.S. House of Representatives and this Committee have had multiple bills that purported to resolve Puerto Rico's status problem, only two of which were approved by the House (HR 856 in 1998 and H.R. 2499 in 2010) and none of which made it through the Senate.

Nonetheless, all of those bills, as well as a variety of plebiscites held on the Island, have been steps forward toward a permanent solution to our territorial status. Moreover, since 2012, when a majority of Puerto Rico's voters clearly rejected the current status in a local plebiscite, there has been no consent of the governed in Puerto Rico.

The American citizens of Puerto Rico have taken this issue up themselves six times since the late 1960s, and during the past 50 years statehood has grown to be the option preferred by the majority of the people. That is fact.

Now we have entered a new and promising phase. We have a draft consensus bill that offers constitutional non-territorial options to the people of Puerto Rico. Real options that do away with pie-in-the-sky alternatives that have no place in the United States form of government. This proposed bill not only asks Puerto Ricans what they want their Island's status to be, it also commits Congress to implement the status option chosen by the people. After all, that is one of the most basic principles of American democracy: *a government of the people, by the people and for the people*.

That is why Puerto Ricans are hopeful with this new draft bill. Because let us be real, no Member of Congress would accept a status like ours for their constituents.

Having reiterated why it is important for Congress to deal with this issue, I want to make a few comments about the proposed bill.

1. It is important that Puerto Rico's territorial status is not included in the proposed plebiscite. Nobody can deny that Puerto Rico lacks full democracy under its current status. Remaining a colony cannot be an option.
2. I agree that the preferred option should have a majority of the votes, like the bill proposes.
3. The bills' options are fair, reasonable and constitutional. Let me make some suggestions on them:
    a. Statehood option:
        i. The bill could acknowledge that Congress has the power to increase the number of members of the House of Representatives to account for the new members from Puerto Rico.
    b. Sovereignty with Free Association option:
        i. The social security issue could be explained further.
        ii. The bill could address what happens to the accumulated, but not realized, benefits of the members of the U.S. Armed Forces residing if Puerto Rico becomes a sovereign nation.
        iii. The citizenship allowance in the bill means that Puerto Rico as a sovereign nation would have a considerable number of its population with U.S. citizenship. As the bill currently proposes, the duration of this allowance should not be afforded beyond the first term of the pact of association.
    c. Independence:
        i. Clarifying the social security plan and the Armed Forces members' benefits could also be helpful in this option.

I will end by reminding you of the responsibility I alluded to at the beginning of my remarks. The process to approve this bill must be expeditious. Puerto Ricans deserve to be heard. Congress must ensure the United States democratic ideals fully apply in Puerto Rico.

Some have said that this is a futile attempt. That you are not really serious about actually resolving the status issue. That there is not enough time. That the Senate will not take it up. That Puerto Rico is not a priority in Congress.

You must prove the naysayers wrong. I know how hard you all worked to achieve this consensus. I recognize your commitment to Puerto Rico. And I am glad that President Biden supports your efforts.

The 3.2 million American citizens of Puerto Rico demand swift action.

The more than 5 million Puerto Rican-Americans living in the states expect it.

We deserve equality, we have earned it and we will not stop this fight until we achieve it.

FOREIGN AFFAIRS

NOVEMBER/DECEMBER 1997

Puerto Rico's Decolonization

RUBÉN BERRÍOS MARTÍNEZ

VOLUME 76 · NUMBER 6

Puerto Rico's Decolonization

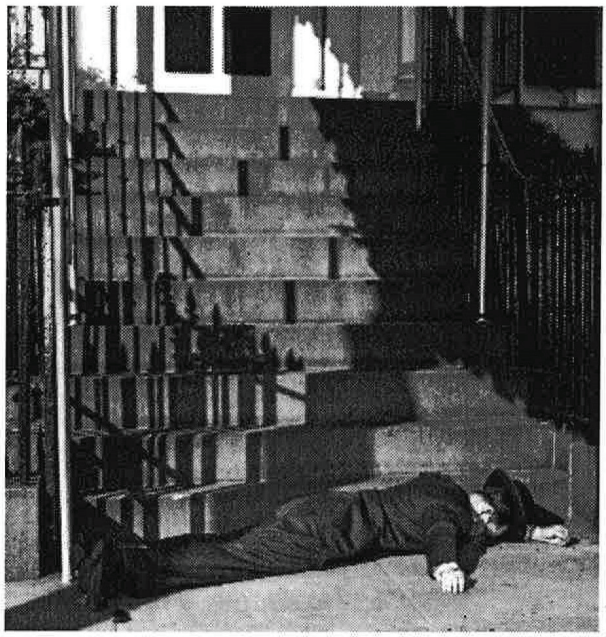
Rubén Berríos Martínez

THE TIME IS NOW

QUIETA, NON MOVERE, was the motto of the statesman Robert Walpole, who for most of the eighteenth century inspired Britain's policy toward its American colonies. The U.S. Congress for more than four decades has followed a similar don't-rock-the-boat territorial policy regarding Puerto Rico, one of the few remaining colonies in the world even after the U.N. General Assembly in 1988 declared the 1990s the "International Decade for the Eradication of Colonialism." Yet if the trends of the last half-century continue, a change in political status seems inevitable for the 3.8 million inhabitants of the Caribbean commonwealth, a U.S. possession since the Spanish-American War of 1898. If the United States remains in a state of Walpolian inertia, it may soon face a challenge to the very nature of American federalism and to its relationship with Latin America.

Fortunately, the traditional policy of congressional immobility on Puerto Rico seems to be losing ground, though it is still a tempting option for a Congress with a propensity for crisis management. A bipartisan bill, sponsored by Representative Don Young (R-Alaska), authorizing a federally sponsored plebiscite on Puerto Rico's status was overwhelmingly approved 44 to 1 by the House Committee on Resources this summer and awaits final approval by the 105th Congress. The pending congressional process, however, should entail an open examination of the premises that underlie the complex debate on the

RUBÉN BERRÍOS MARTÍNEZ is a Senator in the Legislative Assembly of Puerto Rico and President of the Puerto Rican Independence Party.



CORBIS - BETTMANN

The movement for Puerto Rican independence has matured from violent acts to political arguments. Oscar Collazo lies at the steps of Blair House after the attempted assassination of President Truman, November 1, 1950.

island's political status. Some of the premises of the Young Bill are either fantasy or glaringly inconsistent with the legitimate interests of the United States and Puerto Rico. Unless those premises are changed, and the United States adopts a principled and rational policy while alternatives are still available, Puerto Rico is likely to opt for statehood. The Senate should be forward-looking. It should exclude outmoded colonial commonwealth as an option, address itself candidly to the consequences of statehood—which would burden the United States and preserve the economic problems of Puerto Rico while

furthering its cultural assimilation—and adopt a policy that will pave the way for Puerto Rican independence.

A statehood petition would be the direct result of U.S. Cold War policies that de facto criminalized the island's independence movement, which was supported by a majority of the Puerto Rican people until the 1940s. For the last half-century, those policies have also fostered dependence on federal welfare payments and on tax-sparing arrangements for U.S. corporate investors. In 1996 a budget-conscious Congress repealed what it called corporate welfare and began cutting back on social programs as part of welfare "reform." Puerto Ricans, once again reminded of their colonial vulnerability, have thus been induced to seek the greater federal largess that would purportedly accrue under statehood and consequent representation in Congress.

The implications of statehood for a territory populated by Spanish-speaking Latin Americans (and not a minority, culturally isolated or overwhelmed by a ruling majority identified with Anglo-American culture, as was the case in Texas) with a per capita income one-third that of the United States and half that of Mississippi should not be underestimated. In a Caribbean nation where half the families receive food checks under the federal Nutritional Assistance Program, "Statehood is for the poor," as Carlos Romero-Barceló, now Puerto Rico's pro-statehood resident commissioner, said in 1973, was an effective slogan. But the founding fathers did not intend statehood as a ticket for a poor nation to a cornucopia of federal welfare payments. More important, it was not designed with anything like Puerto Rico in mind. It is one thing to accept individual Jamaicans or Dominicans as immigrants; it is quite another to annex entire nations like Jamaica or the Dominican Republic as states.

PUERTO RICO IS A NATION

PUERTO RICO's heart is not American. It is Puerto Rican. The national sentiment of Puerto Ricans is entirely devoted to our *patria*, as we call our homeland in Spanish, our language. We are Puerto Ricans in the same way that Mexicans are Mexicans and Japanese are Japanese. For us, "we the people" means we Puerto Ricans. Only through the distorted prism of Coca-colonization would any observer confuse

U.S. cultural influence in Puerto Rico with inclusion in the melting pot that has kept the United States e pluribus unum. Puerto Ricans are U.S. citizens, but they are not Americans. Although Puerto Rico is not a politically independent nation, it is no less distinguishable from the United States than the non-independent Palestinian nation is from Israel.

The present commonwealth arrangement is an outmoded remnant of the Cold War. According to Sections 1 and 9 of the Federal Relations Act, which provided the legal framework for commonwealth in 1952, all U.S. laws enacted by Congress apply to "Puerto Rico and adjacent islands [offshore Puerto Rican municipalities] belonging to the United States," except when deemed locally inapplicable. But territory under the U.S. Constitution was never intended to be permanent, and a growing majority of Puerto Ricans repudiates the present status. In a 1952 yes-or-no referendum, 81 percent of voters backed commonwealth and 19 percent opposed it. In a 1993 plebiscite sponsored by the Puerto Rican government, by contrast, the percentage for commonwealth had decreased to 49 percent, while statehood had increased to 46 percent, and independence, in spite of decades of discrimination and persecution, garnered 4 percent.

The issue of Puerto Rico's status can no longer be shunted aside. Unless it addresses it directly, the United States may, at the very least, risk international embarrassment by retaining a colony that lacks even the appearance of majority support while denying a statehood petition that would weaken the unitary nature of the federation.

GEOPOLITICS AND NATIONALITY

NINETEEN NINETY-EIGHT marks the centennial of the U.S. invasion of Puerto Rico. Since then, geopolitical and military considerations have governed U.S. policy, although commercial and economic interests have also influenced it. At the end of the nineteenth century, control of Puerto Rico was basic to the extension of U.S. influence over Latin America in general and the Caribbean in particular. The invasion and acquisition of Puerto Rico, which guarded the eastern approaches of the Caribbean Sea, was inextricably tied to the decision to build a canal connecting the Atlantic and Pacific Oceans.

Rubén Berríos Martínez

The United States was "interested in the cage, not the birds," stated Pedro Albizu Campos, founder of Puerto Rico's modern independence movement, in the 1930s. Yet the island was populated in 1898 by almost a million people that had developed a distinct national identity and consciousness as an integral part of the Latin American family of nations. Since the Foraker Act of 1900, which ended two years of U.S. military government and provided for an all-powerful appointed governor and an elected but powerless House of Delegates, Puerto Ricans have been struggling to end American colonialism. Whenever the forces of nationality and independence were on the ascent, world events reminded Americans of the island's geopolitical importance.

American policies have repressed the Puerto Rican independence movement.

As early as 1914, the Union Party, Puerto Rico's majority party, proclaimed independence as its final-status aspiration, but as U.S. participation in World War I became imminent, the United States tightened its hold on the Caribbean. It invaded Haiti in 1915 and the Dominican Republic in 1916 and formalized its will to occupy Puerto Rico permanently by unilaterally imposing U.S. citizenship through the Jones Act of 1917, over the unanimous objection of the House of Delegates. The Jones Act included some reforms, such as an elected Senate, but the fundamental disenfranchisement remained.

By the 1930s, Puerto Rico's economy, which had been characterized before the American invasion by small and medium-sized farms producing primarily for local consumption—the principal export being coffee for the European market—became under the stimulus of U.S. tariff laws a large sugar plantation dominated by absentee landowners in the United States and tilled by a pauperized peasantry. The ensuing discontent of the Puerto Rican political class and the social unrest of the Great Depression gave rise in the 1930s to a powerful pro-independence movement. Albizu Campos, a Harvard-educated lawyer influenced by the contemporaneous Irish independence struggle, led the most formidable challenge to American rule. From 1927 to 1936 he transformed the previously elitist Nationalist Party into a combative, anti-imperialist movement with far-reaching popular sympathy. The Nationalist Party

boycotted the 1936 legislative elections, but the Liberal Party declared independence as its goal and became Puerto Rico's most popular party, winning 46 percent of the vote.

As World War II loomed, Puerto Rico became the Caribbean Gibraltar. The carrot-and-stick response by the United States to the upsurge of independence sentiment was swift. On one hand, violent repression was unleashed against the Nationalist Party and its followers, and on the other, Roosevelt's New Deal established social programs aimed at mitigating the discontent of widespread poverty.

In 1936 trumped-up charges under the wartime Sedition Act of 1918 were brought against Albizu Campos and other Nationalist leaders, resulting in their imprisonment for almost a decade in the federal penitentiary in Atlanta. In 1937, under instructions of General Blanton Winship, the U.S.-appointed governor, police fired on a group of unarmed Nationalist Party members in the city of Ponce. Twenty-two were killed and 97 wounded. With the Nationalist leadership imprisoned, many party sympathizers and most *independentistas* in the Liberal Party joined forces in 1938 to form the Popular Democratic Party (PDP) under the leadership of Luis Muñoz Marín. The PDP won the 1940 elections with a pro-independence stance and a promise to solve the status issue at the end of the war.

THE COLD WAR AND COMMONWEALTH

IN 1943 the non-partisan pro-independence Congress, which represented, according to Muñoz Marín, "the ideals that are undoubtedly those of the majority of Puerto Ricans," petitioned the United States for independence. After World War II, however, Cold War strategy took center stage, and Puerto Rican independence became anathema to Washington. The United States developed a strategy to divert the island from the road to independence while placating Puerto Rican nationalism. Bowing to American pressure, the PDP expelled *independentistas* from its ranks in February 1945. This purge led in October 1946 to the foundation of the Puerto Rican Independence Party (PIP), which became the main opposition. As a reward for Muñoz Marín's changed view toward Puerto Rico's status, in 1947 the U.S. Congress

issued the Elective Governor Act, under which he became Puerto's Rico's first elected governor in 1948.

As the next step in the anti-independence strategy, the Commonwealth of Puerto Rico was established in 1948-52. Congress left intact all sections of the 1917 Jones Act, henceforth to be known as the Federal Relations Act, pertaining to relations between the United States and Puerto Rico. Likewise, all articles and matters referring to Puerto Rico's elected House, Senate, and governor, while practically unaltered, were incorporated into a much-touted local constitution after being approved by a so-called Constitutional Convention and confirmed—with congressional deletions and amendments—in a yes-or-no referendum. The vote was a sham; no other status options were provided. Yet the end of the colonial era was grandiosely proclaimed.

A massive anti-independence government propaganda campaign was launched. The words *patria* and *nación* (nation) were proscribed for decades. In 1948 the Puerto Rican legislature approved the infamous Ley de la Mordaza (Gag Law), a version of the 1940 Smith Act prohibiting seditious speech, under which *independentistas* were arrested and imprisoned for almost any reason, including reciting patriotic poetry, making speeches, and unfurling the Puerto Rican flag.

Albizu Campos, released from federal prison after seven years, led a Nationalist uprising that was accompanied by armed attacks on Blair House in Washington, where President Truman was then living, in 1950 and on the U.S. Congress in 1954. The Puerto Rican government's response was brutal and indiscriminate. Practically all Nationalist Party members and more than a thousand leaders and members of the PIP, which did not advocate armed struggle, were imprisoned, most of them on the basis of blank arrest warrants. The police (with the active collaboration of U.S. intelligence agencies) compiled a huge blacklist of independence supporters, who were then discriminated against and harassed. The practice continued until 1988, when the Puerto Rican Supreme Court declared it unconstitutional and ordered the release of more than 100,000 files in 1992. The Puerto Rican electorate had been driven away from independence by terror.

The anti-independence stance of the PDP and the island's increasing dependence on U.S. transfer payments made inevitable its displacement by pro-statehood forces. A powerful pro-statehood movement

displaced the PIP as the main opposition, and its electoral support grew from 16 percent in 1952 to 51 percent in the 1996 local elections. When the favorable postwar economic conditions changed, the Puerto Rican economy stagnated. Even though capital-intensive U.S. companies, under Section 936 of the Internal Revenue Code, repealed in 1996, reaped enormous profits exempt from federal taxes—$154 billion between 1976 and 1995—real output per capita crept upward at a dismally low 1.2 percent annually during the period. Migration increased, and U.S. welfare and other transfer payments to individuals (excluding Social Security and veterans' benefits) increased astronomically—from $7 million in 1973 to $1.7 billion in 1995, for a total of $24 billion, at current prices, during the period. Federal transfers to the local government amounted to an equivalent sum. The "association" rhetoric of commonwealth was supplanted by a "permanent union" credo. Independence was equated with hunger and dictatorship, and U.S. citizenship (curiously labeled "common citizenship") was exalted. Statehood came to be seen as the ultimate guarantee against the loss of the economic safety net underwritten by U.S. taxpayers.

EXHAUSTED COMMONWEALTH

THE YOUNG Bill, now pending in the U.S. Congress, recognizes that commonwealth cannot provide a solution to Puerto Rico's colonial problem. It acknowledges that commonwealth is territorial under U.S. law, which in turn is colonial under international law. Nevertheless, it includes commonwealth as a provisional option until Puerto Ricans choose full self-government by voting for one of the two other options, statehood or Puerto Rican sovereignty, either in the proposed 1998 referendum or in others to be held periodically if commonwealth prevails.

To divert Puerto Rico from independence during the Cold War, U.S. economic and political support of commonwealth was an accepted cost of doing business. But conditions have changed radically in the last half-century, and Congress has formally begun to recognize commonwealth as a colonial anachronism, in effect joining the international community in refusing to accept colonialism as legitimate under any guise. Such a recognition was inevitable. The social and psychological realities that have led people to outlaw a labor contract to work for

less than the minimum wage, however voluntarily reached, led to the 1960 U.N. General Assembly Resolution on the Granting of Independence to Colonial Countries and Peoples recognizing that national self-determination is an inalienable right, and that colonialism is not a normal condition to which human beings can voluntarily consent.

INVIABLE STATEHOOD

Statehood provides a legal solution to the lack of Puerto Rican representatives' right to vote in the U.S. Congress. Puerto Rico's basic problem, however, is the dependence and subordination inherent in colonialism, not only legal and political, but also economic, cultural, social, and psychological. Statehood for Puerto Rico would merely be another form of dependence and subordination—colonialism with another mask—that would make dependence more acute.

As a state, Puerto Rico is bound to pay the heaviest of prices: cultural assimilation. In the American system the only way out of an ethnic ghetto is through cultural assimilation into the Anglo-American mainstream, which would subordinate the island's Spanish language and distinct culture. Latin Americans, particularly Puerto Ricans, even when living in the mainland United States, where they are by definition a minority, have proved more resistant to assimilation than other immigrants, particularly Europeans. In any case, assimilation is unacceptable to Puerto Ricans, including statehooders. Even the current pro-statehood governor, together with the former pro-commonwealth governor and myself as president of the PIP, addressed a letter to the congressional leadership in 1990 stating that "all of us agree on the following: Spanish belongs to all Puerto Ricans, it is not negotiable under any circumstance or political status." If loss of culture and identity did not occur, the U.S. body politic would be stuck with an anomaly—a state of citizens who refuse to become Americans.

After nearly 100 years of American colonial rule, Puerto Ricans remain a distinct and homogeneous Latin American nationality. Spanish is the only language of common understanding as well as of high culture, and less than one-third of the population understands English, even as a foreign language. Renowned Puerto Rican writers, painters, and other artists, heirs to a distinguished centuries-old

tradition, have made significant contributions to twentieth-century Latin-American culture. Our folklore and popular arts, a rich blend of the island's Spanish, African, and Taino inheritance, and Caribbean customs and traditions contribute to our national culture, proud and defiant even under the constant threat of assimilation.

The United States could be stuck with citizens who refuse to become Americans.

From an economic perspective, Puerto Rico's limited fiscal autonomy—most federal taxes do not apply—would disappear with statehood. Unemployment would mushroom because the investment and fiscal autonomy Puerto Rico needs to develop its economy would be impossible under statehood. The uniformity mandated by the U.S. Constitution would not allow the kind of economic incentives necessary to attract foreign investment. Thus Puerto Rico would become a permanently depressed region of the United States, with most educated people migrating to the mainland, leaving most of the rest to survive on increasing doses of federal welfare secured by the island's congressional delegation. Market forces are inexorable, as Appalachia, the South Bronx, and other chronically depressed areas of the United States illustrate.

What would Puerto Rican statehood mean to the United States? Puerto Rico would be the poorest state, pay the least in federal taxes, and receive the most in per capita federal transfers. In 1991 the Congressional Budget Office estimated that over a ten-year period statehood would cost the U.S. Treasury $35 billion more than the $56 billion Puerto Rico would receive under its present status. Although the cost of statehood may be reduced somewhat by federal welfare reform (federal welfare spending in Puerto Rico has always been severely capped), it would be more expensive than commonwealth because the U.S. Supreme Court held in 1980 that Congress is under no constitutional obligation to extend any federal social welfare program to Puerto Rico.

The political and social consequences of statehood would be even more far-reaching and potentially explosive for the United States. As a state, Puerto Rico would have a congressional delegation of 2 senators and 6 representatives—at least as many as 29 other states. Such an ethnically and culturally distinct Spanish-speaking Latin American state would disrupt U.S. federalism, its congressional delegation a

potential rallying point for minority demands when the United States is trying to ease its ethnic and social tensions.

Finally, what would the United States do with the hundreds of thousands of Puerto Ricans who adamantly oppose statehood? *Independentistas* have vowed to continue the struggle for independence—indeed for secession—under statehood. And who can speak for the next generations? Is the United States willing to risk a Caribbean Quebec or a tropical Northern Ireland?

A POLITICAL AND SPIRITUAL IMPERATIVE

UNDER THE Puerto Rican or separate sovereignty option, the Young Bill provides for independence and free association alternatives. The United States has entered into free association agreements with the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, all former U.S. trust territories in the Pacific. A valid association does not amount to independence, however, since specific sovereignty powers are delegated by the associated state to its partner in the association agreement. Such delegation is limited in turn by the principle of revocability whereby the associated state reserves the right to terminate the association unilaterally and fully exercise its sovereignty.

Independence, on the other hand, by definition provides the framework for full democratic self-government and for the full flowering and perpetuation of a nationality. As Edmund Burke phrased it: "A nation is not an idea only of individual momentary aggregation. It is a deliberate election of the ages and generations, a partnership not only between those who are living, but between those who are dead, and those who are to be born."

Independence is also necessary to provide Puerto Rico with the power and flexibility that would assure sound economic development in the modern world. The basic economic problem of Puerto Rico is economic stagnation and dependence on U.S. subsidies. More than one-third of our population has emigrated in the last 40 years, mainly seeking work. The island has among the highest crime and drug addiction rates in the world—treat a nation like a ghetto and it will behave like a ghetto. In 1993, there were 24 homicides in Puerto Rico per

100,000 inhabitants, compared with 9 in the United States, 4 in Costa Rica, and 1 in the United Kingdom. In 1991 Puerto Rico had 1,972 drug addicts per 100,000 inhabitants, compared with 1,176 in the United States and 179 in the United Kingdom.

To overcome such conditions, Puerto Rico must take full advantage of its location, an infrastructure more advanced than that of virtually any nation at the moment of attaining independence, and a highly skilled labor force and educated managerial class. Forty-seven percent of the island's labor force has some post-secondary education; 25 percent of those working are professionals and managers. The productive capacity of these resources under the constraints of the colonial system has reached its limits. Puerto Rico must develop a more modern, diversified, competitive, and knowledge-based economy, centered on manufacturing and services and to a lesser extent on modern agriculture. Puerto Rico must develop an economic strategy responsive to its own needs, not subject to rules and regulations designed for the much wealthier continental U.S. economy. Puerto Rico must have the authority to enter into international tax and commercial treaties in order to increase and diversify foreign investments, widen its export market, and lower import costs. It must be able to allocate production rationally for internal consumption and gear monetary and fiscal powers toward greater capital formation and productivity.

Independence would release the full spiritual energies of a trampled nationality.

Many small independent countries, which in 1970 were far behind Puerto Rico in economic development, have used such mechanisms in the recent decades to achieve impressive income gains. In 1995 Trinidad and Tobago had a per capita GDP (at purchasing power parity) of $8,610; St. Kitts and Nevis, $9,410; Barbados, $10,620; Malta, $11,570; Cyprus, $14,060; and Singapore, $22,770. These countries have far surpassed Puerto Rico's per capita GDP of $7,670, while Puerto Rico has overtaken no one during the last quarter-century. They did not receive the presumed benefit of billions of dollars in welfare payments, but they enjoyed the power and flexibility of sovereignty. An independent Puerto Rico, particularly in this era of interdependence, could become the catalyst for a

Caribbean common market and for the revival of the century-old idea of an economic and political Antillean Confederation, conceived by the Puerto Rican abolitionist Ramón E. Betances, educator Eugenio María de Hostos, and the Cuban poet and essayist José Martí, who were also the leaders in the struggle for Cuban and Puerto Rican independence.

Culturally, independence would end Puerto Rico's lifeless imitation of its colonizer, typical of colonies. It would release the full spiritual energies of a nationality whose self-esteem has been trampled on. It will also help break the stranglehold of the defensive, nativist, and sometimes suffocating insularism many on the island have pursued as a refuge against assimilation. Independence would clear the way for a modern, forward-looking society, open to all cultural influences but subject to none and proud of its own. Those who desire Puerto Rican independence, in the words of Gandhi, "want all the cultures of all lands to be blown about [our] house as freely as possible, but refuse to be blown off our feet by any."

From the U.S. perspective, Puerto Rican independence would do more than stop the drain on the federal treasury. It would help the United States finally put an end to the contradiction of aspiring to be the leader of democracy worldwide while remaining the last colonial power. Colonialism denigrates the colonized, but it also demeans the colonizer.

The Latin American family of nations would be permanently resentful after seeing one of its members swallowed by their powerful northern neighbor. In this postcolonial, noninterventionist era of interdependence, the United States should instead develop a common policy toward the Caribbean as a whole. This new, more enlightened policy should promote political stability, democracy, and economic development in order to guarantee U.S. national security in the region. Such a policy should envision the Caribbean as a more vigorous regional trading partner whose economic prosperity would inhibit illegal migration to the United States. An independent Puerto Rico intimately tied to the Caribbean and with strong relations with the United States could play an important role in the implementation of such a policy.

THE NEAR FUTURE

WHILE THOSE in Congress who oppose statehood may be tempted to derail the Young Bill, such a strategy would be counterproductive. With every passing day there is a greater danger that the irrational statehood bandwagon in Puerto Rico will be joined in the United States by an equally irrational bandwagon of pluralism. As Hispanic voters become a larger percentage of the American electorate, in the desire not to appear to oppose multiculturalism, many voters and politicians will in fact be promoting multinationalism. This can only lead to Balkanization and a backlash against multiculturalism and minorities. Members of American minorities will not constitute a mathematical majority until the middle of the next century, but their increasing electoral weight will soon become a politically determinant factor in the complex and heterogeneous American society. If the Senate succumbs to the Walpolian temptation of inaction, it will merely be postponing an issue that will come back to haunt Congress in ever more menacing ways. If, on the other hand, prudence and good policy prevail, the Senate will amend the Young Bill or approve a bill of its own.

There is still time. The Senate can exclude the option of territorial commonwealth from the referendum and include only options that guarantee full self-government, namely statehood and separate sovereignty, which includes independence and free association. By including territorial commonwealth as an alternative, the Young Bill as it stands contradicts its avowed decolonization purpose. Territorial commonwealth is the problem, not the solution.

In any case, the Senate should—as the House has done by exposing commonwealth's colonial nature—strive to demythologize the statehood option so as to guarantee a fair process and not give rise to false expectations. If Puerto Ricans are told that English will have to become the primary and common language on the island, that for budgetary reasons statehood will not be considered until Puerto Rico approaches the per capita income of the poorest state, and that statehood must be supported by an overwhelming majority in Puerto Rico—that alternative would be defeated in the referendum. The United States should then take no for an answer, discard state-

hood, and proceed to dispose of commonwealth. Regarding independence and free association, the Senate should be even more forthright than the House in providing the necessary guarantees and specificity so as to compensate, at least partially, for almost a century of anti-sovereignty propaganda.

If statehood wins, Congress should bite the bullet and deny the statehood petition. There is no right to statehood, and Congress should always act to further U.S. national interests, particularly when the variables are under its control. It should then promote the conditions for sovereignty with the same thoroughness, but with more compassion, that it used to promote Americanization.

The end of the Cold War, the need for a new U.S. policy in the Caribbean, the consensus for change in Puerto Rico, and the symbolic value of the centennial of the U.S. invasion mark the close of an era and should signal the beginning of a new one. The United States must look toward the 21st century. There will be no more appropriate and less traumatic moment than the present. The United States must act now to safeguard its national interests and recognize the inalienable right of Puerto Ricans to command their own destiny.

Rubén Berríos Martínez

The President of the Puerto Rican Independence Party, Rubén Berríos Martínez, is currently a professor at the University of Puerto Rico School of Law. Berríos Martínez, is an Honorary President of the Socialist International, a Vicepresident and co-founder of the Permanent Conference of Political Parties of the Caribbean and Latin America (COPPAL), and a member of the Executive Committee of the Latinamerican Association of Human Rights. Berríos Martínez, served as a senator in the Puerto Rican Senate for four terms. He obtained a B.S.B.A from Georgetown University, a LL.B. and an LL.M. from Yale Law School, and a Diploma in International Law from Oxford University.

María de Lourdes Santiago Negrón, Vice President of the Puerto Rican Independence Party, is currently serving as Senator at large in Puerto Rico's Senate. In the last election she obtained the highest amount of votes for said position. This is her third term as a Senator. Santiago Negrón obtained her BA and her JD from the University of Puerto Rico, Río Piedras Campus.

Juan Dalmau Ramírez is a professor at the Interamerican University School of Law and Secretary General of the Puerto Rican Independence Party. He was elected senator at large for the Puerto Rico's Senate in 2016. As the Puerto Rican Independence Party gubernatorial candidate in 2020 he obtained 14% (175,000 votes), the best result for Governor in the Party's history. Dalmau Ramírez obtained a BA and JD from the University of Puerto Rico, Río Piedras Campus and an LL.M. from Harvard Law School.

Carlos Iván Gorrín Peralta

Professor of Constitutional Law at the Inter-American University of Puerto Rico since 1980. He has lectured in several law schools both in Puerto Rico, the United States and Latin America. He obtained a B.A. from the College of the Holy Cross, a J.D. from the University of Puerto Rico School of Law and an LL.M. from Harvard Law School. Since 1979 he has published on constitutional law, human rights, the U.S. territorial policy and the admission of states to the Union, and particularly on the relations between Puerto Rico and the United States.

Puerto Rican Independence Party:
Position paper on the discussion draft for a bill to enable the people of Puerto Rico to choose a permanent, non-territorial, fully self-governing political status

PIP Admonishes Congress
Self-execution of the statehood option dooms the bill to failure

I. Colonialism and self-determination

The People of Puerto Rico have the inalienable right to self-determination and independence, and the United States the obligation to discharge their decolonizing responsibility with respect to Puerto Rico. After 124 years as a possession resulting from military conquest and the Treaty of Paris, the United States still keeps Puerto Rico—a Latin American and Caribbean nation—under colonial subordination and fundamental decisions about our collective lives are unilaterally controlled by the three branches of the United States government. This constitutes a flagrant violation of the civil and political human rights of our people, and therefore both countries ought to end the colonial regime as soon as possible.

To make matters worse, the economic and social consequences of colonialism have been grave. Per capita income today—as it was 70 years ago—is one third of that of the United States, and half of that of the poorest state. Over forty percent of the population is below the poverty line, our labor force participation rate is by far lower than that of any state, and we suffer the worst rates of social inequality. The country has endured more than fifteen years of virtually continuous economic contraction, a seventh of the population has emigrated during the last decade, and for the last six years the government of the territory has been placed under receivership by federal law.

The two parties that have alternatively shared power in Puerto Rico for over half a century—the PPD and the PNP—have left a toxic legacy of inequality, corruption, poverty, and political subordination that has torn the country to pieces. Dependence and indebtedness have clearly evidenced the failure of the colonial regime.

II. Change in the territorial public policy of the United States

This bleak picture makes it is imperative to launch a political process toward achieving the decolonization of Puerto Rico.

How to do it?

The PIP has spent decades proposing the convening of a Status Assembly (or with another name) composed of delegates elected by Puerto Ricans according to their commitment to status alternatives not subject to the Territorial Clause. The task of this Assembly is not to decide what our future status should be; that decision must ultimately be in the hands of the voters. The role of the Assembly that the PIP has proposed is twofold. First, it would be a powerful claim of decolonization to be clearly heard by the international community and the civil society of the United States, generating enthusiasm and commitment so that Congress and the President will feel compelled to promptly act responsibly. The second task of the Status Assembly is that the delegations elected to represent different non-colonial or non-territorial alternatives negotiate with the corresponding congressional committees and the White House the precise content of each of the alternatives and their respective processes of transition, which would be eventually put to a vote in a federally sanctioned decolonizing plebiscite law.

Since Congresswomen Velázquez and Ocasio Cortez presented their first version of what is now the draft bill announced in Washington together with the Resident Commissioner, Jenniffer González and Congressman Soto, the PIP expressed itself in favor of an initiative that had as its fundamental objective that the alternatives to be submitted to the electorate would not be subject to the powers of Congress under the Territory Clause. **We are therefore pleased to see that the draft bill contains as indispensable requirement that the vote be between independence, sovereign free association, and statehood; that is to say that the purpose of the bill is to put an end to the colonial condition of Puerto Rico. This is an important step**.

Not only Congress (in the PROMESA law) but also the Executive Branch (through the Department of Justice and the White House Reports) as well as the Supreme Court (in *Puerto Rico v. Sánchez Valle*) have undoubtedly stated that Puerto Rico continues to be an unincorporated territory subject to the plenary powers of Congress; it is now necessary that the political branches make a commitment to put an end to that colonial condition.

In pathetic demonstration of how deeply colonialism has damaged the minds in Puerto Rico, some voice an argument in favor of the benefits and convenience of colonialism and insist on the inclusion of territoriality in any plebiscite, absurdly claiming a democratic right to colonialism.

The proponents of the bill do well to ignore that pitiful and absurd claim. A slave contract is not valid nor can there be a valid "consent" to servitude. It is forbidden by the United States Constitution with regards to individuals. It is also prohibited with regards to peoples; colonialism is proscribed by international law. The United States are party to the International Covenant on Civil and Political Human Rights since 1992. **Nothing is less democratic and more contradictory than considering the denial of democracy as an option of self-determination**. In any case, it is no longer in dispute that a clear majority of the Puerto Rican people has repudiated and repudiates the continuation of the colonial and territorial regime.

III. The poison pill: statehood

Having said that, **the proponents of the bill should be congratulated for the decolonizing objective of the measure, but one must question whether the proposed bill as drafted may achieve its purpose**. If we are to seriously pursue the objectives, we must be frank about the possibilities of the draft bill. We must not ignore the elephant in the middle of the room.

To be serious we must recognize that the great obstacle and the source of most problems in Congress to advance a true process of self-determination is the alternative of statehood. The reasons, like the elephant in the room, are obvious and known to everyone. Just examining the precedents for the admission of new states, it is clear that Puerto Rico does not meet the traditional minimum requirements, namely:

1. an economy that may not only support its own state government, but may contribute its fair share to the federal treasury;
2. the widespread use of English and its adoption as the language of government and public institutions in territories where the use of another language was generalized; and
3. a consensus of the inhabitants of the territory in favor of admission (in the absence of any alternatives of separate sovereignty).

But there are even more far-reaching considerations. **Puerto Rico has its own deeply rooted national identity, different from that of the United States**. It is a territory that legally belongs to the United States but that culturally and sociologically constitutes a different nation, part of the great Latin American and Caribbean family. There may be respect and tolerance in the U.S. toward certain manifestations of cultural diversity (albeit dwindling in recent times) but **undoubtedly the United States is not, nor does it aspire to become, a multinational country by admitting other nations as states of the Union. *E pluribus unum* is the essence of the American nation**.

This issue cannot be avoided, no matter how thorny it may be for some, because as long as we do not address it, there will be no self-determination bill advancing in this Congress nor in any other. By not facing the difficult complexities of the statehood option, we condemn the People of Puerto Rico to captivity in the dungeons of colonialism.

If the bill is to serve as the lifeboat to save the passengers of the colonial sinking ship, its success depends on not overloading the boat; otherwise it will sink with everyone on board.

It is difficult—not to say impossible—to think of more than a handful of congressmen and senators who are really willing to vote in favor of an admission bill that provides—as the draft bill would require—that if statehood gets 51% of the vote and sovereignty—either under independence or under free association—obtains a combined 49%, the President would have to proclaim the admission of Puerto Rico as a state within a year of the vote. With an overload like that, no lifeboat can stay afloat. Even if the margin were greater, one must ask how many members of Congress would be willing to renounce their constitutional power of incorporating

new states as part of the nation abdicating his or her responsibility of admitting them to further the interests of the United States and not as the result of the momentary interest perceived by the population of the territory. **There is no doubt that the insistence on the self-execution of a statehood vote constitutes the proverbial poison pill that guarantees the failure of the measure as a whole, and the decolonizing objectives it purports to advance**.

The way to deal with the problem cannot be to ignore it. A bill of self-determination—as far as the statehood option is concerned—must address at least the following questions:

1. What requirements regarding the use of the English language in Puerto Rico would be necessary for admission as a state?
2. What would be the minimum percentage of votes for statehood, and of electoral participation for Congress to conclude that there is sufficient consensus in the population, and in what circumstances would subsequent votes be required?
3. What minimum economic and financial metrics must be achieved as a precondition to admission?
4. Assuming that Congress were inclined to admit Puerto Rico as a state, what measures would it take in the event that at some point in the future the People of Puerto Rico would claim their inalienable right to self-determination and independence, such as in nations like Quebec, Scotland and Catalunya, among others?

If the political process in Congress focuses on searching for consensus on these questions, then it is possible that the lifeboat may sail. This exploration is also decisive for Puerto Rican statehooders who, for the most part, are jealous and proud of their language, their culture, and their identity, and have the right to demand from Congress to lay out the cards on the table regarding these sensitive and crucial issues. Possibly this exploration by Congress may point to the conclusion that statehood for Puerto Rico is not a feasible alternative for the United States, which also has, of course, its own right to self-determination, including the decision regarding the incorporation and admission of new states. If so, then a decolonizing process must proceed between the alternatives of independence (a right pertaining to all peoples) and free sovereign association. The decolonization of Puerto Rico cannot be held hostage by the elephant in the room.

IV. Future negotiation processes

Any final version of this draft bill should specify issues relating to the transition to independence, [such as trade and public debt, among others.] With respect to sovereign free association, [other alternatives relating to citizenship should be explored (e.g., dual or reciprocal), as well as the powers to be delegated to the United States should be specified, and for how long.]

All these considerations regarding the three status options point to the need for a broader dialogue and negotiation process between accredited representatives of the three formulas and teams representing Congress and the Executive Branch. This is why we had also positively valued that aspect of the original bill of Congresswomen Velázquez and Ocasio Cortez.

Regardless of what may be achieved this year in the House of Representatives (including attention to a possible amendment to include the option of territorial commonwealth, which the PPD will surely promote among its allies) it is evident that in the Senate the doors are slammed shut. Few senators are interested in talking about the elephant in the room.

Here in Puerto Rico, no PPD or PNP Governor is willing to seriously pressure Congress to comply with its decolonizing obligation. That would require creating a political crisis to move Congress and the United States to action. The PPD leadership is not willing to do so since they do not have a decolonizing proposal and thus prefer that nothing ought to change. The PNP leaders are not willing because they fear exposing the statehood option to scrutiny and to the analysis required regarding the political reality of the United States. They are satisfied with any procedural move that they may claim as political gain, as they manipulatively use the idea of statehood as a subterfuge to achieve government power with promises of an inexhaustible cornucopia of federal funds.

Fortunately, the winds of change have finally begun to blow strongly in Puerto Rico, and one can anticipate that a new correlation of political forces will continue to strengthen in order to elect a governor committed to decolonization and to the regeneration of the country as the most urgent priority.

REPUBLICAN PARTY OF PUERTO RICO

June 4, 2022

US House of Representatives
Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

Re: Puerto Rico Status Act Discussion Draft

We wanted to start by thanking Majority Leader Hoyer, Chairman Grijalva and the other members of the Committee for this unprecedented effort to resolve Puerto Rico's centuries old colonial status; and finally, "bestow upon the Residents of Puerto Rico the full measure of democracy that is consistent with our nation's founding principles." This is the last unfinished business of American democracy and only you and the US Congress have the power to finally resolve it.

On May 23 of this year, the Republican Party of Puerto Rico approved a Resolution in Support of a Compromise Bill on Status, where it unequivocally supports the status resolution process and calls on Republican Members of Congress to vote for its passage.

As you are aware, following the directives established by Task Forces under Presidents Bush and Obama, Puerto Rico has sponsored 3 plebiscites in the last 10 years. They have included all possible options and all possible matchups amongst those options. Statehood has prevailed on all. Much spin has been authored as to why the referenda was unfair. But one issue has risen above all arguments and is undisputed; the people of Puerto Rico do not want to continue their present relationship with the United States. And although the Draft Bill we are discussing today does not recognize the favorable results for statehood, it at least recognizes the fact that the present territorial relationship is unfavored and unacceptable.

Because of the leadership shown by the sponsors of this bill, there is now no turning back from a bill empowering the people of Puerto Rico to end territory status. However, before this bill becomes law Congress will need to clarify and correct one provision of the bill that may seem appealing to some, but in reality, does not make much sense. Since 1917 Congress has conferred statutory U.S. nationality and citizenship under laws applicable only to persons born in Puerto Rico. Congress can repeal that law and end conferral of citizenship based on Puerto Rico birth at any time. But Section 208 would in fact take away from Congress the ability to withdraw such conferral and create an international obligation encumbering Congressional power to end U.S. citizenship under free association. In other words, this section 208 provides a higher order of citizenship under separate sovereignty, than we have now under the territorial relationship.

Why would Puerto Rico, after voting to become a separate sovereign from the United States, but in free association with it, want all its residents to be US citizens, and then hand that status down to succeeding generations in perpetuity? And why would the United States want to impose its citizenship on all citizens of a separate sovereign country? Where would the loyalty of these dual citizens fall? Could these dual citizens be called to fight in a war for the United States if selective service military draft were instituted?

We believe that independence and Sovereignty in Free Association, as Statehood, are noble and decolonizing aspirations for the People of Puerto Rico to consider. But Section 208 is misleading and voter education materials for the proposed plebiscite will not be able to clearly explain the reality that if the people of Puerto Rico decide to become a separate sovereign, their loyalty and allegiance will be to Puerto Rico and not the United States, as it is now.

We unequivocally support the status resolution process proposed by this compromise Bill except for the conferral of U.S. citizenship to citizens born on the sovereign Nation of Puerto Rico.

Cordially,

ZORAIDA F. FONALLEDAS,
National Committeewoman

Attachments: Resolution 2022-3 and Memorandum of Law and Policy

REPUBLICAN PARTY OF PUERTO RICO
RESOLUTION 2022-3

TO EXPRESS THE SUPPORT OF THE REPUBLICAN PARTY OF PUERTO RICO FOR APROMISE BILL ON STATUS BEFORE THE 117TH CONGRESS

WHEREAS, for over 60 years the Republican Platform and every Republican President have supported Statehood for Puerto Rico.

WHEREAS, the United States should move resolutely to ensure that the 3.2 million U.S. citizens in Puerto Rico can assume their full responsibilities and at the same time fully enjoy all their civil and democratic rights as citizens.

WHEREAS, the President's Task Force under President George W. Bush recommended that Puerto Ricans determine their preference regarding a fully democratic status for the islands by first voting on the current territory status and then voting on the alternatives and the Task Force under President Barack Obama also expressed a preference for a Puerto Rican status choice made through a referendum;

WHEREAS, along with the general elections on November 6th, 2012, Puerto Rico held a referendum on status options inspired by the recommendations of the President's Task Force on Puerto Rico's Status under Presidents George W. Bush and Obama. Per the certified results by the Puerto Rico's Elections Commission, 54% of the vote opposed and rejected the current territorial status and 61.2% was for Statehood among the alternatives;

WHEREAS, no other U.S. territory in American history has remained subject to the power of Congress to govern territory outside the states of the union as long as Puerto Rico. No territory in U.S. history has remained a territory for as many decades after U.S. citizenship was granted as Puerto Rico.

WHEREAS, there are more U.S. citizens in Puerto Rico than in 25 states of the union. Americans from Puerto Rico serve in U.S. armed forces at a per capita rate higher than 49 states. In every war since citizenship was conferred in 1917, Puerto Ricans have defended with valor overseas for rights of equal national citizenship and democratic national government they are denied back home, and some of those who fought and died for our country won the Congressional Medal of Honor;

WHEREAS, U.S. citizens in Puerto Rico pay the same federal taxes as all Americans on income earned in the 50 states or foreign countries. The current exemption from federal income tax on local earnings is offset by local taxation that subsidizes the "commonwealth" regime of local territorial government established under the territorial power of Congress;

WHEREAS, the 2020 Republican National Convention Platform calls for Federal sponsorship of an informed process of self-determination for Puerto Rico to establish a "permanent non-territorial status with government by consent and full enfranchisement" for Puerto Ricans;

WHEREAS, under the leadership of Congresswoman Jenniffer Gonzalez Colon, the sole and duly elected representative of the people of Puerto Rico in Congress, on May 19th of 2022 a bipartisan agreement was announced under which legislation would be introduced in the United States House of Representatives a congressionally sponsored status plebiscite to be held in Puerto Rico would be enacted into law;

WHEREAS, the bipartisan legislation specifies and defines the non-territorial status options for Puerto Rico: Statehood, Independence or another form of independence in the form of Separate Sovereignty in a treaty of free association with the United States;

WHEREAS, It is imperative that voters in Puerto Rico are fully informed about the options in the proposed ballot and what each option represents for future generations. Only through constitutionally valid options can the promise of American democracy be fulfilled. Statehood is the only status option that guarantees irrevocable U.S. citizenship for all residents of Puerto Rico currently and for future generations.

NOW, THEREFORE, BE IT RESOLVED, that the **REPUBLICAN PARTY OF PUERTO RICO**, unequivocally supports the status resolution process for Puerto Rico through the compromise bill co-sponsored by Congresswoman Jenniffer González Colón, calls on all republican members of Congress to vote for its passage and urges all Republican voters in the island to support Statehood for Puerto Rico in the plebiscite to be held in accordance to federal law. (Adopted by the State Committee of the Republican Party of Puerto Rico on May 23, 2022).

Memorandum of Law and Policy*

STATEMENT OF ISSUES:

As a general principle of federal law and policy practices, U.S. law allows Americans to acquire nationality and citizenship rights in foreign nations, as long as doing so is not incompatible with allegiance to the U.S. and the duties of U.S. nationality and citizenship. However, U.S. does not proactively create dual citizenship by operation of U.S. law. In other words, with only narrowly drawn exceptions the U.S. does not strip Americans of U.S. nationality and citizenship if another nationality is retained or acquired, but the U.S. holds every national and citizen to the full duties and obligations of allegiance, nationality and citizenship of the United States.[1]

In addition to those general principles, the U.S. has not created dual citizenship in connection with acquiring sovereignty over a foreign territory and population through annexation or cession (Louisiana Purchase, Art. III, 1803; Alaska Cession, Art III 1867); Spanish Cession 1899, Art. IX; Hawaii Annexation, Territorial Organic Act, Sec. 4, 1900), or in divesting sovereignty over a U.S. territory and its population (Philippine Independence Act, Sec. 14, 1934–1946).[2]

Accordingly, if Puerto Rico ceases to be a U.S. territory and becomes a separate sovereign nation, applicable legal and policy precedent would require persons who acquired statutory U.S. nationality and citizenship based on birth in the territory to make an election between declaration of retained allegiance to and nationality of the United States, or declaration of allegiance to and nationality of the nation of Puerto Rico (Treaty of Paris, Art. IX, 1899; Foraker Act, Sec 7. 1900). To give that election prospective effect in accordance with precedent and enable orderly succession of Puerto Rico to nation status, including effective exercise of sovereign powers over a defined territory and population, the U.S. will require measures to ensure persons with statutory U.S. nationality and citizenship based on birth in Puerto Rico who acquire nationality and citizenship of Puerto Rico do not retain as a matter of statutory policy a status of dual U.S. and Puerto Rico nationality and citizenship by operation of U.S. law.[3]

Concomitantly, upon termination of current territorial status, conferral of U.S. citizenship for persons born in Puerto Rico will end due to succession of sovereignty and conformity of law requirement that 8 U.S.C. 1402 will be repealed as part of the succession to nationhood. Likewise, since children born in Puerto Rico will be foreign born but may have one or more parent who is a U.S. national and/or a U.S. citizen, 8 U.S.C. 1401 will be restricted to preclude naturalization of children born in the nation of Puerto Rico based on U.S. nationality or citizenship of parents. Any proposal to extend U.S. naturalization for children born in Puerto Rico with citizenship of that nation after a proclamation of independence, or succession to separate sovereign nationhood with free association, if based on U.S. nationality or citizenship of parents acquired due to birth in Puerto Rico under 8 U.S.C. 1402 or naturalization in Puerto Rico under 8 U.S.C. 1401 during the period of territorial status, will constitute creation of dual U.S. and Puerto Rico citizenship by operation of U.S. law.[4]

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[1] Dual Nationality (state.gov): "Section 101(a)(22) of the Immigration and Nationality Act (INA) states that "the term 'national of the United States' means (A) a citizen of the United States, or (B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States." Therefore, U.S. citizens are also U.S. nationals . . . The concept of dual nationality means that a person is a national of two countries at the same time. Each country has its own nationality laws based on its own policy . . . Dual nationals . . . are required to obey the laws of both countries, and either country has the right to enforce its laws. It is important to note the problems attendant to dual nationality. Claims of other countries upon U.S. dual-nationals often place them in situations where their obligations to one country are in conflict with the laws of the other . . . U.S. nationals, including dual nationals, must use a U.S. passport to enter and leave the United States. Dual nationals may also be required by the foreign country to use its passport to enter and leave that country. Use of the foreign passport to travel to or from a country other than the United States is not inconsistent with U.S. law."

[2] "Puerto Rico's Future: A Time to Decide," Richard Thornburgh, Center for Strategic and International Studies (CSIS), Washington D.C. (2007).

[3] "Citizens Without a State," Howard Hills, Pacific Noir Pulp Press, Laguna Beach CA (2016), 2nd Edition, Washington D.C. (2021).

[4] *See*, Congressional Research Service, Report 98-819, October 1, 1989 (*excerpts attached*).

Discussion:

If Puerto Rico is admitted as a state of the union, all persons born in Puerto Rico will acquire full equal rights of U.S. national citizenship and the full equal rights of state citizenship under Section 1 of the 14th Amendment. If Puerto Rico is not permanently incorporated into the union and admitted as a state, the current territorial status will end only when there is a succession of the territory and population of Puerto Rico to the political status of separate foreign sovereign nationhood consistent with the status and rights of independence.

The latter independent status can include national sovereignty under an international agreement on free association as defined by U.S. and international law (See, U.S. Public Law 99-239, U.S. Public Law 658, U.S. Public Law 108-188; United Nations General Assembly Resolution 1541 (XV), U.N. General Assembly Resolution 2625 (XXV). Any form of separate nationhood with an agreement purporting to establish free association that does not establish full and effective separate nationality and citizenship, as well as the right of both governments unilaterally to terminate free association, would not meet U.S. or international standards of sovereignty consistent with the right of independence. Only based on full separate sovereignty, nationality and citizenship under free association terminable at will by either party has the U.S. acceded to free association agreements with three Pacific Island nation states, and only on that basis have those nations been admitted to the U.N. membership per the U.S. statutes cited above.

CONCLUSION:

If historical norms adhere, current U.S. statutory birthright citizenship for persons born in Puerto Rico under 8 U.S.C. 1402, as well as naturalization under 8 U.S.C. 1401 for children born outside the U.S. and its outlying possessions based on U.S. citizenship of parent(s) acquired under 8 U.S.C. 1402, will end upon termination of territorial status of Puerto Rico. It would be historically unprecedented and create conflicts of domestic constitutional statutory law, as well as conflicts with international law recognized by the United States, for the U.S. Congress to allow the temporary territorial statutory system of collective birthright citizenship based on birth in Puerto Rico during the territorial period under 8 U.S.C. 1402 to be misappropriated for exogenous and unintended purposes if Puerto Rico ceases to be a territory and becomes a sovereign nation.

That would be the result if 8 U.S.C. 1402 were hijacked and misapplied by ad hoc, sui generis statutory measures to convert statutory individual derivative citizenship procedure under 8 U.S.C. 1401 into a collective naturalization scheme for mass dual citizenship in an independent or sovereign free associated state of Puerto Rico. Free association as used here is not as defined by Puerto Rico law, but by U.S. and international law as cited above.

*__Prepared by:__ Jose A. Fuentes-Agostini, former Attorney General of Puerto Rico, in consultation with other scholars

Attachment:

Congressional Research Service, Report 98-819, October 1, 1989: Dual Citizenship

"There are several potential problem . . . first, actions which may result in expatriation from the U.S., i.e., loss of American citizenship, and second, potentially conflicting obligations to both countries, e.g., mandatory military service . . . double income taxation, voting privileges, public office or employment and repatriation of income from employment or investment abroad . . . potentially conflicting obligations of holding citizenship of the U.S. and another nation, the dual citizenship laws and legislative activity of selected countries in which a significant number of U.S. citizens may be eligible for dual citizenship There are several potential problems and issues falling into two categories . . ."

CRS Report 98-819 Analysis & Findings:

- "Actually, nationality and citizenship are distinct concepts. Citizenship concerns the political status and rights conferred on a person by a nation, such as the right to vote and to hold office . . . Nationality concerns the status of a person under international law, i.e., the allegiance which a person owes to a nation and the protection owed by a nation to a person vis-à-vis another nation. In the U.S., all citizens are nationals, but not all nationals are citizens. Nationals by birth who are citizens are those persons born or presumed to be born in the U.S., born in the outlying possessions to parents at least one of whom is a U.S. citizen who satisfies certain conditions precedent, or born outside the U.S. and its possessions to parents at least one of whom is a U.S. citizen who satisfies certain conditions precedent . . . Nationals by birth who are not citizens are those persons born or presumed to be born in an outlying possession of the U.S. on or after the date of formal acquisition of the possession or born to parents at least one of whom is a U.S. national who satisfies certain conditions precedent . . . Aside from this distinction, generally the terms seem to be used interchangeably, although citizenship is really a subset of nationality. Therefore, although the U.S. provision concerning loss of nationality is entitled "Loss of nationality by native-born or naturalized citizen," . . . ,the courts also appear to have used the two terms interchangeably, so the loss of nationality seems to be understood usually to mean the loss of citizenship as well where both are involved. . . . Therefore, the terms will be used interchangeably in this report. Dual citizenship can arise in several ways, from naturalization and from two doctrines of citizenship. Jus soli is the principle that a person acquires citizenship in a nation by virtue of his birth in that nation or its territorial possessions . . . Jus sanguinis is the principle that a person acquires the citizenship of his parents, "citizenship of the blood."

- ". . . [Title 8 U.S.C.] Section 1481 includes acts demonstrating an allegiance to another nation which may be incompatible with allegiance to the U.S. Those acts include naturalization in a foreign country; taking an oath of allegiance to a foreign state or one of its political subdivisions; serving in the armed forces of a hostile foreign state or serving as a commissioned or non-commissioned officer in the armed forces of a foreign state; serving in any office, post or employment under a foreign state's government, if one is a national of that state; making a formal renunciation before a diplomatic or consular officer of the United States in a 8 Constitution of the United States . . . making a formal renunciation in a manner prescribed by the Attorney General when the U.S. is at war; and committing treason. Section 1483 of Title 8 restricts the conditions for expatriation. Except for treason and formal renunciation in the U.S., a citizen cannot be expatriated while he is in the U.S. or its possessions. However, acts committed in the U.S. or its possessions can be grounds for expatriation once the citizen leaves the U.S. and resides outside it and its possessions. There has been at least one case which found that Congress could set conditions on the retention of U.S. citizenship for a person born abroad to parents only one of whom has U.S. citizenship. Since the person was neither born nor naturalized in the U.S. but merely derived his citizenship from the parent, he was not protected from denationalization by the Fourteenth Amendment. . .

- ". . . bilateral treaties between the U.S. and other countries to avoid double taxation but these address situations in which a citizen or national of one party is domiciled in another party; often they do not address the special issue of the dual national. The tax laws of the U.S. provide for foreign tax credit and a court has even found that taxes levied by a political subdivision of a country, not by the federal government, may be credited toward the taxes owed by a U.S. corporation; current regulations are consistent with this ruling. Laws governing the repatriation of income earned and investment by aliens and dual nationals may differentiate between the alien and the dual national; the dual national may not be permitted to take as much money out of the country because he is considered a national with not as much reason as an alien to remove assets to another country, even if he is a national of that other country. If there is no treaty to which the U.S. and the particular nation involved are parties, the U.S. and that nation can negotiate naturalization, tax or military obligation treaties in which they can resolve any conflicting obligations to make the status, rights and obligations of dual nationals clear. Historically, treaties of expatriation which resolved questions of dual nationality have been negotiated with a number of countries; however, some of these have terminated."

- ". . . the dual nationality or citizenship laws of selected countries in which it appears that a significant number of Americans possess nationality or citizenship, in particular, recent changes in the constitution and federal statutes of Mexico have received a great deal of attention in the United States, since those changes were apparently motivated, at least in part, by the effects of recent immigration law reforms in the United States on Mexican citizens who are permanent resident aliens in the United States. Additionally, the relevant citizenship and nationality laws of Israel, Ireland and Colombia will be discussed. The laws discussed here do not include the naturalization laws, which could result in dual citizenship if a U.S. citizen chose to apply for naturalization in those countries. Rather, this discussion focuses on describing those laws which provide for retention of nationality after naturalization in the United States or for acquisition of nationality by descent, a sort of jus sanguinis. It has been suggested that the exercise of the rights and privileges of a prior nationality by a naturalized U.S. citizen, after the date of naturalization, calls into question the truthfulness of the citizen's oath of allegiance to the United States and renunciation of other allegiances, and that therefore, the naturalization could be. For example, the United States has two taxation treaties with Ireland, a country in which many Americans hold nationality—Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on the estates of deceased persons, invalidated on the grounds of fraud in the procurement. On the other hand, since some of the foreign laws provide for reacquisition of native nationality, it could be argued that persons who take advantage of reacquisition procedures are not acting differently from native-born U.S. citizens who seek naturalization in another country. Mexico Recent changes in the constitutional and federal statutory laws of Mexico have made possible the retention or reclamation of Mexican nationality for former Mexican citizens who are now naturalized U.S. citizens and for their U.S.-born children. In December 1996, both chambers of the Mexican federal legislature unanimously passed amendments to articles 30, 32, and 37 of the Constitución Politica de los Estados Unidos Mexicanos [Political Constitution of the United Mexican States]. The effective date of these amendments was March 20, 1998, one year after the date of publication in the Diario Oficial de la Federación [Official Journal of the Federation]. Publication occurs upon ratification by a majority of the 31 state legislatures in Mexico. These amendments made possible the retention of Mexican nationality by Mexicans who possess the nationality of another country. Such persons can also transmit Mexican nationality to their children born outside Mexico. Transmission is limited to persons born outside Mexico to parents one or both of whom are Mexicans by birth or naturalization in Mexican territory. Only Mexicans with no other nationality may be appointed or elected to public offices where national security and sovereignty concerns are implicated. Mexican dual nationals will be able to hold passports and to own real property in restricted areas. Under Mexican law, foreigners are prohibited from owning land within 100 kilometers of borders and 50 kilometers of the coastline. Former Mexican nationals who have already lost their nationality through naturalization in another country have five years after the entry in force of the amendment to initiate the procedure for

recovering their Mexican nationality, that is, until March 3, 2003. The law implementing the constitutional amendments with respect to dual nationality was passed by both chambers of the Mexican Congress in December 1997, published on January 23, 1998, and went into effect on March 20, 1998, the effective date of the underlying amendments. Mexican law distinguishes between nationality and citizenship with regard to the rights enjoyed. Although Mexican dual nationals will be able to travel and live in Mexico and to own property without restrictions, they will be exempted from certain obligations and also barred from certain privileges and rights associated with citizenship. As mentioned above, they will not be allowed to hold certain public offices. They will not be required to serve in the Mexican armed forces, but will have to register abroad at consulates or embassies. Significantly, the right to vote. the primary political right associated with citizenship, has not been extended to dual nationals by the new laws. Apparently, at the current time there are no procedures for absentee voting even by those possessing Mexican nationality and citizenship who reside outside of Mexico."

- "Israel The Law of Return in Israel provides for the right of every Jew to immigrate to Israel and become an Israeli citizen, unless it is determined that the person is engaged in activity directed against the Jewish people, may endanger public health or the security of the state, or has a criminal past, likely to endanger public welfare. A "Jew" is defined as a person born of a Jewish mother or who has converted to Judaism and is not a member of another religion. An extension has been made to cover the offspring of inter-marriage between a Jewish man and a non-Jewish woman. In that case, the right of return is extended to the child and grandchild of a Jew, the spouse of a Jew, the spouse of a child of a Jew, and the spouse of a grandchild of a Jew, except for a person who has been a Jew and has voluntarily changed his religion. Ireland Under the Nationality and Citizenship Acts of 1956 and 1986, a person born outside Ireland may acquire Irish nationality by descent transmitted up to three generations down from the person born in Ireland. A person born outside Ireland, whose mother or father was born in Ireland and was an Irish citizen at the time of his birth, is automatically an Irish citizen. A person whose grandfather or grandmother was born in Ireland, but whose parents were not, may acquire Irish citizenship by registering in the Foreign Births Register at a consulate or embassy of Ireland or at the Department of Foreign Affairs in Dublin, Ireland. other harbingers of a global trend toward liberalization of dual nationality laws. These foreign laws and foreign legislative activity potentially could have a particular impact on the United States, traditionally perceived as a nation of immigrants. On the one hand, concern has been expressed in the media and elsewhere about split loyalties and protecting the national interests of the United States in the face of the growing numbers of Americans who hold the nationality of other countries, regardless of whether those other countries are perceived as friendly to the United States or not. These concerns are reflected in some of the current policies in the federal government. In one reported instance, a renewal of security clearance was denied to a government employee when he informed authorities that he had acquired Irish nationality and possessed an Irish passport."

REPUBLICAN PARTY OF PUERTO RICO

July 18, 2022

Hon. Bruce Westerman, Ranking Member
House Committee on Natural Resources
1329 Longworth House Office Building
Washington, DC 20515

Dear Ranking Member Westerman:

For several months, the House Committee on Natural Resources has been considering legislation to help resolve the centuries-old inequality U.S. citizens in Puerto Rico face due to their colonial relationship, first with Spain and for the last 124 years with the United States. This relationship has impeded Puerto Rico's social, economic and political development, given its lack of sovereignty. The inequality and lack of rights that we have experienced during this time is without precedent in American history.

The lack of participation in the government that establishes all our laws is a hinderance to democratic principles which we, the United States seek to project and establish around the world. Government by consent of the governed has eluded us for way too long. Even though every law the U.S. Congress passes applies in full force to Puerto Rico and the 3.2 million U.S. citizens that live here, we have no vote in Congress nor get to vote for our Commander in Chief despite having proudly fought in every war since 1917 and participating in our military forces at a rate higher than most states. During the last 10 years, Puerto Rico has seen a disproportionate number of our residents migrate to the mainland states where they become full citizens upon arrival enjoying the same rights, responsibilities and benefits as our fellow Americans including voting rights. We now total over 6 million living on the mainland.

The Supreme Court and Congress have repeatedly reaffirmed that the current status keeps the U.S. Citizens in Puerto Rico in a state of being wards of Congress with no participation in the key decision making about their lives. The Department of Justice has even indicated that there cannot be a binding ballot question promising some vaguely stated "enhancement" of the status-quo. The People of Puerto Rico need to be able to choose alternatives that provide a permanent constitutional status backed by Congress, of either equal footing with the rest of the States or separate sovereignty.

Finally, there is a Bill filed in the House that would provide a structured path to end this last unfinished business of American democracy. H.R. 8393, the Puerto Rico Status Act, is a bipartisan compromise Bill which would finally accomplish what the Republican Party Platform has been supporting for 82 years. The Bill is not the ideal we would have chosen, but it does contain the language of the Puerto Rico Statehood Admission Act (H.R. 1522) that the Puerto Rico Republican Party previously supported, and overall, it provides for a fair, democratic process supported by Congress to provide a realistic and constitutional solution to Puerto Rico's democratic status aspirations as supported by the Republican National Committee.

The Republican Party of Puerto Rico has supported statehood since its inception in 1899. The National Republican Committee has repeatedly included statehood in its platforms since 1940, and the last five Republican Presidents have either explicitly advocated for statehood or supported the right of the Puerto Rican people to opt for it once achieving majority support. We look forward to your leadership in a Republican controlled Congress to see that platform made a reality, but at this time it is of the utmost importance that we as Republicans are not seen as obstructing this process, but rather help create a platform upon which we can build in a future Congress.

> *"If we cannot design a model for a political economy that is sufficiently attractive, if we can't win over our fellow citizens in Puerto Rico, how can our model succeed as an instrument of foreign policy anywhere in the world?" Ronald Reagan, Wall Street Journal, February 11, 1980*

The Republican Party of Puerto Rico hereby endorses H.R. 8393 and requests that you as Ranking Member of the committee with jurisdiction support our Resident Commissioner Jenniffer Gonzalez-Colón's efforts. We are aware there will be calls from various interests to introduce procedural hurdles, preconditions and burdens that have not been applied to other territories, extraneous matters, and language to render the bill ineffectual, which even if they fail will be used as "messaging" that there is opposition and obstruction against the process, and there will be bad faith speculation as to motivations. This is why we need to count on your leadership.

This is an important piece of policy that will help the Republican Party of Puerto Rico, an active participant in the election of Republicans across the country, to continue our efforts to open the doors of our tent to more and more Hispanic voters. Not reinforcing what the Republican Party Platform has stood for during the last 82 years would send a terrible message of our commitment to our stated conservative postulates and derail the gains and investment made with this important community. The negative overtones in the media will impact all of us. Last month, KAConsulting LLC surveyed 1,000 Puerto Ricans from across the country focusing on six states where the November stakes for Republicans are highest. The survey found that, "Support for Puerto Rico statehood also carries notable political currency. Nearly 7 in 10 are more likely to support a candidate that supports Puerto Rico becoming a state. Just 13% are less likely."

That same poll (attached) showed that 46% identified as conservative and 25% as moderate (#36), that over 50% attended religious services at least a few times per month (#39), 85% responded that abortion should be either limited or prohibited in all circumstances (#40), 65% approved of the job Donald Trump did as President (#5), and 63% disapproved of the job Joe Biden is doing as President (#4).

Due to everything mentioned above, we respectfully ask you to support H.R. 8393 and that you rally under your leadership the Republican Members on the Committee on Natural Resources.

We thank you for your leadership on this and other critical issues and look forward to working together in a future Republican Majority in the 118th Congress.

Respectfully submitted,

Ángel Cintrón, Esq.,
State Chairman

Zoraida F. Fonalledas, Esq.,
National Committeewoman

Hon. Luis G. Fortuño,
National Committeeman

June 24, 2022

Hon. Raúl M. Grijalva
Chairman
Committee on Natural Resources
1324 Longworth House Building
Washington, DC 20515

Hon. Bruce Westerman
Ranking Member
Committee on Natural Resources
1329 Longworth House Building
Washington, DC 20515

Dear Chairman Grijalva and Ranking Member Westerman:

We, the undersigned organizations, write to thank you for taking into consideration our letter of December 15, 2021 in which we requested that the Committee either bring H.R. 1522, *The Puerto Rico Statehood Admission Act*, immediately to a vote or negotiate and advance compromise legislation to finally decolonize Puerto Rico.[1] Given that the Committee was unable to bring H.R. 1522 to a vote, we welcomed the announcement made on May 19, 2022 of a proposed compromise bill discussion draft, the *Puerto Rico Status Act* ("PRSA"), and now we ask you to please schedule a markup of this bill as quickly as possible. The PRSA is historic because it is the first time Congress has ever proposed binding legislation that would empower the U.S. citizens of Puerto Rico to make a definitive and self-executing choice on whether to become full and equal participants in American society through statehood or to create their own separate country through either independence or independence with free association.

Given the complexity of untangling 124 years of America's territorial colonial relationship with Puerto Rico, we understand that the bipartisan negotiations to develop the PRSA were intense and challenging. We therefore want to commend and express our sincere gratitude to Majority Leader Hoyer, Chairman Grijalva, Resident Commissioner González-Colón, Rep. Velázquez, Rep. Soto, Rep. Ocasio-Cortez, their respective staff members and all others who contributed to crafting the PRSA. We also want to thank the Committee for providing civil society organizations and the general public the opportunity to provide input prior to the formal introduction of the PRSA.

The PRSA is a direct acknowledgement of the fact that the current territory status is fundamentally undemocratic and colonial in nature, that it goes directly against America's founding principles of government by the consent of the governed, and that Congress needs to correct this historic injustice, which has a detrimental impact upon 3.2 million American citizens living under U.S. sovereignty every day. As supporters of statehood for Puerto Rico, we believe that by finally offering Puerto Rico's voters a binding and self-executing choice, including the option of statehood, the discussion draft of the PRSA respects the will of the majority of Puerto Rico voters who have formally expressed their desire for statehood in 2012, 2017 and 2020.[2] We are completely confident that when Congress finally gives the U.S. citizens of Puerto Rico a binding choice to decide the territory's political future, a majority of voters will once again choose statehood.

While we support the PRSA discussion draft as written, and acknowledge that making any changes to it that are not agreed to by all of the parties could cause the bipartisan agreement to fall apart, we believe the Committee must consider making several critical improvements to the legislation before its introduction or during the legislative process. Our recommendations are meant to ensure that the three choices presented to voters in Puerto Rico are constitutionally attainable, defined as clearly as possible so that the most important implications of those choices are clear, and that significant ambiguities in the current PRSA discussion draft can be eliminated or greatly mitigated. Our proposed changes are meant to

[1] Letter from Various Organizations to Hon. Raul Grijalva and Hon. Bruce Westerman, Chairman and Ranking Member, H. Comm. on Natural Resources. December 15, 2021. PR51st.com. http://www.pr51st.com/wp-content/uploads/2021/12/Letter-to-Congress-Calling-for-Action-on-Statehood-for-Puerto-Rico-December-15-2021-FINAL-4.pdf (Retrieved June 15, 2022).

[2] P.R. State Elections Comm'n, *Official Plebiscite Results for 2012, 2017 & 2020*, https://elecciones2020.ceepur.org/Escrutinio_General_93/index.html#es/default/PLEBISCITO_Resumen.xml, https://resultados2017.ceepur.org/Escrutinio_General_79/index.html#en/default/CONSULTA_DE_ESTATUS_Resumen.xml, http://168.62.166.179/eg2012/REYDI_Escrutinio/index.html#en/default/OPCIONES_NO_TERRITORIALES_ISLA.xml (last visited June 9, 2022).

ensure that voters can provide informed consent, which is necessary to guarantee that the plebiscite results have legitimacy and obtain the greatest degree of public acceptance possible both in Puerto Rico and in the eyes of the U.S. federal government. However, if the choice is between the implementation of these proposed changes or Congress not taking action to approve the PRSA, we would much prefer the approval of the current discussion draft over the perpetuation of the unequal, unjust and fundamentally colonial current territory status.

Recommended Clarifications to the "Free Association" Status Option

In Sec. 5(a)(2) the PRSA establishes three non-territorial options for the eligible voters residing in Puerto Rico to choose from: "Statehood", "Independence," or "Sovereignty in Free Association."[3] While the constitutional implications of the options of statehood and independence are clearly understood by the general public, the constitutional implications of "Free Association" are not as well understood and give rise to a significant uncertainty that must be clarified.

Use of the word "Sovereignty" as the main descriptor for the option of "Free Association" is insufficient to ensure that voters understand that for constitutional purposes this option is a form of independence outside the protection of the U.S. Constitution.[4] The bill must make clear to voters that under "Free Association" Puerto Rico must be sovereign under its own constitution so that it can function as a fully independent nation if the "Free Association" is terminated by either party acting unilaterally or simply expires. PRSA should also make clear that the "Free Association" relationship contained in the Articles of Free Association ("AFA") cannot be guaranteed because the AFA would still need to be approved under federal law as a type of international treaty.[5] As a treaty-based relationship voters must understand that "Free Association" is not a permanent constitutionally defined status, instead it is defined by the terms of the treaty and continues only as long as the treaty creating the association remains in effect. We appreciate that the bill specifies that under "Free Association" either party can terminate the relationship at any time, but the bill must explicitly inform voters that such termination will result in Puerto Rico's full and complete independence. Such a monumental change cannot be left as an implied consequence.

Therefore, we recommend amending the "Free Association" option from "Sovereignty in Free Association" to "Independence in Free Association." Using the word "Independence" before "Free Association" would make the constitutional implications of this option much clearer to voters than using the word "Sovereignty," whose meaning is more ambiguous and less commonly understood. We also recommend amending Sec. 5(b)(3)(E) by adding the words "which would result in Puerto Rico's independence." These changes are necessary to ensure the genuine informed consent of Puerto Rico's voters who may select this option under the plebiscite proposed by PRSA.

Recommendation for Educational Materials

As part of the "Nonpartisan Voter Education Campaign" proposed in the PRSA, we recommend adding a Sec. 6(b)(5) to ensure that the "Voter Educational Materials" include an explanation of the "Constitutional Implications" of each option. Such an explanation must make clear to voters that the "Free Association" option means national sovereignty, which is a form of independence outside of the protection of the U.S. Constitution, based on a treaty with the United States that can be terminated at any time by either party, resulting in full independence for Puerto Rico. The explanation of "Statehood" should make clear to voters that it

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[3] *The Puerto Rico Status Act Discussion Draft*, H. Comm. on Natural Resources (May 19, 2022), https://naturalresources.house.gov/imo/media/doc/DISCUSSION_DRAFT_Puerto_Rico_Status_Act.pdf.

[4] "Independence is a general term that refers to the possibilities both of full independence from the United States and of a compact of free association, in which Puerto Rico would become a sovereign nation but would continue to have close ties to the United States under the terms of a mutually agreed-upon compact . . . there is no constitutionally permissible status 'outside of the Territorial Clause' other than statehood or independence (including free-association agreements)," U.S. Department of Justice: Analysis of H.R. 2070, the Puerto Rico Self-Determination Act of 2021, H. Comm. on Natural Resources (June 14, 2021), https://naturalresources.house.gov/imo/media/doc/DOJ%20Analysis%20of%20HR%202070.pdf.

[5] *"[The President] shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur*," U.S. Constitution, Article II, Section 2, Clause 2.

means admission into the "Union of States" on equal footing where each state retains its own state Constitution, state identity, state flag, sovereignty under the 10th Amendment of the U.S. Constitution, and where state citizens have full and equal rights, benefits and responsibilities at the federal level as U.S. citizens in all other states.

Additionally, the educational materials under Sec. 6(b)(1) should also clearly inform voters in Puerto Rico that under the options of "Independence" and "Sovereignty in Free Association," individuals who retain their U.S. citizenship while living in Puerto Rico will be required to report all taxable income to the Internal Revenue Service and to pay federal taxes as U.S. citizens living abroad.[6]

Clarifying Citizenship Provisions

We appreciate the clarity with which the PRSA articulates in Sec. 5(b)(4)(C) that the only status option where the U.S. citizenship of those born in Puerto Rico is "recognized, protected, and secured" under the U.S. Constitution is "Statehood." That clarity is unquestionable becausetate of the Union, the U.S. citizenship of individuals in Puerto Rico would be protected under the 14th Amendment of the U.S. Constitution, just as it is in every other state.

However, in both the ballot language and implementation provisions for the options of "Independence" (Sec. 5(b)(2) & Sec. 109) and "Free Association" (Sec. 5 (b)(3) & Sec. 208) the PRSA's current draft language creates a number of very serious ambiguities regarding the level of protection of the citizenship rights of U.S. citizens born on the island once Puerto Rico exits territorial status and the U.S. cedes sovereignty over the territory and its population. The citizenship provisions in PRSA must make it absolutely clear to Puerto Rico's voters that, notwithstanding any implicit or explicit statutory guarantees made in the PRSA, as a sovereign nation the U.S. will always retain control over its citizenship policy.[7] This includes the possibility that a future Congress could mandate that U.S. citizens make an election between retaining U.S. citizenship and obtaining a new Puerto Rican citizenship should they choose to remain in an independent Puerto Rico with or without free association.[8]

Up to now, the legal and policy precedent of the U.S. federal government has been that former U.S. territories which have obtained either "Independence" (the Philippines) or independence with "Free Association" (the former trust territories of the Marshall Islands, Micronesia, and Palau) have established their own separate nationality and citizenship to enable their orderly succession into nation status with effective sovereign powers over their territory and population.[9] An exception to this occurred following the U.S. possession of the Panama Canal, where individuals born in the Canal Zone acquired U.S. citizenship unconditionally and maintained their citizenship after enactment of the Panama Canal Treaty through which the U.S. ceded sovereignty over the Canal Zone back to Panama.[10] However, this exception is completely different than the case of Puerto Rico because the Canal Zone was located within an already independent country where the overwhelming majority of the population are citizens of Panama and not U.S. citizens.

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[6] 26 U.S.C. § 911 (2022).

[7] U.S. Constitution, Art. 1, Sec. 8, Cl. 4 & 18.

[8] See PRSA Sec. 5(b)(2)(C) and Sec. 5(b)(3)(C) which both state that, "persons who have such United States citizenship have a right to retain United States nationality and citizenship for life, by entitlement or *election as provided by Federal law*" (emphasis added). For a summary of the discussion of the constitutionality of congressionally prescribed expatriation, which is as of yet "unsettled," see U.S. Library of Congress. (2020). *U.S. Constitution Annotated, Naturalization Power, ArtI.S8.C4.1.2 Expatriation*. Constitution.Congress.gov. Retrieved June 10, 2022, from https://constitution.Congress.gov/browse/essay/artI-S8-C4-1-2/ALDE_00001063/.

[9] See P.L. 73-127, *Philippines Independence Act*; P.L. 99-239, *Compact of Free Association Act of 1985*; P.L. 108-188, *Compact of Free Association Amendments Act of 2003*; P.L. 99-658, *Compact of Free Association between the United States and the Government of Palau*.

[10] See 8 U.S.C. § 1403(a) (2022), where any person born in the Canal Zone on or after February 26, 1904, acquired U.S. citizenship if at least one parent was a U.S. citizen, and 8 U.S.C. § 1403(b) (2022) where any persons born in the Republic of Panama on or after February 26, 1904, with at least one U.S. citizen parent "employed by the Government of the United States or by the Panama Railroad Company, or its successor in title," acquired U.S. citizenship.

The bill must make it absolutely clear to voters Congress' intent in relation to these precedents of federal law and policy. The bill must address whether and how its promise to continue granting statutory U.S. citizenship to individuals born in Puerto Rico can be fulfilled after the U.S. cedes sovereignty over the territory for the duration of the first agreement of the AFA—or make clear that it is making no such promise. Additionally, in the PRSA Congress must not only address what is possible for it to legislate under the limits of the U.S. Constitution, but what is practical, prudent and effective foreign policy for the U.S. We simply do not see any way in which offering to make Puerto Rico an independent country (with or without free association) where the totality of their population would be U.S. citizens would be a practical, prudent or effective foreign policy for the U.S.

For Congress, the only practical, prudent and effective policy when offering Puerto Rico "Independence" and "Free Association" is to let voters on the island know that under either option the federal government's goal must be to eventually phase out U.S. citizenship for the people of Puerto Rico, so that the majority of people in the new country can enjoy their separate nationality and citizenship free and independent of undue influence and control by the U.S. Clarifying this policy goal under the two non-statehood options is critical to ensure that the U.S. does not retain an ongoing right and responsibility to intervene in the internal affairs of the newly independent or freely associated Puerto Rico. Such a scenario would be the current day equivalent of the long-discredited Platt Amendment, through which the U.S. dominated Cuba in the early 20th Century, and would replace current territorial colonialism with another form of colonialism which would be that of a captive and dependent sovereign relationship. An independent or freely associated Puerto Rico where the totality or vast majority of its residents and citizens are also U.S. citizens would result in the island being a sovereign on paper while the U.S. would retain de-facto responsibility, control and dominance over the island and its people. That would not be in the interest of either the U.S. or of Puerto Rico, and the PRSA must make that explicit and clear.

Clarifying Implementation Provision for "Free Association"

Additionally, we urge you to amend Sec. 209(d)(3) to provide clarification as to what happens if voters on the island choose "Free Association" and the Bilateral Negotiating Commission ("BNC") fails to complete the AFA within the two years following the commencement of constitutional convention. The current draft of the PRSA only says that the BNC shall "endeavor to complete" the AFA within a two-year timeframe.[11] Given that the current draft bill does not indicate what occurs if the BNC fails to meet that deadline, we propose that if the BNC fails to meet their duty and complete the AFA by the two-year deadline, that the bill clarify that Puerto Rico's political status shall revert to "Independence" as described in Sec. 5(b)(2) and Title 1, Sec. 101 of the PRSA.[12]

In Sec. 210(b), the PRSA further states that if the AFA are completed and presented to voters, but voters reject the AFA, the process provided in Sec. 210 shall be repeated.[13] As drafted this will only lead to a repeated vote, but would not provide an opportunity for the BNC to correct or re-negotiate underlying cause of the rejection of the AFA. Additionally, Sec. 210(a)(2) does not address what would occur if the Government of the United States fails to approve the completed AFA. We recommend that the PRSA be amended to provide at least one additional opportunity for the BNC to re-negotiate the issues in the AFA that lead to the agreement's rejection by Congress. If the repeated attempt to approve the AFA by either party fail, then the bill must specify that Puerto Rico's political status shall revert to "Independence" as described in Sec. 5(b)(2) and Title 1, Sec. 101 of the PRSA.

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[11] *The Puerto Rico Status Act Discussion Draft*, H. Comm. on Natural Resources 37 (May 19, 2022), https://naturalresources.house.gov/imo/media/doc/DISCUSSION_DRAFT_Puerto_Rico_Status_Act.pdf.

[12] On Page 38, Line 1 of the PRSA, we recommend inserting a new Sec. 209(d)(4) with the following amendment language: "If the Bilateral Negotiating Commission fails to complete the Articles of Free Association not later than 2 years after commencement of the constitutional Convention, the status of Puerto Rico shall be Independence as provided for in Sec. 101."

[13] *Id* at 38.

Puerto Rico's voters must be made fully aware that the only constitutionally guaranteed option their vote for "Free Association" offers them is that of "Independence." Unlike the "Statehood" or "Independence" options, under "Free Association" a future Congress would need to approve the AFA for "Free Association" to come into effect. The bill must make it absolutely clear to voters that such approval of the AFA by a future Congress cannot be guaranteed, and therefore when voting for "Free Association" the only guarantee that the voters will have is that of Puerto Rico's "complete and unencumbered independence." [14]

Conclusion

For Puerto Rico to ever truly prosper and reach its full potential, it needs full democracy. In this bill, Congress can finally offer the people of Puerto Rico a fair choice between legitimate, constitutionally attainable and implementable status options so that Island voters can definitively end more than 500 years of colonialism. Only Congress has the power to pass federal legislation for this purpose, and it is past time for Congress to take up its responsibility to the millions of fellow American citizens in Puerto Rico. The people of Puerto Rico deserve an opportunity to begin building a viable, competitive and fully democratic future, and the PRSA must offer it to them.

We again wish to thank all the members of Congress that worked to reach this compromise which we hope can swiftly pass both chambers of Congress and be signed into law this year. We are in full support of this historic proposal, and the input we have provided is meant to improve the legislation. Now, we need your leadership to move the bill through the legislative process as quickly as possible before the current window of opportunity draws to a close. We will continue our citizen advocacy efforts, but we look to you to lead, and to do everything in your power to make this bill become law. The time to take action is now.

Sincerely,

George H. Laws García
Executive Director
Puerto Rico Statehood Council

Irma R. Rodríguez
President
Puerto Rico Escogió Estadidad

Anthony Carrillo
President
National Puerto Rican Equality Coalition

Nathaniel Morel
Secretary
National Puerto Rican Equality Coalition

Dr. Hernán Padilla
Founder
Igualdad, Futuro Seguro

Annabel Guillén
President
Igualdad, Futuro Seguro

Hon. José Aponte-Hernandez
Executive Director
Instituto Misión Estadista

Matthew Helder
Director
Puerto Rico Star Project

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

Hon. Angel Cintrón
Chairman
Republican Party of Puerto Rico

[14] Letter from Dana Boente, Acting Deputy Attorney General, to Hon. Ricardo Rosselló, Governor of Puerto Rico, April 13, 2017. Puerto Rico Report. https://www.puertoricoreport.com/wp-content/uploads/2017/04/Hon-Ricardo-Rossello-Nevares-Letter-DOJ-Apr-13-2.pdf (Retrieved June 15, 2022).

Elisa Muñoz
President
Young Democrats of Puerto Rico

Gabriela M. Medina Marrero
Director
Demócratas Activados

José N. Vázquez
President
Hillsborough County Caribbean Democratic Caucus

Hon. Maria E. Meléndez Altieri
Delegate
Puerto Rico Congressional Delegation

Sgt. Gumersindo Gómez, U.S. Army, Ret.
Natl. Hispanic Veterans Affairs Officer
Vietnam Veterans of America

Brig. Gen. Victor Pérez, U.S. Army, Ret.
Chairman
Veterans for Puerto Rico Statehood Task Force

Dr. Zayira Jordan
Founder
Frente Estadista

Jesús Pérez
Executive Director
52 States of America

Ricardo Marrero Passapera
Presidente
Ahora Sí Puerto Rico

Gerardo Ramírez
Director
Movimiento Estadista Puertorriqueño

Hon. Milagros López
Founder & President
Votar es Poder

Javier de la Luz
Founder
Boricuas con Kamala

Edwin Pagán
Founder & President
Generación 51

Dr. José Saldaña
President
Puerto Rico Statehood Project

Josué Rivera
Chairman
Puerto Rico Young Republican Federation

Alfonso Pérez-Borroto
Founder
Puerto Rico Statehood Supporters DMV

Pedro Rodríguez
Executive Director
Young Professionals for Puerto Rico Statehood

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

Danny Vargas
Founder & Chairman
American Latino Veterans Association

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

Samuel Rodríguez
CEO
Puerto Rican National Veterans

Raul Eduardo Rosas
Executive Director
LIFT A VET

Wilfredo Rivera
President
IMPULSO 51

Kevin Romero
President
Institute for Statehood & Public Policy

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

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

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

Hon. José Garriga-Picó
Secretary
Puerto Rico Statehood Project

Humberto Malavé
Treasurer
Puerto Rico Statehood Project

Luis D. Matos
President
Renacer Ideológico Estadista

Iván G. González
Editor & Chief
Inside The Colony

Harry Márquez Rodríguez
President
Pensionados Estadistas

Edna V. Morales
Adviser
Pensionados Estadistas

Ruth Marrero
President
Senior 51

Milton Maury-Martínez
Member
Puerto Rico Escogió Estadidad

Gabriel Román
President
Citizens for Statehood Movement

José A. Correa Alvarado
Spokesperson
We The People

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

Dr. Lydia Medrano
Director, Florida District 1
League of United Latin American Citizens

Elsa Nydia López
President
Alpha Team

María T. Negrón
President
Ciudadanos En Ruta Estado 51

Elvin Méndez
President
Movimiento Revolución Estadista

Hugo Guzman
President
True Freedom 51

Jorge I. Rodríguez Feliciano
President
Puertorriqueños Pro Unión Permanente

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

Manuel Iglesias-Beléndez
Founder & President
Fundación Santiago Iglesias Pantín

Idel Santiago
Executive Director
Estadistas LGBTTIQ

Fabiola Sánchez Fas
Member
Mujeres Estadistas Puertorriqueñas

Noemi Román
Director
Las Estrellas Azules

Alisa Lachow Correa
Attorney & General Manager
ConCor Investments

Eric Cardona
Spokesperson
Puerto Rico Equality Coalition, Florida Chapter

Doralice Matta
President
Las Avispas Azules

Anthony Melé
Chairman
New York Latino National Republican Coalition

Jackie Rodríguez
President
Organización Mujeres Progresistas

Christopher García Figueroa
Vice President
Organización Juventud Progresista

Ivette Chardón
Extended Delegate (Ponce)
Extended Congressional Delegation for Puerto Rico

Lt. Evelyn Ashbrook, U.S. Army Res.
Extended Delegate (Virginia)
Extended Congressional Delegation for Puerto Rico

Stella Infanzon
Extended Delegate (Bayamón)
Extended Congressional Delegation for Puerto Rico

Marvin García
Extended Delegate (Caguas)
Extended Congressional Delegation for Puerto Rico

Jannette Rodríguez Pérez
Extended Delegate (Cidra)
Extended Congressional Delegation for Puerto Rico

Nestor J. Irrizarri
Extended Delegate (Lajas)
Extended Congressional Delegation for Puerto Rico

Madeline Romero
Extended Delegate (San Juan)
Extended Congressional Delegation for Puerto Rico

Marielba Rivera-Velazquez
Extended Delegate (Maryland)
Extended Congressional Delegation for Puerto Rico

Maritza Ojeda
Extended Delegate (Carolina)
Extended Congressional Delegation for Puerto Rico

Hon. Marilyn Villalobos
Municipal Legislator
Municipality of Ciales

Hon. Talia Méndez
Municipal Legislator
Municipality of Cidra

Hon. Virgilio Sánchez Figueroa
Municipal Legislator
Municipality of Las Marías

Sigfredo Pérez
Municipal President for Trujillo Alto
Republican Party of Puerto Rico

Hon. Luis Carlos Maldonado
President
Federation of Municipal Legislators of Puerto Rico

Hon. Annelie Carlo-Rivera
Vice President
Federation of Municipal Legislators of Puerto Rico

Hon. José A. Lugo Vega
Member of the Board of Directors
Federation of Municipal Legislators of Puerto Rico

Hon. Gilda Pimentel
Member
Federation of Municipal Legislators of Puerto Rico

Hon. María A. Mulero
Alternate Spokesperson
Municipality of Canóvanas

Hon. Jonathan Morales Rosario
Former Municipal Legislator
Municipality of Cidra

Hon. Ruth E. Soiza
Municipal Legislator
Municipality of Trujillo Alto

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Municipal Legislator
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Municipal Legislator
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Municipality of Manatí

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Municipal Legislator
Municipality of Arecibo

[LIST OF OTHER DOCUMENTS SUBMITTED FOR THE RECORD WHICH ARE NOT INCLUDED HERE BUT RETAINED IN THE COMMITTEE'S OFFICIAL FILES]

Link to Committee Repository: https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=115035

Committee Materials

- Public comments—June 4, 2022 Congressional Forum in San Juan, Puerto Rico
- Discussion Draft (English)—Puerto Rico Status Act
- Discussion Draft (Spanish)—Puerto Rico Status Act
- Puerto Rico Status Act—Section by Section Summary (Spanish)
- Puerto Rico Status Act—Frequently Asked Questions (Spanish)
- House Natural Resources Committee—Press Release, May 31, 2022
- House Natural Resources Committee—Press Release, June 14, 2022
- POPVOX Puerto Rico Status Act Landing Page—July 25, 2022

Additional Support Documents for the Record

- Power 4 Puerto Rico, Letter
- Brig. Gen. Victor Pérez, U.S. Army, Ret. Chairman, Veterans for Puerto Rico Statehood Task Force, Letter
- Alejandro Torres, Colegio de Abogados y Abogadas de Puerto Rico, Letter
- Boricuas Unidos en la Diaspora, Letter
- Senator (Shadow) Zoraida Buxo, Congressional Forum, June 4, 2022, Statement
- Nestor Duprey, Congressional Forum, June 4, 2022, Statement
- Ramon-Luis Nieves, Congressional Forum, June 4, 2022, Statement
- Elisa Muñoz, Congressional Forum, June 4, 2022, Statement
- Antonio Torres Miranda, Congressional Forum, June 4, 2022, Statement
- Brig. Gen. Victor Pérez, Congressional Forum, June 4, 2022, Statement
- Karina Claudio Betancourt, Congressional Forum, June 4, 2022, Statement
- Ivette Chardon, Congressional Forum, June 4, 2022, Statement
- Antonio Fas Alzamora, Congressional Forum, June 4, 2022, Statement
- Dialogo por Puerto Rico, Letter

- Puerto Rico Pro-Statehood Veterans Commission (Carlos A. Quinones), Materials
- Jesus Rodriguez Roldan, Letter
- Rafael Mendez Acosta, Letter
- Compact of Association/Pacto de Asociacion (Antonio Fas Alzamora)
- Environmental Concerns in Puerto Rico (Jorge R. Sepulveda Torres, Hector Varela Velez, Abel Vale Nieves, Pedro M Cardona Roig)
- Mayor Carmen Yulin Cruz, Letter to Majority Leader Steny Hoyer
- Melissa Mark Viverito, Letter to Speaker Pelosi

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