

Statement of former Congressman Luis V. Gutiérrez on H.R. 2070 and H.R. 1522 to the House Committee on Natural Resources

Wednesday, June 16, 2021

Thank you, Chairman Grijalva, ranking member Westerman, and members of the House committee on Natural Resources for this invitation.

Puerto Rico is a nation, a colonized nation. Its colonization began, first under the Spanish Empire in 1493, and then under the U.S. empire in 1898. Puerto Rican identity and nationality was born in resistance to colonialism, and today continues to manifest most brightly in the ongoing struggle for decolonization and self-determination.

Two brilliant and visionary Puerto Rican women have proposed a bill to end the over 122 years of U.S. colonization of Puerto Rico. Representatives Nydia Velazquez and Alexandria Ocasio-Cortez are the embodiment of Lola Rodríguez de Tió and Mariana Bracetti. Their bill outlines a careful and inclusive mechanism whereby Puerto Ricans could establish a constitutional assembly to openly discuss, debate, and ultimately select a non-territorial status option. The Puerto Rico Self-Determination Act of 2021 (H.R. 2070) represents the only genuinely democratic legislation about Puerto Rico's status before the 117th U.S. Congress.

The same cannot be said of the Puerto Rico Statehood Admission Act, which has the support of the pro-statehood party, the Partido Nuevo Progresista (PNP). The proponents of that bill claim that the Puerto Rican people, en masse, support Puerto Rico's admission into the union. But this is not true. While they are quick to report that statehood won the November 2020 referendum with 52% of the vote, they routinely omit that a mere 55% of the Puerto Rican electorate took part, one of the lowest turnouts in recent Puerto Rican history. Like the Statehood Admission Act, the referendum, excluded other non-territorial options. It is now clear that they must exclude to achieve a so-called "majority." You cannot lose if you allow no competition. The 2020 referendum was the second referendum that the PNP steamrolled in the past legislative cycle. In 2017, the PNP put before the Puerto Rican people another exclusionary referendum on statehood, which received an unprecedented 97% percent for support. Even though they trumpeted this result, no one in Washington or Puerto Rico took it seriously because the referendum was boycotted by nearly 80% of the Puerto Rican electorate. Unable to advance their cause, these zealots for statehood tried a do-over in 2020. In both cases, the PNP controlled house, senate, and governorship disregarded the principled opposition of the Popular Democratic Party, the Puerto Rican Independence Party, and other local political parties. Unsurprisingly, these referendums were widely seen by Puerto Rican civil society as an illegitimate and undemocratic imposition of annexation.

The Partido Nuevo Progresista translates in English to the New Progressive Party. However, there is little progressive about this party. Although it paints itself in Washington as a champion of civil rights, the PNP has often stood against, and at times systematically opposed, civil rights in Puerto Rico. It has long been a bastion of religious fundamentalism and has contributed what one prominent LGBT rights advocate has rightly labeled, "institutionalized homophobia." The

PNP was responsible for delaying the extension of anti-discrimination protections to the LGBT community and reluctant to oppose conversion theory. In 2017, as a member of congress, I denounced on the House floor the homophobic and transphobic slurs and policies of Thomas Rivera Schatz, the President of the Puerto Rican Senate and a leader of the PNP.

Successive PNP governorships remained silent on the issue of femicide on the island and ignored the demands of women's rights and feminist movements. Only in January of this year, thanks to aggressive activism, did a PNP governor finally declare a state of emergency on femicides against cis- and trans- women. We cannot forget that the ousted and disgraced former governor Ricardo Rossello called former speaker of the New York City Council Melissa Mark Viverito a "puta."

On matters of race, the PNP has little to celebrate. In 2020, a PNP representative used the N-word in the Puerto Rico chamber. After his remarks were challenged, one of his colleagues proposed a resolution that compared him to the great African American civil rights leader, Rosa Parks. It was not that long ago that Heidi Wys Toro, the advisor to Jenniffer Gonzalez, then the President of the Puerto Rico House of Representatives, unleashed a series of racist tweets against then President Barack Obama and first lady Michelle Obama. In one tweet in 2012, Wys Toro wrote: "Who cares? Take her to Burger King, buy her a sundae with double banana, take her to your homeland, Kenya!"

The PNP's leadership, they wish us to forget, expressed fealty to Donald Trump time and time again. But the people of Puerto Rico have not forgotten how Governor Rossello cosigned Trump's minimization of the death toll after Hurricane Maria, in which likely over 4,000 persons lost their lives. The fact that Trump called Mexican immigrants rapists and bad hombres, characterized Central American, Caribbean, and African countries "shitholes," and embolden white supremacists did not stop the resident commissioner of Puerto Rico from becoming the Republican Chairwoman for Latinos for Trump.

The PNP today knows that its electoral influence is waning. It will not soon recover from the historic protests that ousted then governor Rossello in 2019, after a series of misogynistic, homophobic, and classist messages between him and his advisors were leaked. Perhaps without parallel, over one-third of Puerto Rico's population of three million at some point took to the streets in protest against Rossello and his corrupt administration. What informs the PNP's fanatical and fundamentally anti-democratic quest to impose statehood on Puerto Rico now is not its electoral strength but its fragility. Isn't ironic that Rossello, who was forced to flee the island as governor, was recently elected to become a paid lobbyist in Washington for Puerto Rican statehood to the tune of over \$150,000. How is there plenty of money for this disgraced and ousted governor of Puerto Rico while thousands of children go without classrooms and thousands of families on the island go without roofs?

Today, I doubt that proponents of statehood will address these issues. Instead, they will double down on myths they have grown fond of telling. I have already dispelled one of those myths—the claim that statehood has majority support on the island. Again, that is simply not true and must be openly questioned.

Another myth the PNP has told is that statehood is a panacea for Puerto Rico. But it is not. Matters are much more complicated. If Puerto Rico were admitted today into the union, it would become, by far, the poorest of the 51 states. I once asked a democratic congressman from Mississippi on our way to vote, why he supported statehood? His response was: “I’m tired of Mississippi being called the poorest state. That honor will now go to Puerto Rico.” Even so, the PNP love to tell the Puerto Rican people that statehood would end poverty. As a matter of fact, a leading advocate for statehood and former resident commissioner and governor of Puerto Rico, the late Romero Barcelo authored a book titled, *Statehood is for the Poor*. Yet, they do not offer an explanation as to why Puerto Ricans in the diaspora remain among the poorest and most marginalized populations in U.S. society after having lived statehood for several generations. On many occasions, statehood supporters have told those of us who live in the U.S. that we have enjoyed the benefits of statehood by living in a state, benefits we would denied them. It saddens me that after fifty years of Puerto Rican congressional representation—Herman Badillo, Robert Garcia, José Serrano, and today Richie Torres—the 15th Congressional district in the Bronx remains the poorest district of all the fifty states. Unsurprising, the 2020 referendum offered voters no details about what statehood would entail, economically or culturally. Unlike the Admission Act, the Puerto Rican Self-Determination Act explicitly demands that voters receive detailed information about each of the status options and their implications for Puerto Rican society.

The PNP has also expressed a most damaging myth: Puerto Ricans and Puerto Rico are just any other group of Americans. They deny that Puerto Rico is a nation, that Puerto Ricans are a people. Kenneth McClintock, one of the senior statesmen of the PNP, recently made this point to me at a debate in Puerto Rico. It should then come as no surprise that the PNP is willing to sell off Puerto Rico, its beaches and historic buildings, to the highest bidder and openly calls for the privatization of public utilities and social services. Contrary to this self-hating and colonial position, I affirm that Puerto Ricans have a language, a history, a culture, and a proud legacy of resistance against both Spanish and U.S. colonization. If Puerto Rico were not a nation, what explains the swiftness of the response of Puerto Ricans in Chicago, Orlando, and New York after Hurricane Maria? Why do Puerto Ricans, wherever they happen to reside, raise their mono-starred flag and take pride in the athletic, musical, and intellectual achievements of their fellow Puerto Ricans. Throughout Puerto Rico and its diaspora, schools and colleges are named after individuals that affirmed Puerto Rican identity and self-determination, such as Julia de Burgos, Eugenio Maria de Hostos, José de Diego, and Albizu Campos. Eighty-four years after Rafael Hernández Marín composed and penned “*Preciosa*,” the song still stirs the hearts of Puerto Ricans. I remember my parents singing, “*Preciosa te llaman los bardos/ Que cantan tu historia/ No importa el tirano te trate/ Con negra maldad.*” The same is true about the lament, “*En Mi Viejo San Juan.*” Decades from now, our children may add Bad Bunny’s “*Estamos Bien*” to this patriotic catalogue.

We are a nation, and many of us refuse to relinquish or cancel our nationality, as the PNP seems to desire. All these myths rest on a peculiar and distorted history of Puerto Rico. It is a history that downplays the painful reality of U.S. colonization. There is no accounting for the history of political persecution, assassinations, massacres, imprisonments meted out to those that believe and struggle for Puerto Rican independence and self-determination. Look up “*La Ley de la Mordaza*,” which made it illegal to advocate and organize for Puerto Rican independence. They

say nothing about the mass sterilization of Puerto Rican women or the bombing in Vieques, which has led to high levels of cancer among the population. Are we to forget that when the U.S. invaded Puerto Rico, our Caribbean archipelago had already secured a Charter of Autonomy between itself and Spain and that American conquistadors believed Puerto Ricans were incapable of self-rule? Can we forget how the U.S. divided up the island among U.S. sugar barons and made English the official language? Can we forget how the Jones Act imposed U.S. citizenship on Puerto Rico, against the expressed will of the only Puerto Rican representative body on the island at the time, and how citizenship gave us the “right” to die in foreign wars? Should we forget the series of Organic acts and Supreme Court decisions that determined that Puerto Rico belonged to but was not a part of the United States, a position based racist and eugenicist ideas about a “mongrel” race?

In conclusion, we cannot decolonize Puerto Rico without a genuinely democratic and inclusive process. That is precisely what Nydia Velazquez and Alexandria Ocasio Cortez’s Puerto Rico Self-Determination Act offers. We have had 500 years—over half of a millennia—of colonial oppression. However, today, the PNP opposes this measure and seeks to impose annexation and force assimilation. They claim to have a mandate but over two-thirds of the Puerto Rican electorate voted against their gubernatorial candidate. The PNP refuses to come to the table and collaborate, in good faith, with the other parties and political orientations to resolve the status of Puerto Rico. Instead, they have told many myths and falsehoods in airwaves in Puerto Rico and in the halls of Congress. Both Congress and Puerto Rico deserve better. Thankfully, we have an alternative path. I urge the U.S. Congress to endorse the Puerto Rican Self-Determination bill. It is a bill that can help ensure a better, more just, and decolonized future for Puerto Rico. And that is the future I will continue to fight for.

Thank you, Chairman Grijalva, ranking member Westerman, and members of the House committee on Natural Resources for your time and consideration.