



Thursday, June 23, 2022

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

Dear Chairman Grijalva:

As we have expressed in meetings with your office and other Members of Congress, our coalition remains highly concerned about the confusion created by contradicting public statements and, to this day, the lack of commitment to scheduling official public hearings on the proposed Puerto Rico Status Act discussion draft. We raise these concerns in addition to those we have previously articulated about the glaring absence of precise details around the consequences and transitions in each of the status definitions in the proposed draft legislation.

A pillar of democracy in true practice is fair, accurate and full, upfront information. Towards this end, our coalition, along with more than 100 organizations, advocated for a Status Assembly decolonization process, as outlined in the Puerto Rico Self Determination Act, which was most recently co-sponsored by Senators Durbin and Duckworth. They are the latest leaders to publicly recognize that any process that is perceived as biased by the people of Puerto Rico will not be well received. On the other hand, the steps taken thus far around the Puerto Rico Status Act by the House Natural Resources Committee, with the urging of Leader Hoyer, do not inspire confidence.

A rushed public forum in Puerto Rico, where Spanish is the operating language, to collect feedback on the Puerto Rico Status Act took place without the draft being translated and provided in advance in Spanish. This is not only a denial of language rights and unencumbered access to information, but also projects colonizer-over-colonized terms and conditions for limiting engagement and discussion around an English-only document riddled with omissions.

While a Spanish-language version of the draft was made available days ago and after the visit to the Island, there are several instances of inaccurate or literal translations in the document that make it difficult to understand. This speaks to the concerns about the rushed nature of a process which should be deliberative and thoughtful. Were professionals at the University of Puerto Rico engaged to ensure an accurate and culturally competent translation for the broad public of the Island? And if not, why?



Decolonization must be a serious, thorough, and detailed process to unravel 123 years of policies and practices imposed on the Island. This year, your committee has held official, public hearings on matters such as [Reforming the Mining Law of 1872](#), [Russian Seafood Ban](#), and [offshore carbon storage](#). Yet, conflicting statements quoting you in the media question your commitment to transparency and regular order, as the decolonization of Puerto Rico rightfully deserves.

Public official hearings are a crucial part of the legislative process because they open discussion and help the community express and clarify their needs –on the record. They help bring to light the details of what is a new and recently cobbled draft that necessitates many fixes.

Failure to hold extensive, formal public hearings in Spanish –the language of the people directly impacted and who should be at the center of a decolonization process– would further deny Puerto Ricans’ rights to accurate, detailed, and upfront information to determine their future. Puerto Ricans cannot be expected to make such a historic and life-altering decision without the relevant information.

We urge the committee to clarify its position on whether there will be public hearings related to the draft Puerto Rico Status Act. Furthermore, we also urge the committee to address the concerns listed below, which have previously been shared in private with your staff. The consequences over controlling language, transitions, US citizenship and other crucial elements in any status change should be included on the ballot, not merely part of a subsequent “educational campaign.” We urge you to address these critical issues prior to the formal bill introduction.

Red flags and other concerns in this discussion draft include:

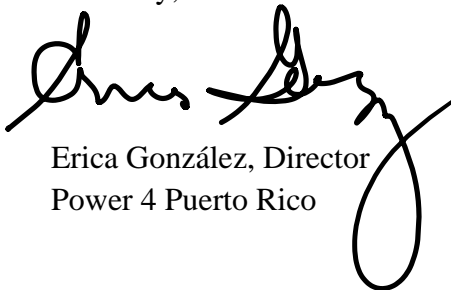
- Blank ballots will not be counted (p. 5)
 - This is problematic because it prevents, and marginalizes, voters who disagree with the options or the process from expressing their voices.
- Reference to “statutory citizenship” of current island residents: Even the insular cases say the equal protection clause applies the same to Puerto Ricans and therefore there is only one type of citizenship (p. 6)
- Reference to “permanent Union” under statehood: This is a political, not legal term, historically used to lean voters into choosing annexation. (p. 8)
- In statehood definition, there is no reference to language, taxes, Olympic representation (P. 8)
- The role of the Department of Justice is (p. 11) problematic because the DOJ insists on adding the territorial option and saying that a free association compact is a form of independence, which the draft bill clearly states otherwise.



- Congress cannot instruct the independent Puerto Rico to conduct a constitutional assembly or instruct its internal processes in any way (p.15-16)
- Congress cannot impose what kind of constitution or form of government an independent Puerto Rico can have (p.16-17)
- The language in the bill seems to imply that U.S. citizenship cannot be transmitted, even though a U.S. citizen who happens to have a child in another country may do so. (p. 23)
- The draft has 51 pages, which is a wink to annexationist voters and thumbs its nose at neutral decolonization.
- The draft imposes the way that the new freely associated state will ratify articles instead of leaving it to the constitutional process established by Puerto Rico (p. 38)
- This legislative proposal states a 1-year transition in the event of statehood. (p. 42)
 - It is impossible to transition out of 124 years of colonial rule, impose federal taxation, draw congressional lines, and phase in federal rules and regulations that do not currently exist in the island in one year.
 - This is misleading to the Puerto Rican people as it presents this status option as a quick fix.
- Puerto Rico shall remain unincorporated until admission (P. 42)
 - This is also meant to tilt the scales towards annexation because every territory has become incorporated into the union before it is admitted. Texas wasn't because it was independent first. All the rest were incorporated, meaning that they paid federal income taxes without representation for a period of time until Congress decided to admit them as states.
- No mentions:
 - Puerto Rican Diaspora participation in this vote.
 - Jones Act applicability or lack thereof in status options.
 - How Puerto Rico's debt will be treated.

Thank you for your time and consideration. We look forward to hearing the committee's position on these important issues.

Sincerely,



Erica González, Director
Power 4 Puerto Rico