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Former Speaker
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REPUBLICAN CAUCUS OF THE HOUSE REPRESENTATIVES OF PUERTO RICO

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The Honorable Jennifer González-Colón

House Committee on Natural Resources
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Dear Congresswoman González:

On behalf of the Republican Legislative Caucus of Puerto Rico, I want to express our unwavering support for HR 8393, the "Puerto Rico Status Act." HR 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 HR 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 HR 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 HR 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 HR 8393. May God bless you.

Best regards,

s/Jose F. Aponte-Hernández