

Melissa Mark Viverito
Former Speaker, New York City Council

July 15, 2022

The Honorable Nancy Pelosi
U.S. House Speaker
H-204, The Capitol
Washington, DC 20515

Dear Speaker Pelosi:

In this moment when the discussion of self-determination is front and center in both a global and international context, as in the case of Ukraine and supporting its people against Russia's invasion, as well as nationally in the wake of *Roe v. Wade*, when we are fighting against the government's incursion into our bodily autonomy, Puerto Rico deserves no less attention. As the House Natural Resources Committee is set to mark up the so-called "Puerto Rico Status Act" (H.R. 8393) this Wednesday, July 20, **I urge you not to let the bill proceed to a committee or House floor vote without prior formal public congressional hearings taking place** that are accessible in a Spanish-language format and that address crucial details in this new legislation introduced only a few days ago.

Denying the Puerto Rican and American people the right to open, Spanish-accessible, and formal congressional public hearings would tarnish the hard work Leader Hoyer and other congressional members have put into solving this issue. In addition to skipping over formal public hearings, many in Puerto Rico and the diaspora in the United States are also alarmed at: 1) the scant details in the annexation (i.e., "statehood") option, 2) the lack of clarity on U.S. citizenship under free association, and 3) the imposition of unacceptable conditions under independence.

I fiercely agree that, as Leader Hoyer and others in your caucus have publicly stated, Puerto Rico needs to break the shackles of colonialism that, for more than five centuries, have caused so much harm to the Puerto Rican nation. Yet if we are to move forward, we must do so by embracing a truly democratic process based on facts and truth, not rushed processes or ambiguous and manipulated language, and one that allows people to know exactly what they are voting for. **This is not the moment to embark on a process where Democrats would be the ones shutting down the voices of more than 9 million Puerto Ricans in the island and the U.S.**

Therefore, it is surprising to see obvious deficiencies that must be corrected for this to be an impartial process, among them:

1. NO FORMAL CONGRESSIONAL HEARINGS – It is troublesome to hear that the Committee does not plan to hold formal Spanish-accessible, public hearings on such an important matter. This is as undemocratic as can be. Does Congress really believe that 124 years of U.S. colonialism can be dismissed with no formal congressional hearings and with the bill in a language different from that used daily by those directly impacted?

2. LACK OF CLEAR DEFINITION OF STATEHOOD – While the contours of other options are defined in greater detail, the bill simply defines statehood as just any of the existing 50 states. This gives an unfair and unrealistic advantage to those in Puerto Rico who favor that option, for it allows them to craft a narrative that is quite distant from the impact annexation will have on everyday life in our country of Puerto Rico. For example:

- Will Puerto Rico be allowed to keep its own Olympic team, separate from Team USA as it is now? No other states have their own team; however, the governor and resident commissioner continue to affirm that, as a state, Puerto Rico will be allowed to have its own national team at the Olympics. This is worth clarifying, wouldn't you agree? Or maybe it would be worth revisiting if Texas, Florida, California, etc., should be able to, as states, represent themselves at this international athletic forum.
- Will schools continue to teach in Spanish with English as a second language as they currently do? Will we continue to conduct our governmental affairs in Spanish as we currently do? Will the legal system continue to operate in Spanish as it currently does? Even though some stubbornly insist that this is something to be decided by each state, we know that states such as Arizona and New Mexico, to mention just two, were only able to formally join the union after Congress approved enabling acts requiring the territories to conduct their public schooling in English and to require fluency in this language as a prerequisite for any state office as a condition of statehood. Is the United States prepared to express that it will become like Canada and allow Puerto Rico to be a state that operates all its legal, judicial, and institutional functions in Spanish?

3. FURTHER CLARITY OF CITIZENSHIP UNDER FREE ASSOCIATION – Although an agreement has been reached regarding at-birth U.S. citizenship under free association, further clarity needs to be provided to ensure that children of one U.S. citizen parent receive citizenship in the same manner, as opposed to the potentially unconstitutional differential treatment on this point contained in the current bill as introduced. We urge the Committee to clarify this wording.


4. REAL INDEPENDENCE – The Independence Status option language in the bill states that the United States will impose certain requirements for the new republic's Constitution. It seems unlikely that a free country would dictate terms for a newly free country's magna carta. We thus urge that these requirements be stricken from the legislation.

If these major concerns are ignored by Congressional leadership, you would be making it nearly impossible for many Puerto Ricans on the island and across the diaspora, like me, to support the bill in its current form. Puerto Rico cannot continue to be used as a political football. There is an

opportunity at this moment for House Democrats to do the right thing, in the right way, by holding hearings and ensuring that all options on the table are clearly and accurately defined.

That is why I look to you, Madam Speaker, to stand on the side of democracy and on the side of justice. The democratic values Congress and this country's leadership extol to others must be exemplified via the actions it takes.

Atentamente,

A handwritten signature in black ink that reads "Melissa Mark Viverito". The signature is written in a cursive style with a large initial "M" and a long, sweeping underline.

Melissa Mark Viverito
Speaker, New York City Council
2014-2017

cc: U.S. House Natural Resources Committee Members
Rep. Alexandria Ocasio-Cortez (D-NY)
Rep. Ritchie Torres (D-NY)