



Congressman Pedro R. Pierluisi  
Statement in Opposition to Amendment #2 Offered By Jason Chaffetz (R-UT)  
Markup of H.R. 2499, the Puerto Rico Democracy Act of 2009  
Committee on Natural Resources  
*July 22, 2009*

Thank you.

Mr. Chairman: I oppose this amendment, which I believe is undemocratic and premature. This amendment should be rejected, just as a similar amendment was overwhelmingly rejected by a Republican-led House when it was proposed on the floor as part of the debate over the 1998 status bill introduced by Mr. Young.

Under the bill as introduced, if a majority of voters in the first plebiscite vote in favor of a different political status, the government of Puerto Rico would be authorized to conduct a second plebiscite between the three non-territorial status options recognized under U.S. law. This amendment would require that two-thirds of voters, rather than a majority, vote in favor of a different political status in order to proceed to the second plebiscite.

The purpose of the first plebiscite is to determine whether the people of Puerto Rico consent to an arrangement that, whatever its merits, denies them the basic democratic right enjoyed by their fellow citizens in the states: meaningful representation in the government that enacts and

enforces their national laws. Residents of Puerto Rico send a single non-voting delegate to the House, no representatives to the Senate, and cannot vote for the commander-in-chief. This is notwithstanding the fact that my constituents have a higher per-capita rate of military service than 49 states. As we debate this bill, men and women from San Juan and Provo serve side-by-side in Iraq and Afghanistan. They battle the same enemy and fight under the same flag.

In light of the foregoing, as well as the long tradition of majority rule in this country, if more than 50% of voters express the desire for a different status, I cannot identify any principled reason why they should not then be permitted to express their preference among the three constitutionally-viable alternatives, each of which would provide a democratic form of government at the national level.

This same reasoning applies to the second component of this amendment, which would add a “Sense of Congress” that any option receiving less than two-thirds support in the second plebiscite “should not be the basis of any further legislative action on the part of Congress.” I note that the bill as introduced, much to the displeasure of many of my constituents, does not seek to impose any legal requirements upon the federal government once it has received the plebiscite results. Rather, the legislation simply provides that the results will be certified to Congress and the President. If a majority votes in favor of a different status in the first plebiscite, and if a majority then votes in favor of one of the three alternatives in the second plebiscite, then it is Congress that would determine any next steps. The steps that Congress requires might well be different depending on the identity of the prevailing option and its margin of victory. This amendment—which seeks to impose at this juncture a one-size-fits-all

supermajority requirement as a pre-condition to congressional action—is thus both undemocratic and premature.

Finally, I would note that on January 12, 1982, when referring to the issue of Puerto Rico’s self-determination, President Ronald Reagan stated that his Administration “will accept whatever choice is made by a *majority* of the island’s population.” Indeed, presidents since Harry Truman have taken this same position. Based on his words, President Reagan—like other presidents—would have rejected this amendment. This Committee should as well.

Thank you, Mr. Chairman.