



Keynote Address at the Federal Bar Association Luncheon  
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Federal Bar Association Luncheon  
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Good afternoon, ladies and gentlemen.

I want to thank the Federal Bar Association for inviting me to speak today. As you know, I was an attorney before I entered elective politics, serving for close to 20 years in private practice and four years as Puerto Rico's Attorney General. And I expect that I will be a lawyer long after my political life draws to a close, although I hope the voters of Puerto Rico, in their wisdom, don't return me to the practice of law too soon!

Whenever I am with fellow members of the profession, I feel a strong kinship. This kinship is rooted primarily in the experiences we share in common - the terror associated with our first law school exam, the pleasure and relief we felt upon passing the bar exam, the vivid memories of our first case before a jury, the joy we felt after making a winning argument for our client, and - yes - the pain we felt on those occasions when our advocacy efforts fell short.

In addition to these shared experiences, the kinship among members of the bar is based on our common values - above all, respect for the rule of law and a fierce desire to see that justice is carried out. I know that many of you in this room have spent your careers toiling in the trenches. Your weapons are not guns, bullets or bombs, but rather your preparation, your intellect and your powers of persuasion. The clients and causes you represent are not always popular, but the work you do on their behalf is both necessary and noble. And so I salute you.

The world of politics and the world of law each have its unique pleasures and challenges, but the two fields are similar in an important respect. Both involve serving others while still exercising one's independent judgment and remaining true to one's core values. A lawyer's obligation is to represent the interests of his clients within the confines of legal rules and ethical standards.

Likewise, an elected official's obligation is to represent the interests of his constituents, again always within the bounds of law and ethics. But faithfully representing one's clients or constituents does not mean merely bending to their will. Just as a good lawyer will not heed the wishes of his client in certain circumstances, an elected official inevitably will stake out positions with which some of his constituents do not agree. If I have learned one thing, however, it is that constituents appreciate candor and independent judgment in their political leaders, just as clients usually value these qualities in their attorneys. Even if a constituent disagrees with a conclusion you have reached, they will usually respect you for giving it to them straight, provided they can see you have thought carefully about the problem.

Representing the four million U.S. citizens of Puerto Rico in Congress over the past year and a half has been challenging, at times frustrating, but always rewarding. Every day I am grateful for the training I received in law school and in practice. Not surprisingly, many of the skills I learned during my legal career have served me well in Washington. The same methods I once used to convince a judge or jury of the merit of my client's case, I now use to persuade my fellow lawmakers of the value of legislation that I have introduced or that I am co-sponsoring. And, while politics will always play a role, I have found that my colleagues are generally willing to support my initiatives if they are thoughtful, balanced and provide a practical solution to a specific problem. In Congress, as in the courtroom, I have found that the best advocates are those who make their case in calm, measured tones, not those who rant and rave. The most effective advocates are those who combine passion and logic, not those who believe that passion alone will suffice.

My legal training has also prepared me well to tackle the range of policy matters that come before Congress. Just as lawyers have to juggle dozens of cases at once, each of which may turn on a different point of law, I must deal with a diverse array of issues on a daily basis. These issues include the effort to improve health care in Puerto Rico; to promote economic growth and job creation on the Island; to protect our rum industry from unfair competition; to reduce drug-related crime in our communities; to reform the Island's educational system; to provide support to our soldiers and veterans; and to seek a fair process for resolving the question of Puerto Rico's political status.

Given this audience, I would like to briefly describe some of my work in the fields of education and justice, and then close with a quick word about status. By the way, I recently gave a speech about our efforts on the health care front to the Rotary Club of San Juan. If you like political thrillers with multiple plot twists and an unexpected ending, I urge you to visit my website and read it! But once I finish my remarks, I will be happy to field your questions about any subject.

Let's start with education. Puerto Rico's future, like that of any jurisdiction, is intimately tied to its education system - and, right now, that system is failing far too many of our young people. This year, Congress is attempting to reauthorize the Elementary and Secondary Education Act, the law that provides federal funding for our nation's schools. I am a member of the House's Education and Labor Committee, which is overseeing the reauthorization. One of my primary goals in this process is to improve English-language instruction in Puerto Rico's public schools. The Island's sons and daughters, particularly as U.S. citizens, must be proficient in English in order to compete in the modern world. I think I am safe in assuming that all, or nearly all, of us in this room are able to communicate in both Spanish and English. Would any of you be where you are today if you were not bilingual? I certainly would not.

To deny our children the opportunity to learn English is to deny them their chance for a better future. The time for debating this point is over. And, so long as I have any say in the matter, we will never return to those days when certain leaders in Puerto Rico wielded English as a weapon in the status fight, doing untold damage to our children in a misguided effort to advance their own narrow political objectives.

The consequences of those ill-advised efforts are not hard to discern. If you visit many of the Island's classrooms, you will see an English-language class being taught in Spanish, not English. As a result, too many students in the Island's public schools graduate without becoming proficient in English.

A top priority for me, for Governor Fortuño, and for Education Secretary Piñeiro is to change this state of affairs by improving the English-language instruction offered in our schools. I have introduced two bills in Congress to address this problem. The first would raise a cap that restricts the amount of money Puerto Rico may receive under a federal program designed specifically to improve English language acquisition. The second would create a competitive grant program administered by the U.S. Department of Education to fund teacher exchanges between school districts in different regions of the United States. Although the federal government supports international teacher exchanges through the Fulbright Program, I am aware of no federal program that provides support for exchanges between school districts in the United States, which can exchange teachers in a more cost-effective way. I envision this program as being particularly beneficial for Puerto Rico, which could receive English-language teachers while exposing its own teachers to English-language environments in the states. In turn, fluent Spanish-speaking teachers from Puerto Rico would help the many school districts in the states that are in need of

teachers of Spanish and of English as a Second Language. States like Nebraska and New Hampshire have seen an influx of students who are not fluent in English, and many school districts in these states lack Spanish-speaking teachers who can address these students' needs.

Although I have a passion for the work being done by the House's Education Committee, I am perhaps most at home in the Judiciary Committee, of which I am also a member. That Committee handles a wide spectrum of issues from criminal law to patent reform to antitrust regulation. My time as Attorney General of Puerto Rico gave me a good perspective on many of these issues, particularly ones dealing with crime and law enforcement. My philosophy is that governments at all levels must constantly strive to develop new and innovative approaches to addressing crime. Too much attention in the past has been paid to who is the "toughest" on crime. Instead, we should ask: who is the "smartest" on crime?

To be smart on crime, we must address its root causes. When I was Attorney General, I was part of a team that promoted and established the drug court program in Puerto Rico, one of many such programs operating across the nation. These programs provide intensive treatment to substance-abusing offenders, either in lieu of - or after - incarceration. The theory behind these programs is that, if we can address an offenders addiction, we will end the cycle of crime and save significantly on long-term prison costs, not to mention the intangible cost to the community every time a crime is committed. Nationwide, for every dollar invested in a drug court, taxpayers save roughly three times that amount. Studies have concluded that 75% of drug court graduates remain arrest-free two years after leaving the program.

Although drug courts have been successfully implemented in Puerto Rico and in many states, their use at the federal level has been more limited. To address this gap, I will soon introduce legislation that would authorize a dedicated stream of funding to support drug courts at the federal level. My bill would authorize funding for both pre-trial programs, which place offenders into a treatment plan in lieu of immediate prosecution, and for re-entry courts, which help offenders placed on supervised release address substance abuse problems as they re-enter society. In the tough fiscal environment in which our government operates, we must wisely spend the public's money to address crime. Not all offenders will be appropriate candidates for a drug court program, but for the ones that are; I am convinced that drug courts represent a sound investment.

Finally, I want to say a brief word about status, where we have made historic and unprecedented progress over the past year. As you know, the House recently passed my bill, H.R. 2499, the

Puerto Rico Democracy Act. During the floor debate, the House defeated multiple poison pill amendments designed to scuttle the bill, adopted two amendments intended to improve it, and ultimately passed the bill in a strong bipartisan vote, 223-169. Those voting "yes" on H.R. 2499 included the Democratic Majority Leader; the Democratic Majority Whip; the Democratic Caucus Chair; the Republican Minority Whip; the Republican Conference Chair; 19 of the 21 Hispanic members who voted; every Democrat from New Jersey, Texas, Florida, Colorado and New Mexico who voted; two-thirds of Florida's 15-member Republican delegation; and nearly every Democrat from California and New York who voted. The bill overwhelmingly approved by the "People's House" clarified that Puerto Rico has four viable status options - and four options only: the Island's current territorial status, independence, statehood, and free association. House passage of H.R. 2499 delivers a fatal blow to the notion - which some on the Island have continued to promote - that a pie-in-the-sky, "new Commonwealth" status is a feasible option.

H.R. 2499 is scheduled for a hearing before the Senate Committee on Energy and Natural Resources on May 19th. I am the first to acknowledge that the path in the Senate will be difficult, not least because Puerto Rico has no representation in that chamber; the Senate has yet to act on hundreds of other House-passed bills, including many non-controversial ones; and because the Senates legislative calendar in this election year is already quite full.

To be sure, passage is also made more difficult by the Popular Democratic Party's continued, unprincipled opposition to the bill. This opposition is quite puzzling, to say the least, since PPD leadership was recently heard proclaiming a great victory when the bill was amended on the House floor to include the current status as an option in the second plebiscite. If any of you can convince me that this makes any sense, you are a litigator of uncommon talent!

The most I can say is this. If this can be achieved in the Senate, it will be achieved. And if it cannot, then Puerto Rico will conduct a self-determination process among the valid options identified in the House-passed version of H.R. 2499. In either event, the anti-democratic forces will not prevail. The people of Puerto Rico, four million proud and strong, will soon be heard on the subject of their political destiny.

Thank you.