



Congressman Pedro R. Pierluisi
Statement and Questions as Prepared for Delivery
U.S. Department of Justice Oversight Hearing
House Committee on the Judiciary
April 8, 2014

Thank you, Mr. Chairman. Welcome, Mr. Attorney General. It's good to see you again.

I have two questions. I'd like to ask them both, and then give you an opportunity to respond.

First, the issue of DOJ's response to drug-related violence in Puerto Rico.

The *Consolidated Appropriations Act* approved in January requires ONDCP to coordinate the preparation and publication of a Caribbean Border Counternarcotics Strategy, with a focus on Puerto Rico and the USVI. The strategy will outline the steps that the federal government is taking—and recommend additional steps it should take—to reduce the supply of drugs entering Puerto Rico and the USVI and to lower violence associated with the drug trade in the two territories.

Now, a strategy is essential, but it is not enough. The strategy must be implemented with the right resources and personnel.

I have made no secret of the fact that I think DOJ's response to the crisis in Puerto Rico has not been sufficiently robust. Unlike DHS, DOJ has been reluctant to surge personnel to Puerto Rico. At the same time, DOJ does deserve credit for executing an MOU with the Puerto Rico Department of Justice, so that certain crimes that would otherwise be tried in state court are tried in federal court instead, often using state prosecutors deputized by DOJ for that purpose.

So, my question is: are you satisfied DOJ has the appropriate level of personnel from the DEA, FBI, ATF and U.S. Attorney's Office in Puerto Rico to combat trafficking and violent crime in light of the severity of the problem?

Second, the *Consolidated Appropriations Act* includes a provision—which I fought long and hard to secure—that provides funding to the Puerto Rico Elections Commission to conduct the first federally-sponsored status plebiscite in Puerto Rico's history. This language is a response to a 2012 plebiscite in which a majority of voters said they do not want Puerto Rico to remain a territory, and more voters expressed a desire for statehood than for any other option. This vote is incredibly significant, because it means my constituents are being governed without their consent.

As you confirmed to Mr. Serrano at a hearing last week, the law requires DOJ to ensure that the voter education materials and the ballot prepared by the Elections Commission are compatible with U.S. law and policy. This is important because it will prevent one party in Puerto Rico from seeking to include on the ballot an option that federal officials, including *this* Administration, have consistently said is impossible for legal and policy reasons.

The law also states that the purpose of the plebiscite is to “resolve” Puerto Rico’s status once and for all. After 116 years in political limbo, lacking both democracy and equality, it is heartening to see this language.

Now I’ve introduced legislation that proposes to structure the federally-sponsored plebiscite as a straightforward vote on the admission of Puerto Rico as a state, as was done in the case of Alaska and Hawaii. This structure is eminently fair: those who support statehood can vote “Yes” and those who oppose it for any reason can vote “No.” My bill has 130 cosponsors, and a Senate companion has been introduced.

Of course, structuring the plebiscite as a vote on Puerto Rico’s admission as a state is consistent with the law, because statehood is a constitutionally-valid status that would resolve Puerto Rico’s political future.

Do you agree?