

THE PUERTO RICO DEMOCRACY ACT OF 2009

Through H.R. 2499, the Puerto Rico Democracy Act of 2009, the federal government would undertake the simple and long overdue task of formally consulting the U.S. citizens of Puerto Rico regarding the Island's political status. Although Puerto Rico has been a part of the United States since 1898, the people of Puerto Rico have never had the opportunity to express their views—in the context of a fair and meaningful vote sponsored by Congress—as to whether Puerto Rico should remain a U.S. territory or, alternatively, should pursue a non-territorial status.

Individuals born in Puerto Rico have been American citizens since 1917. Nonetheless, under the current status, the Island's four million inhabitants are represented in the federal government—their national government—by only a single elected Resident Commissioner in the House of Representatives who has limited voting rights. Although they can vote in presidential primaries, residents of Puerto Rico are not eligible to vote for their president and commander-in-chief, notwithstanding the poignant fact that the Island has the second-highest per capita rate of military service of any U.S. jurisdiction. The Constitution confers upon Congress broad power to govern U.S. territories and Congress can, and often does, treat Puerto Rico differently than the States under federal programs.

H.R. 2499 would authorize an initial plebiscite (popular vote) in which eligible voters would be asked whether they want to maintain Puerto Rico's present status or to pursue a different status. If a majority votes for the current status, the government of Puerto Rico would be authorized to conduct the same plebiscite at eight-year intervals.

If this first-stage plebiscite results in a majority voting in favor of a different status, a second-stage plebiscite would be authorized between the following options: (1) independence; (2) national sovereignty in association with the United States; and (3) U.S. statehood. The results of these plebiscites would be reported to the President and Congress.

H.R. 2499 was introduced by Puerto Rico's Resident Commissioner, Pedro Pierluisi, and is co-sponsored by 183 members from both political parties, including Majority Leader Steny Hoyer (D-Maryland), Natural Resources Committee Chairman Nick Rahall (D-West Virginia), Insular Affairs Subcommittee Chairwoman Madeleine Bordallo (D-Guam), Chief Deputy Majority Whips Diana DeGette (D-Colorado) and Debbie Wasserman Schultz (D-Florida), as well as Republican Conference Chairman Mike Pence (R-Indiana), Republican Conference Vice Chairwoman Cathy McMorris Rodgers (R-Washington), Republican Policy Committee Chairman Thaddeus McCotter (R-Michigan), and Chief Deputy Minority Whip Kevin McCarthy (R-California). The bill was reported favorably by the Committee on Natural Resources on July 22nd.

H.R. 2499 does not favor or exclude any viable status option. Nor does it provide for a change in status to be automatically implemented in the event that the voters indicate a preference for such a change. Instead, the bill simply initiates a process of consultation with the U.S. citizens of Puerto Rico. After 111 years under the U.S. flag, justice requires that the people of Puerto Rico be allowed to determine their political future in a fair and orderly vote sponsored by the federal government.