

April 14, 2021

Testimony of Hon. Rafael Hernández Montañez, Speaker
Puerto Rico House of Representatives
Before U.S. House of Representatives Natural Resources Committee

Chairman Grijalva, Ranking Member Westerman, and distinguished Members of the Committee, I am Rafael “Tatito” Hernández Montañez, and I am respectfully here as Speaker of the House of Representatives in Puerto Rico. I fully endorse H.R. 2070, legislation introduced by Chairwoman Nydia Velazquez and Congresswoman Alexandra Ocasio-Cortez, which has 73 co-sponsors to date. The Senate companion bill, introduced by Chairman Bob Menendez, has 7 co-sponsors.

This bicameral and bipartisan legislation is overdue. It will empower Puerto Ricans with an inclusive, transparent, and democratic process to determine our own political future and relationship with the United States. Under H.R. 2070, a political status convention would be created, and delegates would be elected to discuss options with federal officials, and therefore create an official, legitimate, and comprehensive bilateral conversation on status. I am thankful for the leadership of Chairwoman Velazquez, Congresswoman Ocasio-Cortez, and Chairman Menendez, and to all of those who have joined them as co-sponsors.

On Election Day 2020, the People of Puerto Rico unequivocally forged a historically diverse Legislative Assembly with representation from five (5) local political parties. That same day, Pedro Pierluisi-Urrutia of the New Progressive Party (NPP or “PNP” for its Spanish acronym) was elected as Governor of Puerto Rico; Jennifer González-Colón of the NPP was reelected as Resident Commissioner; and the people chose a Popular Democratic Party (PDP or “PPD” for its Spanish acronym) majority in both the House and the Senate. However, after an in-depth analysis of this issue, other more relevant, pertinent data regarding the self-determination mechanisms before us arises.

The Governor of Puerto Rico was elected with 73% of party-line votes, 3% of mixed votes, and 24% of per candidate votes. The Legislature, on the other hand, was chosen with 67% of party-line votes, 14% of mixed votes, and 19% of per candidate votes. This data reveals that a third (1/3) of the Puerto Rican electorate does not identify itself with traditional parties. Most importantly, this data shows that Puerto Ricans have their own criteria when choosing partisan ties with their democratic institutions. This reality may explain why electors identify themselves as statehooders, but do not feel represented by the NPP; why commonwealth supporters may not see themselves as members of the PPD; or the

reason why plural pro-independence voters do not support the Puerto Rican Pro-Independence Party (“PIP”.)

I was elected as the Speaker of the Puerto Rico House of Representatives with affirmative votes from the complete NPP delegation, the Representative from the newly founded Dignity Project (“Proyecto Dignidad”) and the complete PDP delegation. Given our historical reality, I am both humbled and honored to have been elected by multiple sides of the aisle. This reality entrusts me with the responsibility of defending a democratically participative and inclusive self-determination process. Only through collaborative, honest dialogues may we see clear results that guarantee participation from all ideological sectors. This congressional hearing’s inclusiveness honors our diversity.

Puerto Ricans treasure their identity and the benefits of their relationship with U.S. Trade, currency, defense, and common citizenship are assets that we enjoy today and, as such, are non-negotiable. A vast majority, some 85% of Puerto Ricans greatly value their American citizenship and favor a permanent relationship with the United States. These aspirations are already guaranteed by our current political arrangement, *i.e.*, the Commonwealth of Puerto Rico.

On March 2, 2021, the House of Representatives approved Concurrent House Resolution No. 1 (“R. K. de la C. 1”, or “RKC1”) seeking to demand that the United States Congress, clearly and affirmatively, establish the alternatives it is willing to consider as a solution to the political relationship between Puerto Rico and the United States of America. It also requests that, in its expression, Congress promotes a binding, inclusive and participatory process with all of our ideological sectors.¹ Its main purpose is to ensure further discussion as to statehood, independence, sovereign association, and a new political model for the Commonwealth as viable solutions. Steps like today’s hearing are necessary to achieve concrete results. However, we will only succeed if all ideological sectors feel and are indeed represented.

We support Congresswomen Velazquez and Ocasio-Cortez’ H.R. 2070 because it convenes and calls upon a status convention, which genuinely promotes the participation of all parties while simultaneously collaborating with Congress and the Federal Department of Justice in analyzing all legal possibilities. For the first time, the electorate will be given a realistic definition of each viable option, preventing that a democratic exercise becomes a popularity contest, as has historically happened.

Without falling into scare tactics of politicians from all parties (NPP, PPD and PIP) on the island, Puerto Ricans identify only two alternatives of permanent union: Statehood and the Commonwealth. Therefore, if this self-determination process created by Congress does not allow for the continuing legal life of the Commonwealth outside of the territorial

¹ See attached.

clauses, the process becomes one similar to the intention of H.R. 1522 in that we are excluded from the process.

I affirm that those of us privileged enough to speak here on behalf of the People of Puerto Rico aspire to some sort of political relationship with the United States. We must build a relationship based on dignity and respect, safe from any single party's unilateral modification. This effort's result must ensure a fair self-determination process that provides certainty to the people of Puerto Rico as to their political relationship with the United States. International law recognizes, according to United Nations Resolution 2625 (XXV) of October 24, 1970, "the establishment of a sovereign an independent State, the free association or integration with an independent State or the emergence into any other political status freely determined by a people constitute modes of implementing the right of self-determination by that people." It is from this international perspective, as H.R. 2070 reiterates, that the Commonwealth has the legal and practical viability of developing in a political model that our people can freely and voluntarily choose.

Previous, non-binding exclusionary electoral events managed by partisan fanaticism have wasted both our time and limited resources. Puerto Rico's present and future condition critically deserves a legitimate and truly binding self-determination process. Legitimacy is essential for credibility and veracity in the eyes of our people. These standards can only be achieved with equal participation.

Democracies evolve. That is why we legislate. The U.S. has changed throughout it's history. Just think that it was just over 100 years ago that women were given the chance to vote in the United States. And I sit here today before your Committee to testify in support of legislation, lead by women no less, that will someday enable my government and yours to evolve and to realize a relationship for Puerto Rico and the United States that is more perfect in nature that what exists. Let's not close our minds to progress.

I thank you for this opportunity to testify.

Rafael Hernández Montañez
Speaker
Puerto Rico House of Representatives