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United States Senate

COMMITTEE ON
ENERGY AND NATURAL RESOURCES

WASHINGTON, DC 20510-6150

ENERGY.SENATE.GOV

December 1, 2010

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

We are writing to follow-up on our letter dated May 27, 2010, regarding the President's Task Force on Puerto Rico's Status. As the Task Force prepares this year's report, we recognize the importance of the underlying Executive Branch policy on Puerto Rico and the positive role the Task Force has played in developing and presenting the views of the Executive Branch.

Executive Order 13183 states that policy on Puerto Rico is, in part:

to help answer the questions that the people of Puerto Rico have asked for years regarding the options for the islands' future status and the process for realizing an option...; to work with leaders of the Commonwealth and the Congress to clarify the options to enable Puerto Ricans to determine their preference among options for the islands' future status that are not incompatible with the Constitution and basic laws and policies of the United States; ...

A critical question which the people of Puerto Rico have consistently asked of the U.S. government is: What are the status options available for future relations with the United States? In the past, efforts to address Puerto Rico's political status have been hampered by a failure of the Federal government to clearly define these status options and that failure has undermined Puerto Rico's efforts to accurately assess the views of the voters. In recent years, however, a consistent Administration and Congressional view has emerged that only four status options are available for Puerto Rico's future relations with the U.S.:

- Continuation of the current Commonwealth status (under Article IV of the Constitution);
- Statehood;
- Independence; and
- Free Association (as with the nations of the former Trust Territory of the Pacific Islands).

General agreement on these four options is demonstrated by recent House passage of H.R. 2499, status referendum legislation that presents only these options. The Senate Committee on Energy and Natural Resources has not made a formal recommendation on H.R. 2499, but as Chairman and Ranking Member of the Committee, we take this opportunity to express our view that these are the only four status options that should be considered. Finally, we note that both the Clinton

and Bush Administrations supported the analysis and conclusions of the January 18, 2001 letter sent to the Committee by the U.S. Department of Justice (attached). This analysis of the status options favored by the principal political parties in Puerto Rico concludes that a fifth option, "New Commonwealth," is incompatible with the Constitution and basic laws of the United States in several respects.

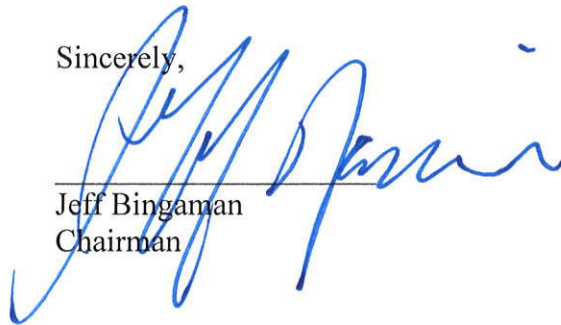
The Government of Puerto Rico is planning to conduct a referendum on future political status this summer and the leadership of the Puerto Rican Government has asked us: What are the status options available for future relations with the United States and that should be included in the planned referendum? To properly conduct the planned referendum and provide useful results, it is important for the Administration to provide its views on this question. The upcoming Task Force Report provides an excellent opportunity to do so.

Thank you in advance for your consideration of our request. We look forward to the Task Force Report and to learning of the Administration's conclusions regarding the future status options available to Puerto Rico.



Lisa Murkowski
Ranking Member

Sincerely,



Jeff Bingaman
Chairman