



## GOBERNADOR DE PUERTO RICO

---

Ricardo A. Rosselló Nevares

April 14, 2017

The Honorable Dana J. Boente  
Acting Deputy Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530-0001

Dear Acting Deputy Attorney General Boente:

I write in response to your letter dated April 13, 2017 regarding the U.S. Department of Justice (DOJ) review of the Puerto Rico plebiscite ballot, voter education materials, and expenditure plan.

We disagree with the Department's assertion that it is necessary to include the current territorial status in a plebiscite that according to P.L. 113-76 must be limited to "*options that would resolve Puerto Rico's future political status.*" By definition, the current territorial status always leaves the options of change to statehood or free association/independence as future possibilities, so we firmly believe that its inclusion is inconsistent with the statute's mandate to "resolve" the "future" political status of Puerto Rico. Furthermore, we disagree with the DOJ's dismissal of the freely expressed will of the voters in the November 2012 plebiscite where a clear majority rejected the current territorial status.

However, to move forward with the historic opportunity of a federally sanctioned self-determination process for the U.S. citizens of Puerto Rico, our administration will make amendments to Act No. 7-2017 to address each one of the concerns raised in your letter. I have already met with the leaders of the Puerto Rico Senate and House of Representatives, as well as Puerto Rico's Resident Commissioner, to discuss your letter and they are determined to amend our local law so that the U.S. citizens of Puerto Rico can exercise their right to self-determination under a federally authorized process approved by DOJ on June 11th.

In terms of the inclusion of the "current political status" as an option on the ballot, we agree with the Department's identification of this status as entirely territorial in nature, and will use this terminology from DOJ. Voters who choose to continue with the current territory option must be clear that it does not, and can never be "enhanced" to resolve the democratic deficit inherent to the territory, that lacks voting representation in the federal government that makes the laws that it lives under. Nor can the territory ever escape the reality that Congress can and does treat Puerto Rico unequally under federal laws.

With regards to the Department's findings about the ballot language there are areas where we agree and believe that further clarification of the ballot is both warranted and helpful to voters so that they can make a fully informed decision on the self-determination of Puerto Rico. The Department's objection to the characterization of U.S. citizenship in the description of the "Statehood" option makes sense to the extent that DOJ believes it is necessary to include the current territory status. However, we must be clear that the statutory nature of the birthright citizenship under the current territory status does not take away the reality that Congress has the authority to revoke the underlying statute. The description of citizenship under the "Statehood" option can be easily clarified because it would be acquired under the 14<sup>th</sup> Amendment of the U.S. Constitution, which cannot be altered by a mere act of Congress.

---



## GOBERNADOR DE PUERTO RICO

---

Ricardo A. Rosselló Nevares

We agree with the Department's clarification that a vote for "Free Association" means a vote for "complete and unencumbered independence", and we will include this clarification in the amendments to the local statute. To address DOJ's concern regarding the "variety of issues related to citizenship" that cannot be answered now for the "Independence" and "Free Association" options, we will remove any mentions of U.S. citizenship in the descriptions of those options.

Given that the report language requires that DOJ notifies the U.S. House and Senate Committees on Appropriations forty-five (45) days before the obligation of the appropriated funds, this gives the Puerto Rico Legislature and the DOJ a one-week window, ending on April 22, to make and approve the necessary changes for the plebiscite to be held on June 11, 2017. To meet this tight deadline the Puerto Rico Legislature plans to carry out the amendment process for Act No. 7-2017 on Tuesday, April 18, 2017. I urge the DOJ to act diligently with the certification of the revised plebiscite materials and to promptly notify Congress of the Department's approval.

Therefore, I am requesting an in-person meeting for Monday or Tuesday of next week between you and the relevant DOJ officials working on this matter, and my team of federal affairs advisors. The purpose would be to discuss the proposed amendments to our local statute and receive DOJ feedback on them so that upon their enactment by the Puerto Rico Legislature there can be a high degree of certainty that the content of the plebiscite ballot, voter education materials and expenditure plan would meet the "compatibility standard" set forth in P.L. 113-76.

I hope you understand the significance of resolving this 119-year-old problem once and for all. There are 3.5 million US citizens in Puerto Rico living under an unequal, disparate and unsustainable political situation. DOJ cannot allow for this situation to linger on.

I trust that the Department will expeditiously act upon the executive branch's longtime policy to work with Puerto Rico to find the solution for the island's future political status. Your leadership on this matter is of paramount importance to the future of Puerto Rico and the U.S. citizens living here.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ricardo Rosselló", with a long horizontal flourish extending to the right.

Ricardo Rosselló  
Governor of Puerto Rico

---