City Council
Chief Clerk's Office
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Philadelphia, PA 19107

Legislation Text

File #: 200723, **Version:** 0

Calling upon the United States Congress, including members of its Pennsylvania delegation, to support the passage of HR 8113, which recognizes the inherent authority of the people of Puerto Rico to call for a Constitutional Assembly on Status.

WHEREAS, The Treaty of Paris between the U.S. and Spain, signed December 10, 1898 and ratified by Congress in April 11th of the same year, ended the Spanish American War and officially ceded Puerto Rico to the United States; and

WHEREAS, On April 12, 1900, the U.S. Congress enacted The Foraker Act (Public Law 56-191), which replaced the temporary military government and established a civilian governing structure led with limited local participation in the island's affairs; and

WHEREAS, On March 2, 1917, President Woodrow Wilson signed into law the Jones Act, which, among other things, granted U.S. citizenship to Puerto Ricans; separated the Executive, Judicial, and Legislative branches of Puerto Rican government; provided limited civil rights to certain individuals; and created a locally elected bicameral legislature; and

WHEREAS, The Jones Act also set into effect most United States laws in Puerto Rico, including the National Defense Act of 1916, which established the composition of the military. More than 20,000 Puerto Ricans consequently served in the U.S. Armed Forces during World War I, and tens of thousands more have served in every U.S. war and/or conflict since that time; and

WHERES, A series of Supreme Court decisions in the early 20th century, known as The Insular Cases, established that Puerto Rico is "owned by and not a part of the United States"; and

WHEREAS, The 1947 approval of the federal Elective Governor Act by President Harry S. Truman established a democratic process for electing the governor of Puerto Rico, which has taken place four years since 1948; and

WHEREAS, On July 3, 1952, the people of Puerto Rico overwhelmingly approved a constitution that was drafted by the people, which officially established the Commonwealth status of Puerto Rico by popular referendum; and

WHEREAS, As a Commonwealth, all Puerto Ricans are United States citizens and can serve in the United States Armed Forces; however, residents of Puerto Rico do not have voting representation in the United States Congress, and are not entitled to electoral votes for president; and

WHEREAS, As United States citizens, Puerto Ricans, pay federal taxes such as Social Security and Medicare, but not federal income taxes, and

WHEREAS, Puerto Ricans have since voted in six non-binding plebiscites in 1967, 1993, 1998, 2012, 2017, and most recently on November 3rd of 2020, and

WHEREAS, The most recent referenda were marred by voting irregularities and confusing ballot language, and, in 2017 and 2020, rejection by the United States Department of Justice; and

WHEREAS, The 2017 referendum was also boycotted and 23 percent of registered voters cast ballots in an Island where voter participation often hovers around 80 percent; and

WHEREAS, The November 2020 statehood Yes or No referendum clearly showed that the Island is split almost in half, leading to another inconclusive vote. It was also summarily rejected by the Department of Justice for excluding all non-statehood options and for other reasons; and

WHEREAS, Puerto Rican Congresswomen Nydia Velázquez (D-NY) and Alexandria Ocasio-Cortez (D-NY) recently introduced HR 8113, the Puerto Rico Self-Determination Act of 2020, which recognizes the inherent authority of the people of Puerto Rico to call for a Constitutional Assembly on Status; and

WHEREAS, HR 8113 is based on a bipartisan bill introduced in 2007 by then-Senator Edward Kennedy which had widespread support and would establish a similar process; and

WHEREAS, This piece of legislation puts Puerto Ricans in the driver's seat of their own political future, and would empower Puerto Ricans by recognizing that they are the ones who should democratically decide the process, participate in the deliberations and make the final determination over the political status of the Island; and

WHEREAS, The Pew Research Center estimates that 5.1 million Puerto Ricans reside in the 50 U.S. states and the District of Columbia. That is a substantially greater number than the population of Puerto Rico itself, which was 3.6 million in 2013 and has been in decline for the past few years largely due to out-migration, economic challenges, and natural disasters; and

WHEREAS, The U.S. Census Bureau reported in 2010 that 187,6111 Philadelphians, or 12.3% of the population, is Latinx, including 123,643 people of Puerto Rican descent. The Bureau updated that estimate in 2017 to provide the 134,934 Puerto Ricans live in Philadelphia; and

WHEREAS, The social, economic and political climate in Puerto Rico has had a direct impact on the many Puerto Rican-American families who call Philadelphia their home, and

WHEREAS, The City Council of Philadelphia has recently urged the federal government to support the people and the economy of Puerto Rico, through Resolution No. 170836 (Hurricane Maria Relief) and Resolution No. 150933 (Humanitarian and Fiscal Crisis); and

WHEREAS, The City Council of Philadelphia joined federal, state, and nonprofit leaders to provide hurricane and earthquake relief since 2017, through the establishment of Unidos Pa' PR; now, therefore, be it

RESOLVED, THAT THE CITY COUNCIL OF PHILADELPHIA, CALLS upon the United States Congress, including the Pennsylvania delegation, to support the passage of H.R. 8113.

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