

LJE-14-34

SUPPORTING THE EXTENSION OF VOTING RIGHTS TO ALL ELECTED REPRESENTATIVES TO CONGRESS

WHEREAS, the National Black Caucus of State Legislators (NBCSL) has long advocated for the voting rights of those who have been disenfranchised, such as in resolution LJE-09-17 “RESOLUTION ON VOTING RIGHTS FOR THE DISTRICT OF COLUMBIA,” which calls for the citizens of the District of Columbia to have full voting rights and equal representation in Congress;

WHEREAS, American citizens residing in the District of Columbia, the U.S. Virgin Islands, and Puerto Rico still do not have equal representation in Congress;

WHEREAS, the famous *Insular Cases*, identified and defined the differences between “incorporated” and “unincorporated” territories;

WHEREAS, the U.S. Virgin Islands and Puerto Rico are unincorporated territories of the United States, whose political status was considered as not destined for statehood and, as such, would not necessarily be extended all rights and privileges afforded to U.S. citizens in incorporated territories while still being subject to U.S. governmental authority;

WHEREAS, Virgin Islanders and Puerto Ricans have served in the U.S. military and fought in wars on behalf of the United States prior to obtaining the privilege of becoming citizens of the United States;

WHEREAS, Virgin Islanders and Puerto Ricans are American citizens afforded most of the same rights and opportunities as citizens of the 50 states;

WHEREAS, one of the rights of citizens of the 50 states is voting representation in the United States Congress;

WHEREAS, the right to vote is among the most sacred and paramount rights accorded to us under our Constitution;

WHEREAS, Virgin Islanders elect a Delegate to Congress to represent the U.S. Virgin Islands in the United States Congress and Puerto Ricans elect a Resident Commissioner of Puerto Rico;

WHEREAS, these representatives were never afforded the right to have a final vote on the Floor of the House of Representatives, but prior to the 112th Congress were afforded voting rights in the Committee of the Whole; and since then, have had even these voting rights stripped;

WHEREAS, every United States citizen deserves to be represented fairly in Congress;

WHEREAS, though stripped of the right to vote in Committee of the Whole, delegates and the resident commissioner enjoy powers, rights, and responsibilities identical, in most respects, to those of House Members from one of the 50 states;

WHEREAS, Delegates and the Resident Commissioner can speak, introduce bills and resolutions, and offer amendments on the House floor;

WHEREAS, Delegates and the Resident Commissioner cannot offer a motion to reconsider a vote during a floor debate; have limited input in shaping the final bill, which may be detrimental to the territory that they represent;

WHEREAS, because Delegates do not have full voting rights, their constituents, who are United States citizens, have no real representation in the United States Congress;

WHEREAS, Delegates and the Resident Commissioner can vote in the Committee and can speak in favor or against any proposal, it does not suffice in that they still have no right to cast a final vote for something that directly impacts the territory that they represent;

WHEREAS, non-voting representation is equal to no representation;

WHEREAS, non-representation is not what our founding fathers envisioned for American citizens; and

WHEREAS, American citizens, no matter where they live, should be afforded equal representation in our national lawmaking body.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) recognizes that citizens living in the District of Columbia, the United States Virgin Islands, and Puerto Rico are American and should be afforded the same representation as Americans living in the 50 states;

BE IT FURTHER RESOLVED, that NBCSL respectfully urges the Congress of the United States to grant full voting rights to the Resident Commissioner and Delegates to Congress in the House of Representatives; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

SPONSOR: Senator Shawn-Michael Malone, (USVI)
Committee of Jurisdiction: Law, Justice, and Ethics Policy Committee
Certified by Committee Chair: Representative Brenda Gilmore (TN)
Ratified in Plenary Session: Ratification Date is December 13, 2013
Ratification is certified by: Representative Joe Armstrong (TN), President