

SECOND REGULAR SESSION

# HOUSE CONCURRENT RESOLUTION NO. 38

## 102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BLAND MANLOVE.

5214H.011

DANA RADEMAN MILLER, Chief Clerk

2       **WHEREAS**, the United States acquired Puerto Rico by military victory over Spain in  
3 the Spanish-American War in 1898 and designated it as a territory; and

4       **WHEREAS**, citizenship was not granted to the people of Puerto Rico until 1917  
5 under the Jones-Shafroth Act; and

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7       **WHEREAS**, Congress did not allow the formation of the Commonwealth of Puerto  
8 Rico with its own governing constitution until 1952; and

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10       **WHEREAS**, the people of Puerto Rico are not afforded representation in Congress or  
11 the right to vote in presidential elections; and

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13       **WHEREAS**, the United States Supreme Court has repeatedly confirmed that the  
14 people of Puerto Rico are subject to federal laws but lack many fundamental constitutional  
15 rights afforded to other citizens of the United States and, as described by Tom C.W. Lin in his  
16 article *Americans, Almost and Forgotten*, 107 CALIF. L. REV. 1249 (2019), the Court has  
17 shown no inclination to overrule its longstanding Insular Cases, that condition constitutional  
18 rights in unincorporated territories upon Congressional passage of federal laws; and

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20       **WHEREAS**, the doctrines espoused in the Insular Cases are subject to longstanding  
21 and widespread legal critique as anachronistic and racist; and

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23       **WHEREAS**, natural disasters such as Hurricane Maria have given rise to great  
24 hardship on the island of Puerto Rico in recent years; and

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26       **WHEREAS**, the people of Puerto Rico have favored joining the United States as a  
27 state instead of remaining as a territory or becoming an independent nation in several

28 referendums, including a referendum in 2020 in which 52.34% of voters favored the  
29 admission of Puerto Rico as a state; and

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31 **WHEREAS**, the Congress of the United States has power, under Section 3, Article IV  
32 of the Constitution of the United States, to authorize the admission of existing territories such  
33 as Puerto Rico as new states upon the passage of a federal law:

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35 **NOW THEREFORE BE IT RESOLVED** that the members of the House of  
36 Representatives of the One Hundred Second General Assembly, Second Regular Session, the  
37 Senate concurring therein, hereby urge the Congress of the United States to authorize the  
38 admission of Puerto Rico as the fifty-first state of the United States; and

39

40 **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of  
41 Representatives be instructed to prepare a properly inscribed copy of this resolution for House  
42 Speaker Mike Johnson, Senate Majority Leader Chuck Schumer, the members of the Missouri  
43 congressional delegation, and the legislatures of each state.

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