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To: Interested Parties

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Puerto Rican Status Preferences: Simulating Decolonization through Ranked Choice Voting

In October 2020, Data for Progress conducted a survey of likely Puerto Rico voters. In addition to asking about support for Statehood in the format posed on the November 2020 referendum, we also included a status question formatted as ranked choice, presenting the range of (territorial and nonterritorial) status options for voters to rank their preferences. We find that Statehood starts off at a lower level of support when other options are present, though ultimately it wins in each case. We've weighted this data to reflect the electorate based on the results of the November 2020 elections in Puerto Rico.

Key Findings

- Our results are in line with historical results from previous referendums, with a plurality of voters preferring Statehood. Colonial alternatives form the second largest block, followed by a growing independence/sovereignty movement.
- The Statehood plurality becomes a majority under a Ranked Choice or Run Off system.
- Any decolonization process will be influenced by ballot design.

Introduction

On November 3rd 2020, Puerto Ricans voted on their 5th status referendum under an administration of the pro-Statehood, New Progressive Party (PNP)¹. The latest referendum was the first one where Statehood was the only option on the ballot. In the 2020 referendum, those who support other visions of decolonization or maintaining the status quo openly campaigned for voting “No”. Despite this, Statehood (“Yes”) received 53 percent of the vote, with 3 percent of 2020 voters choosing not to vote in the referendum.²

Puerto Rico’s territorial status has long been an issue of local dispute — so much so that the nation’s political party structure has historically centered around this issue. In Spanish, the official term for Puerto Rico’s political status is called *Estado Libre Asociado*, translating to *Freely Associated State*³. In English, the territory is called a *Commonwealth*, an ambiguous term that is used for states such as Virginia and Massachusetts. Despite mixing languages and terms which are used for countries and for states, the reality is Puerto Rico is neither. **Put simply, Puerto Rico is a colony of the United States.**

In 1901, the same U.S. Supreme Court that five years earlier upheld the constitutionality of racial segregation in *Plessy v Ferguson* also ruled in *Downes v Bidwell* that Puerto Rico “belongs to but is not part of the United States” — codifying a political status that to this day systemically discriminates against Puerto Ricans. Half a century later, The Puerto Rico Federal Relations Act of 1950 enabled Puerto Ricans to develop a local constitution, yet preserved its status as an “unincorporated territory” under the direct authority of Congress as established by the Territorial Clause (Article IV, section 3) of the U.S. Constitution.

Today, Puerto Rico has about as many United States citizens as the state of Iowa. Yet while Iowa prides itself on being the first state to lead our choice for President, Puerto Ricans can’t even vote in presidential elections and don’t have congressional

¹ Partido Nuevo Progresista in Spanish, we use the Spanish acronym (PNP) throughout.

² [Comisión Estatal de Elecciones de Puerto Rico](#)

³ Freely Associated State is the same term used for Marshall Islands, Palau, and Micronesia.

representation aside from a non-voting representative in the House of Representatives.

Further, as shown by the imposition of the [Fiscal Oversight and Management Board](#) (FOMB) in 2015, Puerto Rico's form of self-government is subordinate to the U.S. Congress's authority. The islands have comparable autonomy to states of the union even though it is considered a foreign jurisdiction for federal tax purposes — creating the basis for a colonial tax haven within U.S. borders — and has representation in international sporting events like the Olympics.

Historical Referendums

Puerto Rico has a long history of status referendums. The first and only one held under the pro-Commonwealth Popular Democratic Party (PPD) was held in 1967 — resulting in 60 percent of Puerto Rico voters supporting the Commonwealth. The other five referendums have taken place in the last 30 years, and as such support for the status quo has decreased while support for alternatives like Statehood have grown steadily. Ballot design has changed significantly, with no two referendum ballots having been the same since 1993.

Referendums in the 1990s

The pro-Statehood PNP began to use status referendums as part of its electoral strategy following their electoral victory in 1992. Although the Commonwealth option won a plurality (48.9 percent) in 1993, a majority of voters supported non-territorial status options (51.1 percent). In the 1998 referendum, the PPD campaigned on behalf of “none of the above” as a protest to the definition of the Commonwealth as “territorial” — winning a narrow majority (50.5 percent).

Status Option	1967	1993	1998	2012*	2017	2020	
Statehood	39.0%	46.6%	46.6%	-	46.4%	52.5%	
Commonwealth	60.4%	48.9%	0.0% <i>(Territorial Commonwealth)</i>	46.0%	24.2% <i>(intentionally blank votes)</i>	1.3%	-
Independence	0.6%	4.5%	2.6%	-	4.2%	1.5%	-
Sovereign Free Association	-	-	0.3%	-	25.3%	-	-
None of the Above <i>(Advocated by Commonwealth supporters in 1998 Referendum)</i>	-	-	50.5%	-	-	-	-
% Turnout of Registered Voters	66%	74%	71%	79%	23%	55%	

****Percentages shown as a total of valid votes in Question 1 (96% of all votes). Intentionally Invalid Votes defined as those Answering Question 1 but not Question 2, as advocated by the Pro-Commonwealth PPD during the 2012 Referendum.***

Referendums in the 2010s

Even though the status discussion remained present in Puerto Rican politics throughout the first decade of the 21st century, it wasn't until 2012 that another referendum took place. The 2012 referendum was controversial due to ballot design and interpretation of the results. The ballot included two questions:

- 1) Should Puerto Rico continue its current territorial status?
- 2) Regardless of your answer to the first question, which non-territorial option do you prefer?

In the first question, voters rejected the Commonwealth status by an 8 percent margin with "No" winning with 54 percent. Since the second question prompted an

expression of support for a non-territorial status regardless of support or opposition to the status quo, the PPD urged its supporters to leave the second question blank. The boycott was moderately successful, increasing the number of blank or invalid votes from 4 percent for the first question to 27 percent in the second question, with Statehood getting 46 percent of votes as a percentage of voters who submitted valid ballots for the first question.

In 2017, the PNP called for an “immediate decolonization” vote. Even before it was held, the United States Department of Justice said it would not recognize the outcome because it originally excluded the Commonwealth from the ballot. Since the PNP did not seek a consensus with the opposition to develop this referendum, the process was perceived as a partisan effort and one without any tangible consequences. As a result, the PPD and the Puerto Rican Independence Party (PIP)⁴ opposed the referendum and boycotted the vote with only 23 percent of voters participating — 97 percent of whom preferred statehood.

The 2020 referendum was the first time Statehood won an outright majority — garnering support from 52.5 percent of voters. This was despite the pro-Statehood PNP candidate for governor narrowly winning with only 33 percent of the vote.

Referendums and Ballot Design

Given that the 2020 referendum focused on Statehood, limiting voters’ options to a straight *Yes* or *No* on Statehood alone, we asked Puerto Ricans in the islands to rank their preferences on a wide range of status alternatives:

- 1) Statehood
- 2) Independence
- 3) Sovereign Free Association (*Libre Asociación Soberana*)
- 4) Modified or Improved Commonwealth (*Estado Libre Asociado Modificado o Mejorado*)

⁴ Partido Independentista Puertorriqueño in Spanish, advocates for Puerto Rico’s political independence from the United States

- 5) Current Status
- 6) Abstain (Chose not to rank)

Statehood

In recent history, Statehood has sustained significant support, never really falling below 40 percent regardless of how the status question is asked and what turnout is like. We've weighted our data to the 2020 referendum result. Our data suggest that if other status options had been included in the November 2020 vote, support for Statehood would still have gotten at least 44 percent of the vote.

Independence

Independence has been included as an option in five of the last six non-binding referendums, typically garnering single-digit support. Although voters were not able to show explicit support for Independence in the most recent election, the impressive performance of the PIP candidate for governor, Juan Dalmau, and higher support for Independence in our ranked choice voting experiment than in previous referendums point to growing support for political independence from the United States.

Sovereign Free Association (*Libre Asociación Soberana*)

Sovereign Free Association refers to the political status currently held by Palau, the Federated States of Micronesia, and the Marshall Islands. These are 3 sovereign nations, not territories, which have what is known as a Compact of Free Association (COFA) with the United States. This Compact confers some economic and defense benefits to these micronations in exchange for military access and development. Supporters in Puerto Rico usually advocate for a kind of COFA, but differ on what they feel should be part of the compact. For example, some advocates argue that U.S. citizenship should be extended to Puerto Ricans under a COFA, a provision not present in the currently existing COFAs.

The PPD has a vocal minority that advocates for this status as the ultimate culmination of the current Commonwealth. This option appeared in the referendums of 1998, 2012 and 2017, all of which were mired in controversy about ballot design. Thus, clear numbers about this option have never been available. Our poll serves to clarify its actual standing/support in a more comprehensive way.

Enhanced Commonwealth (*Estado Libre Asociado Modificado o Mejorado*)

Enhanced Commonwealth is a broad term used by the PPD to describe a combination of increased autonomy and more federal funding for social programs under the Commonwealth framework. The 2020 PPD gubernatorial candidate Charlie Delgado advocated for Puerto Rico to be included in federal programs like the Child Tax Credit (CTC), Earned Income Tax Credit (EITC), Supplemental Security Income (SSI), and Supplemental Nutrition Assistance Program (SNAP), as part of his Enhanced Commonwealth platform. In 2016, PPD gubernatorial candidate David Bernier supported language in the Democratic Party platform to allow Puerto Rico to vote in presidential elections. Enhanced Commonwealth — although different from the status quo — is not considered a decolonizing alternative since Puerto Rico would remain under the Territorial Clause as a “non-incorporated territory.” Some members of the PPD have aimed to create a non-territorial Enhanced Commonwealth alternative, but this option has yet to be concretely defined and has been frequently dismissed by U.S. policymakers as unconstitutional.

In our experiment, the Enhanced Commonwealth is the second most popular option, slightly edging out Independence and the status quo in the first round and then gradually consolidating support from all the other non-Statehood options.

Hypothetical Scenario 1: Ranked Choice Voting, with Current Status Dropped First

Utilizing ranked choice voting, we attempted to simulate Puerto Ricans’ preferences during a decolonization process. We simulate two distinct scenarios. In the first scenario, Status Quo is eliminated in the 1st round, while leaving in an Enhanced Commonwealth that would theoretically be outside the Territorial Status. Such an

alternative has yet to be concretely defined by its advocates in the PPD or deemed consistent with the U.S. Constitution.

Status Option	1st Round	2nd Round	3rd Round	4th Round
Statehood	44%	46%	47%	50%
Enhanced Commonwealth	18%	30%	33%	43%
Independence	15%	15%	16%	-
Sovereign Free Association	6%	6%	-	-
Current Status	17%	-	-	-
Abstain	-	3%	4%	8%

In the first round, 44 percent of respondents selected Statehood as their preferred choice. A total of 19 percent of respondents wanted a form of Modified or Improved Commonwealth and 17 percent wanted to keep the Status Quo. Finally, 6 percent of respondents wanted a Sovereign Free Association, and 15 percent preferred Independence.

In the last round, 8 percent of voters would abstain, with 50 percent of voters going for Statehood while 43 percent prefer a form of Enhanced Commonwealth. Factoring out abstentions, **Statehood would win the final round of a hypothetical ranked choice vote on Puerto Rico’s status with a 53.8 percent — 46.2 percent victory over an Enhanced Commonwealth.**

Notably, dropping Independence and Sovereign Free Association first instead of Current Status does not affect the outcome, as Enhanced Commonwealth is preferred over Current Status amongst these groups, leading to the same Statehood vs Enhanced Commonwealth outcome.

Hypothetical Scenario 2: Ranked Choice Voting, with Current Status and Enhanced Commonwealth Dropped

Status Option	1st Round	2nd Round	3rd Round	4th Round
Statehood	44%	46%	51%	55%
Sovereign Free Association	6%	6%	23%	33%
Independence	15%	15%	17%	-
Enhanced Commonwealth	18%	30%	-	-
Current Status	17%	-	-	-
Abstain	-	3%	9%	12%

For our next scenario, we simulate a process where Enhanced Commonwealth isn't successfully defined as a non-territorial alternative, leaving only the non-colonial alternatives as defined by the United Nations.

In this scenario, the Sovereign Free Association alternative exhibits a jump to second place, from 6 percent to 23 percent, as the Current Status and Enhanced Commonwealth options are disqualified. In the last round, 12 percent of voters would abstain, 55 percent of voters would support Statehood, and 33 would prefer Sovereign Free Association. **Factoring out abstentions, Statehood would win the final round of a hypothetical ranked choice vote on Puerto Rico's status with a 62.5 percent — 37.5 percent victory over Sovereign Free Association.**

Overall, when conducting the ranked choice voting process, Statehood supporters were most likely to not rank additional options, and Independence supporters were most likely to have a second choice. Additionally, Statehood is the first choice for 44 percent, but only the second choice of 11 percent for voters who did not indicate

Statehood as their first choice. This indicates that there is polarization along a pro and anti-Statehood dimension. Amongst those who did not pick Independence as their first choice, a mere 9 percent ranked Independence as their second choice, last amongst alternatives. Lastly, Enhanced Commonwealth was the most popular second choice amongst those not choosing it as their preferred option, with 35 percent.

Current Legislative Efforts

Despite the complicated history of Puerto Rico's status question, the deterioration of socioeconomic conditions and massive exodus from the islands that has taken place over the last decade underscore the urgency of ending Puerto Rico's colonial status.

The growing relevance of the status issue is evidenced by the attention that it is receiving in Congress with the introduction of the **Puerto Rico Self-Determination Act** of 2020 (H.R. 8113) Act by Representatives Nydia Velazquez (D-NY) and Alexandria Ocasio-Cortez (D-NY) as well as the **Puerto Rico Statehood Admission Act** of 2021 (H.R. 1522) by Representative Darren Soto (D-FL) and Puerto Rico's non-voting Representative Jennifer Gonzalez (R-PR).

Representatives Velazquez and Ocasio-Cortez's Puerto Rico Self-Determination Act would prompt the Puerto Rican Legislature to convene a Status Convention whose delegates would be elected by Puerto Rican voters. This legislation was introduced on August 25th 2020, garnering 21 Democratic co-sponsors⁵, and is expected to be re-introduced in 2021. This body would develop a long-term solution outside of the territorial clause (Statehood, Independence, or Sovereign Free Association) for Puerto Rico's status and then put it up for a vote. The legislation would also develop a Congressional Bilateral Negotiating Commission to advise the Puerto Rican Status Convention and also report on a yearly basis on the progress of the Status Convention.

⁵ [List of co-sponsors for Puerto Rico Self-Determination Act of 2020](#)

Representative Soto and Representative Gonzalez's Puerto Rico Admission Act proposes a Yes/No vote on statehood. If Puerto Rican voters support Statehood in this process, Puerto Rico would be admitted as a state to the union 12 months after the vote takes place. This legislation was introduced on March 2nd 2021, and achieved bipartisan support with co-sponsorship⁶ from 38 Democrats and 14 Republicans when it was introduced.

Although legislation to address Puerto Rico's colonial status has been introduced before, this is the first time competing alternatives have been presented to achieve decolonization for the islands. It remains to be seen whether either of these measures will make it through both chambers of Congress and onto President Biden's desk. Although having two pieces of legislation may help generate more attention on the Puerto Rico status question, these measures may also generate division on procedural grounds that end up nullifying the progress made. For example, the Puerto Rico Admission Statehood bill has been criticized for not being inclusive of other decolonization alternatives, as it excludes other options like Independence or Sovereign Free Association. Meanwhile, the Puerto Rico Self-Determination bill has been criticized for limiting the eventual referendum to one option and for not clearly establishing that it would be a binding process.

On February 13th 2021, The Movimiento Victoria Ciudadana (MVC) — a recently formed party that supports decolonization but is open to all three alternatives (Statehood, Independence, and Sovereign Free Association) — wrote a letter⁷ to Representatives Velaquez and Ocasio-Cortez supporting the status assembly framework for decolonization, but proposing amendments to the legislation. First, they suggest that the process has to be binding. Second, they propose that all self-determination options should be submitted to the people of Puerto Rico in a binding referendum, and that if no option obtains more than a 50 percent majority, a runoff election should be held between the two alternatives with the most votes.

⁶ [List of co-sponsors for Puerto Rico Statehood Admission Act of 2021](#)

⁷ [Letter by Movimiento Victoria Ciudadana to Representatives Velazquez and Ocasio-Cortez](#)

Conclusions

Puerto Rico's status has recently been thrust into the spotlight thanks to the work of activists and the legislative efforts by elected officials from Puerto Rico and of Puerto Rican descent. Decades of non-binding referendums in Puerto Rico have not resulted in decolonization, emphasizing the urgent need for a new approach. Under both Democratic and Republican administrations, ending Puerto Rico's colonial status has not been a priority. Congress must legislate to change that.

Our data suggest that statehood is the first choice decolonization alternative for a plurality of voters. Furthermore, we find that there is a segment of voters who are willing to accept statehood, but would prefer a different option if it were to be presented to them. This dynamic demonstrates both a desire for some level of sovereignty, while also maintaining a favored relationship with the United States. The outcome of a plebiscite, referendum, or other status change process will always be influenced by which options are available to voters and what the format of selection is.

The United States has never committed to a clear timeline for decolonization, nor a binding process that would implement whichever decolonizing option Puerto Ricans choose democratically. Citing Puerto Ricans' right to "self-determination," U.S. policymakers have ignored demands for decolonization rather than actively participating in dismantling the status quo. It's time for the United States to live up to the democratic ideals upon which it was founded by empowering the people of Puerto Rico to find and implement a long-term solution to the islands' colonial status.

Methodology

From October 19 to November 1, 2020, Data for Progress conducted a survey of 527 likely Puerto Rico voters using SMS and web panel respondents. The responses were weighted to be representative of likely voters by age, gender, education, race, income, religion, partisanship, referendum vote, and senate district. The survey was conducted in Spanish and English. The margin of error is ± 4 percentage points.

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Questions

1. ¿Cuál es su posición sobre el estatus político de Puerto Rico? Por favor, clasifique las siguientes opciones de estatus, siendo 1 su primera opción y 5 su última opción. Debe clasificar al menos una, pero puede clasificar menos de cinco.

- Estadidad
- Independencia
- Mantener el estatus actual
- Estado libre asociado modificado o mejorado
- Libre asociación soberana

2. ¿Debería Puerto Rico ser admitido inmediatamente en la Unión como un Estado?

- Sí
- No