



PUERTO RICAN BAR A S S O C I A T I O N

Statement of Marcos D. Vigil, Esq. on behalf of the Puerto Rican Bar Association, Inc. of New York before the President's Task Force on Puerto Rico.

May 25, 2010 – Washington, DC

Finding Working Solutions for Vieques

Good afternoon and thank you to Co-Chairs Perrelli and Muñoz for inviting us to participate in these hearings. My name is Marcos D. Vigil, am here in my capacity as an officer and Director-elect for the Puerto Rican Bar Association of New York, the oldest ethnic bar association in the State of New York and one whose members and leadership are deeply committed to the health, environmental and economic issues affecting the people of Vieques.

Our organization will not rest until we ensure that the American citizens of Vieques receive adequate services and the right economic opportunities to properly develop their "Isla Nena."

Viequesens have now been waiting almost a decade to receive proper compensation for the Navy's actions. They have resorted to litigation through the Administrative and Court processes to address their concerns. As of now, there is pending an appeal from a decision made in the District Court of Puerto Rico that could determine whether or not Viequesens can expect to hold the U.S. Navy accountable for its actions. But we understand that this process will not yield a final resolution until several more years have passed.

Consistent with this Administration's commitment to deliver equal justice for all American citizens, the people of Vieques should not be made to wait several more years or decades and jump through numerous more obstacles.

The Department of Justice has the ability to put an end to their struggles. This current Administration understands that strict adherence to past policies or precedents have real consequences and impact on people's lives. Together we can immediately put in place more effective methods to deal with the situation in Vieques.

By way of example, similar conditions have been dealt with and settled compassionately (i.e. payments to residents of the Marshall Islands due to military activities, payments for residents in the Southwest for environmental contamination and reparations made to

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other ethnic groups for historical injustices). Another example are the condolence and solatia payments made available to compensate innocent civilian victims in foreign countries, such as the case of the current wars in Iraq & Afghanistan authorized by statute to the Department of Defense and the Department of State. As recognized by our Courts, these payments are expressions of sympathy or remorse, not an admission of legal liability or fault.

This Task Force has the ability to lay the groundwork for similar compensatory fund or funds to Viequenses. While the requirements for distribution may be detailed further, we suggest that such funds should not be made in the form of a grant to the Commonwealth's central government, but made specifically to the island-municipality of Vieques and its resident-victims. You can count on the membership of the Puerto Rican Bar Association of New York to assist in this process. However, as friends and relatives of our beloved Viequenses, we will not relent on our duties to see them achieve the peace of mind and rightful enjoyment of their health and their beautiful island, as they duly deserve.

Once again, thank you and please count us in to help the citizens of Vieques in any way possible.

Marcos D. Vigil, Esq.
Puerto Rican Bar Association, Inc. of New York