

119TH CONGRESS
2^D SESSION

H. RES. 1416

Reaffirming the consent of the governed as the United States marks 250
years of independence.

IN THE HOUSE OF REPRESENTATIVES

JULY 2, 2026

Ms. PLASKETT (for herself and Mr. HERNÁNDEZ) submitted the following
resolution; which was referred to the Committee on Natural Resources

RESOLUTION

Reaffirming the consent of the governed as the United States
marks 250 years of independence.

Whereas, 250 years ago in 1776, the people of the United
States expressly rejected colonial rule, affirming that all
are “created equal” and that governments “deriv[e] their
just powers from the consent of the governed”;

Whereas territories have been an important part of the
United States since the beginning of the Nation, starting
with the Northwest Territory in 1787, with Chief Justice
John Marshall writing for the Supreme Court in 1820
that “the United States” is “the name given to our great
republic, which is composed of States and territories”
(*Loughborough v. Blake*, 18 U.S. (5 Wheat.) 317, 319
(1820));

Whereas, notwithstanding these founding principles, the more than 3,600,000 residents of American Samoa, the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands of the United States are unable to fully or meaningfully participate in decisions concerning their political, economic, environmental, and cultural governance, in violation of their fundamental right to self-determination and government by consent;

Whereas Puerto Rico and Guam have been a part of the United States since 1898, American Samoa since 1900, the Virgin Islands of the United States since 1917, and the Commonwealth of the Northern Mariana Islands since 1986;

Whereas people in the United States territories and commonwealths pay more than \$5,000,000,000 per year in Federal taxes, yet the majority of residents are partially or fully denied access to Federal programs, including Supplemental Security Income, Medicaid, and the Supplemental Nutrition Assistance Program, as well as dozens of other programs available to residents of the 50 States and the District of Columbia;

Whereas residents of United States territories and commonwealths serve in the United States Armed Forces at rates among the highest per capita of any jurisdiction in the Nation, yet are denied the right to vote in Federal elections, including for the President, the Commander in Chief under whom they serve;

Whereas the concepts of “consent of the governed” and that all are “created equal” are enshrined in the Declaration of Independence, served as foundational inspiration for the United Nations Charter (ratified by the United States in 1945) and the International Covenant on Civil

and Political Rights (ratified by the United States in 1992), and continue to serve as essential pillars of democracy and the right to self-determination across the world;

Whereas, until the Insular Cases were decided in the early 1900s, the Supreme Court long recognized that Congress powers over the territories, while broad, were “not absolute and unlimited”, but rather subject to “such restrictions as are expressed in the Constitution” (Murphy v. Ramsey, 114 U.S. 15, 44 (1885));

Whereas 2026 also marks the 125th anniversary of the Insular Cases, in which the Supreme Court broke from the Nation’s founding principles and longstanding constitutional precedent to normalize the denial of basic democratic rights in United States territories, enabling policies that have created a stark gap between the ideals of “consent of the governed” and that all are “created equal” and the lived realities of the people in those communities;

Whereas Supreme Court Justice Neil Gorsuch explained that the Insular Cases have “no foundation in the Constitution and instead rest on racial stereotypes,” and Justice Sonia Sotomayor wrote that they were “premised on beliefs both odious and wrong” (United States v. Vaello Madero, 596 U.S. 159, 180 (2022) (Gorsuch, J., concurring); *id.* at 194 n.4 (Sotomayor, J., dissenting));

Whereas the Department of Justice declared in a 2024 letter to Congress that it “unequivocally condemns the racist rhetoric and reasoning of the Insular Cases”, concluding “that such reasoning and rhetoric are irreconcilable with foundational American principles of equality, justice, and democracy”; and

Whereas the time has come to fully realize the founding principles of the Declaration of Independence throughout the United States, including for people in United States territories: Now, therefore, be it

1 *Resolved*, That the House of Representatives, without
2 taking a position on or favoring any particular political
3 status option—

4 (1) supports democracy, fair treatment, and the
5 right to self-determination for all people living in
6 United States territories and commonwealths;

7 (2) reaffirms that the Nation’s founding prin-
8 ciples that all are “created equal” and that govern-
9 ments derive their just powers from “consent of the
10 governed” apply with full and equal force to all peo-
11 ple living in United States territories and common-
12 wealths;

13 (3) rejects the racist reasoning of the Insular
14 Cases and their progeny as fundamentally incon-
15 sistent with the Constitution and American values;
16 and

17 (4) embraces the conclusion of Justice John
18 Marshall Harlan, the lone dissenter in *Plessy v. Fer-*
19 *guson*, who wrote in dissent to the Insular Cases
20 that “[t]he idea that this country may acquire terri-
21 tories anywhere upon the Earth, by conquest or
22 treaty, and hold them as mere colonies or prov-

1 inces—the people inhabiting them to enjoy only such
2 rights as Congress chooses to accord to them—is
3 wholly inconsistent with the spirit and genius, as
4 well as with the words, of the Constitution” (Downes
5 v. Bidwell, 182 U.S. 244, 380 (1901) (Harlan, J.,
6 dissenting)).

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