

April 14, 2021

To all members of the National Resources Committee

Thank you for taking the time to read and consider my statement for the record.

My name is Alba I. Calderon Cestero. I am a 51 year old woman mother of three, born and raised in Puerto Rico. As a woman I represent more than 55% of the population. A vast majority of us go to College and have the desire to make a difference in people's lives every day. We are passionate, we embrace our culture but we also defend what is justice and value our american citizenship but most important what we have become as part of the United States of America.

You have probably heard already a lot of leaders and others who are so-called leaders, make statements that Puerto Rico have not decided their status and need to go on another route than seeking the admission as the HR 1522 proposes.

You will hear them say that they have recently allied with a new "movement" called Frente Puertorriqueñista" and all their points of view. What you won't hear from them is that the new "movement" and their opinion are promoted by people who are against our american government, people like Oscar Morales, Manuel Natal, Maria de Lourdes Santiago, Anibal Acevedo Vila, and a few more. They all have made their statement in front of you or for the record, but their true reality is working in every way possible to be against the USA. They sure know how to practice a double speech.

The authors of the HR 2070, Congresswoman Velazquez and Ocasio, do not represent the people of Puerto Rico. They are submitting this bill promoted by the same ones who I have mentioned previously, who deliver each and every day a hate speech against the USA and our american government. We here in the island are tired of hearing them in the radio stations each and every day denigrating our american citizenship. They are the same ones who burn the american flag every May 1st! You have probably seen that on the news for the past few years. Those are the same people who go and have meetings with Maduro and other communists in the world, all against our american government. Sad to say, but true. They do not represent the feeling of the majority of us.

This is the real reason we do not appreciate these two Congresswomen's bill the HR 2070. They have intruded, yes that is the right word, intruded in our political status. None of them can decide for our future. It is very ironic that Nydia Velazquez and Ocasio sell themselves to everyone in Congress like they seek the best for PR and it is the total opposite. We all know here that when they visit the island they meet with only the people who are against the american government. How Ironic is that? Let them continue working for the best interests of the New Yorkers whom they represent and let us here in PR, work for what we seek best for our island. We, the majority, who voted for statehood, have protected our citizenship, have fought in war with honor and pride. The people behind the HR 2070 have always rejected and humiliate us by calling us "arrodillaos" wich means in english, submitted, but in a very despective manner.

Those are the ones proposing and wanting the HR 2070 to be approved. Even with all this against, the people who voted for statehood prevailed.

The participation for the past plebiscite was 73.15% out of the avid electors. Statehood won by 52.5%. (please see the attached certification)

Now, let me make a contrast of the HR 1522 and the HR 2070.

First, Congresswoman Velazquez and Ocasio represent people from NY, not Puerto Rico. We have our resident commissioner, Jenniffer Gonzalez, elected by more than 500,00 votes, and is the one who represents the will of the Puerto Ricans in Puerto Rico.

The HR 2070 engages in election denial by ignoring past votes held in Puerto Rico. Practically denies the millions of votes in favor of statehood.

The HR 2070 proposes that the Puerto Rico legislature create a "Status Convention" with the purpose of identifying and defining which self-determination options voters can choose from, but also allows the Governor to be by-passed in the process of creating the Convention. It is important to state that we have already made a self determination decision. We voted; and we won! just like in every democracy. We voted YES for statehood we obtained the majority so our voted has to be respected..

The HR 2070 promotes that voters would first elect members to the convention, the convention delegates would then "negotiate" with Congress. Then the delegates would choose what options to bring forth for consideration by Puerto Rico's voters in a plebiscite. We find this method a total disrespect for all of us in PR. It goes back a path we have already walked. , It's obvious, its sole purpose is to prolong the current status and open the door for another 100 years of colonialism.

The HR 2070 does not define any of the possible status options to be voted on or say how many could be presented to voters, leaving it up to the "Status Convention." Totally anti democratic. The bill sponsors have expressed that they leave open the possibility of considering "any option other than the current territorial arrangement," even though federal executive and legislative branch findings show there are no other constitutionally valid alternatives beyond statehood or nationhood.

The HR 2070 lacks a clear timeline for execution. This could lead to endless debate and an indefinite delay in decisions. Again, it's sole purpose is to perpetuate the current status.

HR 2070 is opposed by the Governor of Puerto Rico and our Resident Commissioner Jenniffer Gonzalez. It is also opposed by the Puerto Rico Democratic Party and Puerto Rico Republican Party.

Now, on the contrary the HR 1522:

Acknowledges the results of the November 2020 plebiscite on statehood where a clear majority of 52.5% voted "YES" for immediate admission. It also acknowledges the results of the 2012 referendum where 54% rejected the current territory status and 61% of them chose statehood.

The HR 1522 presents a formal offer of statehood to the U.S. citizens of Puerto Rico contingent on a direct ratification vote asking the electorate to confirm whether they want the territory to be admitted as a state with a simple "YES" or "NO" question.

The HR 1522 Bill is self-executing so, if the majority votes in favor of statehood the territory will be placed on a definitive path to statehood. If the majority rejects statehood then the island remains a territory with the option to pursue sovereignty at any time in the future. The bill does not force or impose statehood on Puerto Rico, just like others who oppose will make you believe. This bill offers statehood if the majority wants it and provides the legal means for it to happen.

In the HR 1522 the Statehood is clearly defined to be on equal footing with all other states, meaning equal rights, equal responsibilities and full representation in the U.S. Congress which makes the federal laws that we live under. .

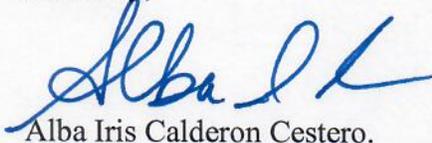
HR 1522 has support of the Governor & Resident Commissioner of Puerto Rico. Support from Puerto Rico Democratic Party and Puerto Rico Republican Party.

It is very simple. A respect for a vote. A respect for the democracy. A respect for the will of the people, us who voted YES to statehood.

Let's make our US Constitution a valid one here. The right to vote, the democracy, the respect for the majority.

Please support HR 1522.

Sincerely,



Alba Iris Calderon Cestero.

Written Statement for the House of Representatives Committee on Natural Resources April 14, 2021 hearing on Puerto Rico Statehood Admission Act (HR 1522) and HR 2070 (Puerto Rico Self-Determination Act (HR 2070))

Prof. Andrés L. Córdova

For purposes of the record, my name is Andrés L. Córdova. I have been a Law and Philosophy Professor at Inter American University of Puerto Rico for over thirty years, where I teach Contracts, Property and Jurisprudence. I am currently a Commissioner in Puerto Rico's Civil Rights Commission. I appear before you in my personal capacity.

I would like to begin by thanking the House Committee on Natural Resources for having this hearing to discuss two recently introduced bills addressing Puerto Rico's political status question. Any public discussion which draws attention to the political disenfranchisement of Puerto Rico's American citizens is in itself a step in the right direction.

As is known, there are significant differences between the various stakeholders in Puerto Rico's political future, as the last one hundred and twenty-two years of United States sovereignty over Puerto Rico attest. In fact, the 20th and early 21st century of Puerto Rico's history has been defined by the status question; all other controversies eventually making their way to this fundamental and pending issue.

The last 30 years have witnessed a significant and growing effort to move the status issue by a large sectors of Puerto Rican society – I would argue, an electoral majority – in the direction of statehood. These efforts have been historically hindered and opposed at every turn

by various factions and economic interests – both in the island and in the mainland - that have a vested interest in perpetuating the unincorporated territory.

The House Committee on Natural Resources has before it Congressman Darren Soto's *Puerto Rico's Statehood Admission Act*, bill HR 1522, and Congresswoman Nydia Velazquez *Puerto Rico Self-Determination Act*, bill HR 2070. The first bill is a statehood admission bills, and include as part of the process a direct up or down vote by the electorate on the issue of statehood for Puerto Rico. Several similar bills have been presented in the past years, under both Democrat and Republican leadership, to no avail. From a strictly political perspective the bill presented by Congresswoman Velázquez appears to be a preemptive attempt to muddy the waters and cancel any effort on the statehood admission bill.

The *Puerto Rico Self-Determination Act of 2021*, calls on the right of the People of Puerto Rico to convoke a Status Convention through which they would exercise their natural right to self-determination. This bill is similar in purpose and construction to her previous 2020 and 2007 *Puerto Rico Self-Determination Acts*.

The proposal of a Status Convention to address Puerto Rico's political status issue has been a mainstay of the territorialist Popular Democratic Party (PPD), the Puerto Rico Independence Party (PIP) and other anti-statehood factions, as a procedural mechanism to detain the growing call for statehood in the island.

Stateside politicians as Congresswoman Velázquez and Congresswoman Alexandra Ocasio Cortés, have consistently allied themselves with the PPD to block any attempt to move the statehood question in Congress under the pretext of "self-determination". It is clear by now that

the call for “self-determination” is a rhetorical flourish aimed to impede statehood for Puerto Rico. It is telling of their lack of democratic vocation that these Congresswomen oppose an up or down vote on statehood.

There are sound political and legal reasons why a Status Convention is not the proper way to address Puerto Rico’s current political situation.

The proposed Status Convention bill takes as its point of departure the natural right of self-determination. Invariably, this legal justification rests on the Universal Declaration on Human Rights by the United Nations, and which by virtue of their ratification by the United States are part of its statutory law. Of course, the mere invocation of a right, do not automatically mean that it is correctly understood or applied, or that there are other ways in which it can be exercised. Besides, not to put too fine a point on it, we need to recall that the United Nations does not have jurisdiction over Puerto Rico, and the insistence of referring to Puerto Rico as “colony” is incorrect under International or Constitutional law. Puerto Rico is a territory of the United States, and the use of loaded terms such as “colonial” and “self-determination” are underhanded attempts to place the status question within the context of International Law instead of the United States Constitution. It is disconcerting that Congress would even consider a piece of legislation which implicitly undermines its own constitutional authority.

A Status Convention which purports to be the depository of the will of the people of Puerto Rico would necessarily need to include all sectors of the islands political spectrum, including those that favor statehood. As a general rule, those that favor statehood – which are an electoral majority in Puerto Rico - oppose this idea because they correctly perceive it as an obstacle placed

on voter's direct participation on the decisive issue of our generation and jeopardizes our American citizenship.

What exactly would a Status Convention propose that has not already been proposed in the last 122 years by the different political parties and analyzed by the political branches of the federal government? Invariably a Status Convention would reproduce the same positions that everybody already is familiar with. Are we to believe that the delegates to such a convention are to discover any new political formula that has not been part of the political debate for the last century? From a practical point of view, a Status Convention would not offer any other alternative that we don't have already before us and that can be settled by means of a plebiscite.

The real purpose behind a Status Convention is to prepare the legal ground for Puerto Rico to claim sovereignty over and separate of the United States. This is precisely the reason why the bill includes the claim that Puerto Rico has a natural right to self-determination, and why it only has the support of those that favor independence in any of its guises. I assume that Congresswomen Velázquez – if she were to be consistent - would also be willing to consider a bill authorizing the Native American nations to exercise their tribal right to self-determination on whether they want to remain within the Union. They at least have some residues of primordial sovereignty.

A cursory reading of *Commonwealth of Puerto Rico v. Sanchez Valle* (2016) should leave no doubt that Puerto Rico's sovereignty lies in the United States, in Congress, and that any sovereign claim to the contrary must pass through the Territorial Clause of the Constitution. Any claim of placing Puerto Rico outside of the Territorial Clause – as suggested by some - must

necessarily place either as a State or as an independent nation, in any of its guises. The continuous efforts by certain faction within the Popular Democratic Party of try and carve out a mythical constitutional space where the Commonwealth of Puerto Rico is not subject to the ultimate authority of Congress under the Territorial Clause has been consistently and decisively rejected by all branches of the United States government. From this perspective, Congresswoman Velázquez's call for federal legislation to habilitate a Status Convention is a backhanded recognition that Puerto Rico is under the authority of Congress and does not have the constitutional or legal right to exercise any natural law claim.

Only die-hard authoritarians believe that a Status Convention can represent the people in the face of the manifest opposition of those same people it claims to represent. A convention which does not have the endorsement of a majority of the electorate is a profoundly antidemocratic mechanism and cannot be understood to be a legitimate exercise in self-determination.

Similar conventions have been proposed in the past by the Puerto Rico Independence Party (PIP) and the pro-independence factions within the PPD. In 2013 several bills were presented in the territorial Legislative Assembly proposing a Status Convention. The PPD had control of the Executive and Legislative branch between 2013-2016. It is telling that these proposals never saw the light of day.

As a distinct political body, the People of Puerto Rico is a creature of the Foraker Act (1900), ratified by the Jones Act (1917), the Federal Relations Act (1950), and expressly ratified by Public Law 600, which authorizes the People of Puerto Rico to organize and adopt a Constitution

to govern themselves. Many like to forget that the 1952 Constitution of the Commonwealth of Puerto Rico is a creature of federal law, and that it is precisely this federal statutory source which brings into question the political legitimacy of our current territorial status.

As a corporate body, Puerto Rico has exercised its right to self-determination in every electoral event since the approval of the 1952 Constitution and subsequent general elections and local plebiscites, albeit incompletely and inconclusively. There have been four non-binding plebiscites held in recent memory: 1998, 2012, 2017 and 2020. All of them contained all the constitutionally valid alternatives. In the first one, “None of the above” prevailed – whatever that meant. Statehood prevailed in the last three.

It is only from the worst kind of legal conceptualism and concealed purposes that one can argue that as a matter of political reality the people of Puerto Rico have not been exercising their right to self-determination. The fear of the anti-statehood groups, of course, is that given a chance for an up or down vote on statehood, statehood would obtain a significant majority and foreclose any possibility for the perpetuation of the unincorporated territory and its tax privileges for American Controlled Foreign Corporations (CFC). In this context, recent declarations by some members of this Committee arguing in favor of a House Resolution putting an end to the Insular Cases and the doctrine of territorial un-incorporation is a welcome development. I wholeheartedly endorse House Resolution 279.

Given that statehood has consistently prevailed in the last plebiscites, it now Congress who needs to move the status question to a speedy resolution. In this context, the recent

declarations made by President Joseph Biden that he personally favors statehood and that he favors moving the issue forward is another welcomed development.

I oppose HR 2070 and favors bill HR 1522.

Thank you for your attention. I am available to answer any questions the Committee might have.



**-US VETERANS FOR EQUALITY-
(Puerto Rican-Round Table)**

DENNIS O. FREYTES: dennisfreytes@hotmail.com

“PATRIOTS’ CALL TO ARMS--CIVIC ACTION for EQUAL RIGHTS!”

“Silence to discrimination supports injustice!”

14 APR 2021

TO: US House; Natural Resources Committee

CC: US President; US Senate

RE: Testimony for Hearings on HR 1522-Puerto Rican Statehood- “YES or NO”

TESTIMONY

BY: Dennis O. Freytes-US Army Ret.-Florida Veterans Hall of Fame; Community Servant Leader

PASS H.R. 1522; Fairness-Equal Rights for Puerto Ricans

“The Federal Government should be the Servant of ALL the People; NOT the Master of some!”

Honorable Congresspersons: Please, support H.R. 1522, a Congressional non-partisan democratic Vote on Puerto Rican STATEHOOD “YES or NO” (with recommended amendments below). Take action to provide Fairness-Equal Rights for Puerto Ricans-American Veterans (part of “We the People”)--who face Federal excuses; political distortion... that result in Federal discrimination, racism, and undemocratic control, since 1898 until Today!

++Please, see Enclosure: History and Facts- based on US Constitution, Declaration of Independence, US Federal-Supreme Court Decisions, Presidential (US Justice Department), and Congressional Reports.

“PATRIOTS’ CALL TO ARMS--CIVIC ACTION for EQUAL RIGHTS!”

Our Federal Government has never conducted a Puerto Rican “Status Plebiscite” to end Federal institutional discrimination against the US Territory of Puerto Rico (with more US Citizens-American Veterans than 22 States). Puerto Ricans don’t have the same rights and benefits that other US Citizens have or Federal “Consent of the Governed”; are under US Congress undemocratic control, since 1898--when Puerto Rico was taken as a possession; imposed an un-permanent statutory (by Law-1917 Jones Act) 2d Class US Citizenship. The Federal Government must do right; do Plebiscite on Equal Rights!

The naked truth, facts are—millions of US Citizens-American Veterans in Puerto Rico--have NO Vote for US President; NO just representation in Congress; NO Parity in Federal Funding, Programs, and Laws (have lost about \$300+ BILLION in Federal Funding since 1898); NO permanent statutory US Citizenship, even if they reside in a State, like Florida!

Puerto Rico is the Oldest Colonial Territory in US History; faces Federal Institutional discrimination, per the outdated Territorial Clause (1787) and “Insular Cases” (1901-1925+ based on racism and that was not applied to other US Territories (including Florida) that became States, before Puerto Rico!

The Territorial Status was not meant to be forever as the Puerto Rican Quest for Equality is not only about a Group Vote on the Status; but, more essential is about Fair Treatment-Equal Rights for ALL “WE THE PEOPLE” (fundamental bedrock of our US Constitution)! The Federal Government should be the Servant of all the People; not the Master of some!

Puerto Ricans have made many valuable contributions to our USA, since 1513- when their Spanish Ancestors arrived-107 years before the Pilgrims; fought and supported the US War of Independence... Besides, since 1898, Puerto Ricans contribute, sacrifice, serve and fight (shed sweat, blood, and tears)--under our American Flag (WW-I; WW-II; Korea; Vietnam... until today's Global War on Terrorism)... The US Citizens in Puerto Rico pay Federal Social Security, MEDICARE and other Taxes; serve in the U.S. Military; are loyal and integrated patriotic US Citizens; but are treated unfairly.

For over 123+ years, some Politicians provide ageless discriminatory generalizations, speculations, political distortion, and excuses (like-- there must be a super majority Vote for Statehood; PR must resolve the Fiscal Debt and Economic problems first; Puerto Ricans are “corrupt”...will vote Democrat (all not true) etc.

Well, Puerto Ricans are being treated differently because these and other excuses were not applied to other US Territories (which were underdeveloped/ poor) that became States (made progress)! Excuses serve to perpetuate Federal institutional discrimination; closet racism! This goes against the spirit of our US Constitution! In the end, you either support Equality or you discriminate! Can’t have it both ways!

Puerto Ricans want EQUALITY! They Voted-- in CERTIFIED Local Plebiscites (2012, 2017, & 2020) against the current Federal undemocratic Territorial Status, with a Majority for Statehood. Independence never gets more than 2-5% of the democratic Vote. They have elected a Governor, Congresswoman, and other Officials that support Statehood; are integrated into US way of Life; cherish their US Citizenship...

Patriots of true Grit/ All must take bi-partisan constructive Action to inform on facts (not political distortion); get the Federal Government to implement Fair Treatment-Equal Rights for All “We the People” (composed by Individual Citizens); must include Hispanics-Puerto Ricans!

“Canto Claro como un Gallo Boricua Patriótico!”

To FIX Federal undemocratic control over the US Territory of Puerto Rico (with more loyal US Citizens-American Veterans than 22 States)--our Federal Government must do Right; stop applying to Puerto Rico Laws, standards or excuses that weren’t apply to other Territories that became States; first, conduct a **Status Plebiscite on-- STATEHOOD “YES or NO”---**

- **“YES”-MEANS: STATEHOOD-** Admittance (with permanent US Citizenship: all Individual rights, benefits, responsibilities, and Parity in Federal Laws/Funding) to our US “UNION of STATES”--with own State Identity, Constitution, Flag, and Sovereignty, like all States have. UNITED for the good of all “WE THE PEOPLE” under our US Constitution-American Flag-- that represents all the US Citizens, States, Territories, and Tribes.
- **In the UNION, each State--complements the Other; is stronger than by itself; retains State Sovereignty.
- **“NO”-MEANS: remain a US TERRITORY-** under Federal undemocratic control; with limited (unequal) rights, benefits, and NO Parity in Federal Funds, Programs or Laws; NO State Sovereignty; NO Federal “Consent of the Governed”...

****PASS H.R. 1522 (STATEHOOD “YES OR NO”)—But, AMEND-ADD:** Constitutional Option definitions. Plus, should “NO” win--the US Congress will conduct a 2d Vote on constitutional non-Territorial Options that ends unfair/ unequal treatment, which only are:

- **STATEHOOD** (per above definition) vs
- **INDEPENDENCE (Without or With a PACT—Free Association): Means:** LOSS of-- statutory US Citizenship/US Constitution protection; Loss of US Rights & Benefits—like Social Security, MEDICARE, MEDICAID, SSI and other Federal Funding (for Education, Health, Security, Infrastructure, Roads, Disaster Relief...).

**Millions of Statutory US Citizens that reside in the States have a “dog in the fight” because most have a non-permanent statutory US Citizenship, should participate... Besides, all Congresspersons should support their Constituents (without permanent statutory US Citizenship); ensure Fairness-Equal Rights...!

Remaining a US Territory (Colony), under Federal un-democratic control or political oppression, should not be an Option as Puerto Ricans don’t want it; is incongruent/ an affront to the Heart & Soul of our US Constitution; Fair Treatment-Equal Civil Rights for All! The Federal Government should be the Servant of all the People; not the Master of some!

Best Option: “PR Equality + Progress = STATEHOOD with Dignity!”
“En la “UNIÓN de Estados” esta la Fuerza!”

Plus, we must **amend the US Constitution**-with a “Citizen’s Equality-Protection”, and “Territory Rights” Clauses- that is not left to interpretation; is FAIR to all! In the meantime, the **US Supreme Court**-must revoke the racist Insular Cases (1901-1925+)--that limits Equality; incorporate Puerto Rico!

A PR Status Convention is Deceptive; SUPPORT HR 1522-Equal Rights!-

Today, All want to end Federal discrimination; inequality-US Puerto Rico’s Federal undemocratic Status! But, some misguided Politicians want Equality through a “PR Status (Auto Determination) Convention” that politically spins the facts/truth. Some naive Politicians (need to understand the facts) want to allow a made-up Status (like “ELA Soberana”- Sovereignty or “Free Association”--with US Citizenship & Benefits)-- which is unconstitutional; fools or confuses People; results in deadlock; delaying PR Fairness/ Equality since 1898 (for over 123+ years)!

The naked truth is our US Congress (which can’t relinquish its constitutional powers) or a local “Status Convention”-are not above the US Constitution; can’t make-up a Status (like misinformed or conniving Politicians want to do).

**There are only four ways of US Governance/Status, one for: States, Territories, Indian Tribes, and District of Columbia; two non-Territorial Status: STATEHOOD or INDEPENDENCE (Without or With PACT of Free Association--like Independent Palau, Marshall Islands, and Micronesia has with the United States. It means, loss of statutory US Citizenship, no matter if you reside in a State)...

Remember, in our US Constitution there is no mention of “Group Dual Citizenship”... A Nation can’t be Sovereign with the Citizenship of another Nation! The US Congress doesn’t have the power to grant National US Citizenship to an Independent Nation... Once Independent, US Laws (like the Territorial Clause & 1917-Jones Act which granted a statutory US Citizenship), will cease to be in effect... Thus, Independence (Without or With a PACT of Free Association) Means—LOSS of statutory US Citizenship, even if you reside in a State. Only Statehood will grant a permanent statutory US Citizenship.

A Status Convention will only serve to fool and confuse People; is a “dressed Pig with Lipstick” or a “Puerca de Juan Bobo” (like “Commonwealth or ELA-Free Associated State”-is a cover for Territory under the will of Congress). A “Status Convention” doesn’t have the power to create a new non-Constitutional Status nor our US Congress can give that Power that is not in the US Constitution; will further delay achieving Federal Equality for Puerto Ricans; doesn’t have the support of PR’s elected Governor, Congresswoman & millions of Others.

“Silence to discrimination; supports injustice!”

Hispanic-Puerto Ricans are about 9 Million Strong, with about 6 million in the States... Since, 1898 (for over 123+ years)--fellow, but, 2d Class US Citizens-American Veterans (part of “We the People”), in the US Territory of PR (with more US Citizens than 22 States) --have made many valuable Contributions to our USA! But, until TODAY, Puerto Ricans face FEDERAL discrimination (NO Vote for US President, NO just Representation in Congress, NO Parity in Federal Laws, Programs or Funding, NO permanent statutory US Citizenship-no matter where they reside-even in a State--that other US Citizens have)! Puerto Ricans have NO Federal “Consent of the Governed”; are under Federal undemocratic control, per outdated Territorial clause (1787); and Insular Cases (1901-1925+ based on racism) until TODAY!

DO RIGHT-PASS H.R. 1522- “STATEHOOD “YES or NO” (amended), as we Guard against a “Tyranny of a Majority”! UNITED-With Truth, Reason, Courage and ACTION we will overcome for the Good of ALL!

THANKS! UNITED with Truth, Reason, Courage, and ACTION for the Good of ALL!

Best Wishes! VR,



**DENNIS O. FREYTES (MPA, MHR, BBA); US Army Ret.; Community Servant Leader
FLORIDA VETERANS' HALL OF FAME (By FL Governor; House; Senate)**

- * Advocate; Equality for all US Veterans-US Citizens
- *OC Citizens Corps Council (by OC Mayor)
- *Former--Trustee Valencia College (by FL Governor; Senate confirmed-twice)
- *Boards (Advisory/Policy) Appointee by-US President; Congressmen; FL Governor; Mayors
- *Commander Infantry, Special Forces; Airborne; Officer School (ROTC); Readiness Group
- *Commander PACE (Humanitarian; Medical/Engineers)-Worldwide
- *Professor-Military Science /Commander-University of PR (ROTC-1,000 Students//JROTC-500)

WE LEAVE NO AMERICAN VETERAN or 1st RESPONDER BEHIND!
"Judge on MERIT based on FAIR opportunity; a level Playing Field!"

ENCLOSURE

****PROOF-FACTS-TRUTH-REASON-SOURCES****

MAIN SOURCES OF FEDERAL GOVERNMENT POWERS over PUERTO RICANS

****Our US Constitution leaves a lot to right or wrong interpretation, but, it is clear that the Power should reside with--“WE THE PEOPLE”-- in a Representative Democracy with Fair Treatment-Equal Rights (“Consent of the Governed”)-- where the individual US Citizen is the building block of the “People”! NOT: “All Animals (People) are Equal; but some Animals (People) are more Equal than others!”** Some FACTS--

- **US Constitution-“Territorial Clause” (1787)- which is trite & undemocratic):** states: “Congress shall have the power to dispose of and make all rules and regulations pertaining to the Territory or Property belonging to the US...” This original control of the Territory-Land Clause conflicts with today’s evolving US Constitution (with 27 Constitutional Amendments-Bill of Rights where Fairness-Equal Rights is paramount).
***NOTE:** Under our US Constitution there are only four ways of governing-Status, one for: States, Territories, Indian Tribes, & District of Columbia. There is NO “Commonwealth” or ELA-Free Associated State or other Federal Status.
- **Treaty of Paris (1898)**—the US forcefully invades; acquires Puerto Rico as Booty of War from Spain-with no guaranteed of Human-Civil Individual Rights for Puerto Ricans...till today.
- **Foraker Act (1900)**—starts the organization of Puerto Rico’s (PR) Civil Government, but under the undemocratic will of the Federal Government--where some racist Congressmen called Puerto Ricans-American Veterans “aliens, mestizos, not fit to governed themselves...” etc. This starts covert racism against Puerto Ricans-American Veterans.
 - Sets the stage for covert Federal institutional political oppression against Puerto Ricans; a travesty of Justice!
- The **US Supreme Court Infamous Insular Cases** (1901-1925+ are based on racism; have not been overturned)--call PR an “**un-incorporated US Territory; more foreign than domestic; belongs to, but, is not part of the US**”. **Un-incorporation** is NOT in the US Constitution; was NOT applied to other Territories that became States before Puerto Rico. This wrongly misinterprets (based on racism) the US Constitution; gives Congress the power to discriminate in applying the US Constitution to US Citizens-American Veterans part of “WE THE PEOPLE”!
 - **“The Court allowed Congress to disregard the Bill of Rights** when legislating for the territories of Puerto Rico and the Philippines. The court maintained that “the uncivilized parts” of those territories “were wholly unfitted to exercise” these rights, and Congress needed discretion to decide when the islanders were ready...”
 - **Downes vs Bidwell (1901) & Balzac vs Porto Rico (1922):** Gives the US Congress the **power to discriminate (differentiate) in applying the US Constitution to US “un-incorporated” Territories (like Puerto Rico) that are considered “more foreign than domestic, belongs to, but, is not part of the US...”**. The same Judge in Plessy vs Ferguson-1896 (Blacks are separate but, Equal) which was overturned by Brown vs the Board of Education-1954), was on the US Supreme Court... Even though, a later decision (1980) added that fellow US Citizens-American Veterans had broad (un-listed) Rights... (But, not all Civil Individual Rights...)

- **The term “un-incorporated...” is not found in the US Constitution, and was not applied to any US Territory before Puerto Rico.** Thus, the discriminatory term “un-incorporated” is a basis for our US Congress to treat Puerto Ricans-American Veterans differently, because PR is considered “foreign; not part of the US”. How can US Citizens-American Veterans be foreign till today, under their US Flag? Sadly, the Federal-US Supreme Court has never overturned Bidwell and Balzac, like they did with Plessy vs Ferguson!
- **The 1917 Jones Act**-imposed a statutory (by Law) US Citizenship that was a step forward! But, it fell short of an Equal US Citizenship; established a covert 2d Class US Citizenship where US Citizens-American Veterans, under the American Flag-can’t vote for their US President-Head of State; don’t have-- just representation in the US Congress that determines its destiny; don’t have Parity in Federal Laws, Programs, or Funding; don’t have full “Due Process” under the 5th or 14th Amendment; don’t have a permanent statutory US Citizenship... that other US Citizens have!
 - **Remember our US Republic’s US Constitution “WE THE PEOPLE” is made-up of the “US Citizen”** (with fully protected Individual Civil Rights)-which is the building block-bedrock of our **Representative Democracy system** with “consent of the governed” for all (per Declaration of Independence); Equal Treatment-Parity under just and fair laws...as we guard against a “Tyranny of a Majority”!
 - What should be more important in a Representative Democracy-the undemocratic Federal control of a Territory-Land or the People or Fair Treatment-Equal Rights for all “WE THE PEOPLE”? EQUALITY is the answer!
- **The 1950 Federal Relations Act** was another good milestone where the US Congress permitted Puerto Rico to have a Territorial Constitution and be treated almost as a State. But, this didn’t affect US Congress’ undemocratic Powers, under the US Territorial Clause and the Insular Cases. Besides, Congress can’t relinquish any powers provided by the US Constitution. Thus, it has the power to revoke any prior Law—including the 1917 Jones Act-that provides for a “statutory” US Citizenship for Puerto Ricans.
 - However, it permitted Puerto Rico to have some local-Government (with no sovereignty) and a Territory Identity, Constitution, and Flag (almost like a State)... But, it didn’t change the incongruent Constitutional Territorial Status under the undemocratic plenary will of our US Congress or the Federal Discrimination under the Insular Cases... or incorporated PR (which Congress has the power to do)!
- **In 1952 the US Congress approves Puerto Rico’s Territory Constitution**, and calls Puerto Rico’s Government a “Commonwealth” which was translated into Spanish as “ELA-Free Associate State”—a cover-up of Puerto Rico’s true Constitutional Status which is US Territory. This appears to be an attempt by Politicians to fool the United Nations, and the People as to the true Status of PR- which is not ELA-Free Associated State, but, a US Territory!

***NOTE:** Commonwealth or ELA are political distorted terms that have no meaning in our US Constitution—which only recognizes PR to be a US Territory... The US Congress cannot relinquish any Constitutional powers or change a Constitutional Status, because it is not above the US Constitution, but, it can (with Politicians) camouflage it, to fool and confuse People! Under the US Constitution, Puerto Rico’s Status is that of a US Territory, period! Call it that!
- **Sources of US Citizenship**—one under the US Constitution’s 14th Amendment with full rights and benefits; the other under the “Territorial Clause” that allows the US Congress to provide a statutory (non-permanent) 2d Class US Citizenship with limited Rights, benefits, and un-permanent statutory US Citizenship.

OTHER FACTS

- **In Rogers v. Balleri, 401 U.S. 815 (1971)**, “the Court ruled that (its earlier decision in case of) Afroyim was applicable because the claimant was not a 'Fourteenth Amendment US Citizen'... because Balleri had been born outside the United States... The case law establishes that Puerto Rico, whatever its exact status and relationship to the United States, is not itself in the United States...In that

perspective, then, the limitation of the first sentence of Section 1 of the Fourteenth Amendment would not restrain Congress' discretion in legislating about the citizenship status of Puerto Rico..."

- **GAO: 81Examining Bd. v. Flores de Otero**, 426 U.S. 572, 600 (1976). The Supreme Court struck down as violation of equal protection or due process guarantees a Puerto Rican law which restricted the licensing of civil engineers to those who were U.S. citizens. Id. at 606. But, the Court has **never found it necessary to determine whether the Fifth Amendment applies to Puerto Rico directly or by operation of the Fourteenth Amendment**. See also *Calero-Toledo v. Pearson Yacht Leasing Co.*, 416 U.S. 663, 668 n. 5 (1974)
- In *Torres v. Puerto Rico*, 442 U.S. 465 (1979), cited above, **JUSTICE BRENNAN, with whom JUSTICE STEWART, JUSTICE MARSHALL, & JUSTICE BLACKMUN** join, concurring in the judgment, cited *Reid v. Covert*, 354 U.S. 1, 14 (1957), in which **Mr. Justice Black** said "The concept that the Bill of Rights and other constitutional protections against arbitrary government are inoperative when they become inconvenient or when expediency dictates otherwise is a very dangerous doctrine and if allowed to flourish would destroy the benefit of a written Constitution and undermine the basis of our Government."
- In *Harris v. Rosario*, 446 U.S. 651 (1980), the Court in a succinct per curiam order, applied *Califano v. Torres*, 435 U. S. 1 (1978), to hold that a lower level of aid to families with dependent children to residents of Puerto Rico did not violate the "Equal Protection Clause", because in U.S. territories Congress can discriminate in applying the US Constitution against its Citizens by applying a rational basis standard. However, **Justice Marshall** issued a staunch dissent, again noting that Puerto Ricans are United States Citizens and that the Insular Cases are indeed questionable...
- **CONGRESSIONAL RESEARCH SERVICE (1989)**- confirmed that Puerto Rico belongs to the United States but is not in the United States. "Whatever its exact status and relationship to the United States," CRS cautioned, "Puerto Rico is not itself in the United States." The 14th amendment, according to CRS, therefore doesn't apply to people born in Puerto Rico. (In 2016, the Federal Court WDC confirmed in *Tuaua v. U.S.* that the Constitution's 14th amendment does not apply to people born in a U.S. Territory, per, Territorial Clause and Insular Cases-which decided that the U.S. Constitution doesn't apply entirely to unincorporated territories like Puerto Rico.)
- The **1997 GAO Report-U.S. INSULAR AREAS Application of the U.S. Constitution, states:** "Citizenship is derived either from the Fourteenth Amendment to the Constitution ("All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States . . .") or from a specific statute that confers citizenship on the inhabitants of an area that, although not a state, is under the sovereignty of the United States. Such legislation has been enacted for Puerto Rico (8 U.S.C. § 1402)..."
- **Chief Judge Torruella (US 1st Circuit Court of Appeals)** in his Book-has critiqued the judicial system and compares the "Insular Cases" (1901-1922), that defined the status of Puerto Rico to *Plessy v. Ferguson* (separate but equal doctrine to justify racial segregation) that was overturned with *Brown v Board of Education* (1954)-- to Puerto Rico's case of un-democratic inequality (2d Class US Citizenship). (Puerto Ricans are segregated VOTERS depending on where they reside; don't have full rights, benefits, or parity in Federal Laws or permanent US Citizenship, if born in Puerto Rico...)
 - **Chief Judge Torruella** states, "The Supreme Court continues to cling to this anachronistic remnant of the stone age of American constitutional law notwithstanding that the doctrines espoused by the "Insular Cases" seriously curtail the rights of several million citizens... of the US." Reflecting on over 120+ years of US un-democratic control of Puerto Rico, Torruella further says: "the disparity of rights that result from this relationship has in my opinion for too long been relegated to the back burners of American constitutional thought and dialogue..." and "whatever the future holds for this island, its people should strive for the equality which has too long eluded them".
 - **Harvard University discussion (Feb. 2014)**, Judge Torruella continue to express this. (Enclosed Remarks) Also, he stated: "The Jones Act of 1917 would later grant Puerto Ricans U.S. citizenship and

create a new framework of local government. Some thought the legislation meant Puerto Ricans were now incorporated and had constitutional rights, but in 1922 *Balzac v. Porto Rico* affirmed the island's unincorporated status. Torruella pointed to Alaska and Hawaii—considered incorporated by the Supreme Court—as examples of the double standard justices were promulgating.” **READ Comments:**

“Reconsidering the Insular Cases.”; Key NOTE Speaker: “The Insular Cases: A Declaration of their Bankruptcy and My Harvard Pronouncement”. 2018-Harvard Law Review follows:

<https://harvardlawreview.org/2018/01/a-reply-to-the-notion-of-territorial-federalism/>

- **Harvard Law Review 2018:** Federal Appeals Court-1st Circuit Judge Torruella wrote: <https://harvardlawreview.org/2018/01/a-reply-to-the-notion-of-territorial-federalism/>
- **US Attorney General Dick Thornburgh** (& Under Secretary of the United Nations)—in “THE STATUS OF PUERTO RICO A CONSTITUTIONAL FRAMEWORK FOR SELF-DETERMINATION” (2007) and in other Writings States: “Four million U.S. citizens live under the U.S. flag in Puerto Rico, yet they can neither vote for president nor have voting representation in Congress, which enacts the federal laws under which they live. Residents of Puerto Rico and other U.S. territories are deprived of basic rights of self-determination that U.S. citizens generally enjoy and that the United States has committed itself to achieving for peoples around the globe.”
 - “Political gridlock in Congress and in Puerto Rico has stymied efforts to put Puerto Rico on a path toward a permanent political status that ensures full self-government for its residents. If Congress does not act soon, U.S. courts may be asked to give more serious consideration to whether the residents of Puerto Rico and other U.S. territories have political and human rights under U.S. and international law that can no longer be ignored by the political branches of government.”
 - Besides, Thornburgh states: “The ruling of the Supreme Court in **Rogers v. Bellei** 401 U.S. 815 (1970), regarding the nature of statutory citizenship is consistent with the **conclusion that even a statutory extension of the Fourteenth Amendment to Puerto Rico could not limit the discretion of Congress to amend or repeal that statutory extension.**”
 - “**Thus, the U.S. citizenship created under 8 U.S.C. §1402 does not and cannot offer the permanent or constitutional protection of the Fourteenth Amendment to the people of Puerto Rico.** Similarly, the protection of persons born in a State of the Union under *Afroyim v. Rusk* 307 U.S. 253 (1967) would not prevent Congress from changing laws defining the citizenship of people born in Puerto Rico.”
- Among other distinguished Supreme Court Judges/ Law Scholars that have criticized the Insular Cases is Former **Chief Justice of the Puerto Rico Supreme Court José Trías Monge** has stated that “The *Insular Cases* were based on premises that in today's world seem bizarre.^[9] “They,” Trias Monge continues, “and the policies on which they rest, answer to the following notions: “democracy and colonialism are fully compatible; there is nothing wrong when a democracy such as the United States engages in the business of governing other [subjects who have not participated in their democratic election process]; people are not created equal, some races being superior to others.”
- According to the Compact/ Treaty, and Department of Home Land Security Fact Sheet-- on the Status of Citizens of the Freely Associated States-- the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI), and Palau- ESTABLISH they are **Independent Nations**, with a special relationship with the United States... Also, it states--**Free Associated State-Citizenship/Status: Palau, RMI or FSM-- are not citizens or nationals of the United States...**
- **US Supreme Court (Rabang Case--The Philippines-2003) state:** In the “Insular Cases” the Supreme Court decided that the territorial scope of the phrase “the United States” as used in the Constitution is limited to the States of the Union. It is thus incorrect to extend citizenship to persons living in United States territories simply because the territories are “subject to the jurisdiction” or “within the dominion” of the United States, because those persons are not born “in the United States” within the meaning of the Fourteenth Amendment...
- Current **US District Judge GELPÍ (Now President Puerto Rico Federal Court)**, in 2008, stated in a decision: “...The unequal and discriminatory fiscal treatment given to Puerto Rico...is conspicuous

and egregious. More so, it is not an isolated incident of the federal government disparately treating Puerto Rico and the nearly four million United States citizens living in or moving to this territory.”

- The Judge continues—Under the Insular Cases doctrine (Balzac vs Porto Rico-1922), the court determined that Puerto Rico was an unincorporated territory (more foreign than domestic); only fundamental constitutional rights (which aren’t enumerated) extended to unincorporated United States territories apply, others can be denied by Congress... In an unincorporated United States territory Congress can also differentiate (discriminate) against the territory and its citizens so long as there exists a rational basis for such disparate treatment. [Califano v. Torres, \(1984\)](#); [Harris v. Rosario \(1980\)](#).
- **Tuaua v. United States (June 2015)US Court of Appeals-District of Columbia ruled** that the Fourteenth Amendment's guarantee of birthright citizenship does not apply to un-incorporated territories including American Samoa US Nationals, (and Puerto Rico-US Citizens)...
 - The DC Circuit, to reach their decision, agreed with the Obama Administration's lawyers, also, relied on and even expanded the scope of a set of racially-charged, Colonial-era “Insular Cases” that refer to Puerto Rico having "savages" and "alien races"..... Plus, that the Congress has the power to discriminate in applying the US Constitution to the Territories or Property that belongs to the US... to reach their decision.
 - They failed to provide more weight to the US Constitution Amendments over the undemocratic Territorial Clause...; allowed Terms (not found in the US Constitution)--Non-Incorporated; more foreign than domestic... to be unfairly applied to US Citizens.)
- **In 2016**, the US Supreme Court, as it narrowly deliberated two Puerto Rico cases about PR sovereignty-- Sanchez Valle (Double Jeopardy) and Government of Puerto Rico (Debt Restructure)—decided that PR didn’t have any type of Sovereignty because it was under the will of US Congress (Territorial Clause)... But, it was a narrow focused decision; the US Supreme Court didn’t take the opportunity to act on wide basis on an Equal US Citizenship; the discriminatory roots of the Federal relationship with Puerto Rico.
 - Plus, the US Congress imposed a **Federal PROMESA Fiscal Board** over the elected Officials that include the Governor... again using its Territorial Clause undemocratic powers...
- **DEC 2017**: The US President (Trump) and the US Congress, in the Tax Reform Act, calls Corporations/ US Citizens-American Veterans in the US Territory of Puerto Rico Foreign; not Domestic...
- **2017**-The US Congress appoints a PROMESA-Fiscal Board above the elected Governor and Officials of the US Territory of Puerto Rico.
- **2018**-Federal Judge confirms Puerto Rico is a US Territory under the will of the US Congress.
President PR Federal District-Judge Gelpi: In a 2018 opinion --[U.S. v. Vaello-Madero](#), (on SSI received in a State of the Union..., but, denied in Puerto Rico)-- Gelpi acknowledged that previous court cases (per racist and discriminatory Insular Cases—1901-1925+) had determined that Congress could treat Puerto Rico differently (discriminate) from States as long as there was “a rational basis” for those differences.
 - Gelpi decided against the Federal Government... He rightly argues-- “Classifying a group of the Nation’s poor and medically neediest United States citizens as ‘second tier’ simply because they reside in Puerto Rico is by no means rational.”
- **2019 (AUG)**- AMERICAN CIVIL LIBERTIES UNION AND THE ACLU OF PUERTO RICO, SUPPORTING THE FIRST CIRCUIT’S RULING ON THE APPOINTMENTS CLAUSE ISSUE (AUG 2019) (BRIEF AMICI CURIAE)- SUMMARY OF ARGUMENT--
 - The Insular Cases, which impose second-class constitutional status on all who live in so-called “unincorporated” territories, explicitly rest on outdated racist assumptions about the inferiority of “alien races,” and depart in unprincipled ways from the fundamental constitutional tenet of limited government.

- Handed down at the turn of the last century after a burst of overseas expansion, the Insular Cases created an untenable distinction between “incorporated” and “unincorporated” U.S. territories. Incorporated territories such as Alaska were destined for statehood, the Court assumed, and the Constitution applied in full there. In “unincorporated” territories, however, those not bound for statehood, the Constitution applied only “in part.” *Boumediene v. Bush*, 553 U.S. 723, 757 (2008).
- That double standard was never grounded in the Constitution’s text, was intended to be temporary, and was expressly justified by racist assumptions about the territories’ inhabitants. Yet to this day, the doctrine the Insular Cases set forth casts a pall on the rights of residents of Puerto Rico, including more than three million U.S. citizens, and close to 500,000 more in other so-called “unincorporated” territories.

PRESIDENTIAL-US JUSTICE DEPARTMENT REPORTS

- **President GW Bush Task Force on Puerto Rico Status Report Highlights:** The inter-agency Task Force Report on PR Status was commissioned by President Clinton; continued under **President GW. Bush**, was released in December 2005/ re-visited in 2007--after 7+ years of research, law reviews...; some objective findings are quoted below (which were not disputed by President Obama’s TF Report or the Justice Department position-as ratified by US Supreme Court 2016 decisions) or have they been refuted by the current President/US Justice Department or US Congress (GAO) or any Supreme Court Decision or other jurisprudence:

1. **“If P.R. were to become independent ”... those...who had U.S. Citizenship only by statute would cease to be citizens of the United States, unless a different rule were prescribed by legislation or treaty...”** (Page 9)

(NOTE: Our Constitution only mentions two forms of permanent Citizenship: if you are born in a State or if you are “Naturalized” –in a State. It doesn’t mention “statutory citizenship” or that it can be extended by Treaty to another Independent Nation.... Besides, you can’t be a sovereign Nation with the Citizenship of another Nation! Where would the loyalty lie? Congress, in 1917, imposed this “statutory” American Citizenship through a Statue/Law that a future Congress can rescind...; the US Constitution is not equally applied to PR. Thus, some U.S. Citizens may not have the same equal/permanent Constitutional American Citizenship as others—born in the States or Naturalized...)

2. **“...for entities under the sovereignty of the United States, the only constitutional options are to be a State or Territory.”**

(NOTE: There are only 4 mayor forms of Government/Status under the US Constitution, one for: States, Territories, District of Colombia, and Indian Tribes... “Commonwealth” or “Free Associated State” terms-- are politically distorted Terms NOT found in the US Constitution ...)

3. **“Puerto Rico, for purposes under the U.S. Constitution, is a Territory...it is, therefore, subject to congressional authority, under the Constitution’s Territorial Clause.”**

(NOTE: Per US Supreme Court determination (1922). This means that P.R. remains a U.S. Territory subordinate to all Federal Laws...; under the unilateral control of Congress -- which has not permitted those American Citizens living in PR a vote to choose another status; a vote in Federal elections...nor have just representation in Congress... Remember that-- Puerto Ricans are already National U.S. Citizens that live under US jurisdiction; not “Territorial” PR Citizens.)

4. **“The existing form of Government in P.R. is often described as a “Commonwealth”, and this term recognizes the powers of self-government that Congress has allowed.”**

(NOTE: Commonwealth or the Spanish translation “Free Associated State”=“Estado Libre Asociado” (ELA), is not the Constitutional Status of PR, but an incongruent/ conflictive political (mean nothing) terms not found in the US Constitution given to the Government of Puerto Rico not the Status. We need to stop fooling People! This political (ELA) term refers to the self- local regulated territory government that is still subordinate to the U.S. Government (application of Federal Laws under the will of Congress...; US Constitution: PR is not Free, not Associated, and not a State! People that use these terms are supporting a lie; perpetuating suppression of Civil Rights...!

5. **“Congress may continue the current system, but it also may revise or revoke it at any time.”**
(NOTE: Congress has unilateral un-democratic tyrannical control of the trite U.S. Territory of Puerto Rico—there is no P.R. just voting representation in Congress...the US Supreme Court during America’s racist era, has determined that the Congress can set aside some non-basic Constitutional rights...allowing an un-equal US Citizenship under the American Flag...)

6. **“...a mutual-consent provision would be unenforceable and could not guarantee that any given political status or agreement would be permanent”.**

(NOTE: Remember, a current Congress can’t bind a future Congress... There can’t be any true autonomy or pacts under the Territorial Clause because P.R. “belongs to”/ is a possession of the United States... P.R. has neither sovereignty... nor true autonomy. Only through independence can P.R. enact a true pact with the U.S.)

7. **“The Federal Government may relinquish U.S. sovereignty by granting independence or ceding the Territory to another nation; or it may, as the Constitution provides, admit a territory as a State thus making the Territory Clause inapplicable...”**

(NOTE: Only non-territorial options are: Statehood or Independence. A form of independence like: Associated Republic with a PACT, can maintain P.R. closely associated with the U.S., but, P.R. would have to cede certain sovereign powers in exchange for benefits...another shade of gray? Can’t keep a permanent U.S. Citizenship with equal individual civil rights...; but, would lose US Citizenship...)

President GW Bush TF Recommendations include for Congress to conduct two federally sanctioned Plebiscites: one a yes or no vote on maintaining the Territorial Status under the will of Congress; if no, a vote on non-territorial options: Statehood or Independence... until the issue is resolved.

NOTE: In a local Plebiscite (2012), Puerto Ricans voted for a non-Territorial Status... Statehood received 61+%; Independence 5%... In all previous Plebiscite and in local Elections, Independence receives around 2-3% (average)... Thus, Puerto Ricans cherish their US Citizenship..., but, many are confused as to the true Constitutional Status...In another Plebiscite (2017-Statehood won again.

- Even **President Obama’s Administration** has stated in a brief filed (13 August 2014) with the U.S. Court of Appeals for the District of Columbia Circuit (Tuana v. US) that, essentially, **“Puerto Ricans can only obtain citizenship through the Constitution — versus through law — by Puerto Rico becoming a State or by being put on the path to statehood by Congress”**. This means Puerto Ricans born in “unincorporated” Puerto Rico have a non-permanent statutory (by law only) US Citizenship no matter where they reside. Extract:

- “In a case concerning **American Samoa, the Justice Department explained that 14th Amendment citizenship** does not apply in a territory that has not “been incorporated into the United States as a part thereof” but “is simply held . . . under the sovereignty of the United States as a possession or dependency,” using the words of the U.S. Supreme Court. (It identified Puerto Rico as another unincorporated territory).”
- “Of even **broader relevance for Puerto Rico’s territory status**, the Obama Justice Department noted, again quoting the Supreme Court, that Congress “has full and complete legislative authority over” territories and “*may* do for the Territories what the people, under the Constitution of the United States, may do for the States.”
- “It emphasized that, “**the responsibility of Congress to govern this nation’s territories has long been recognized and respected by the Courts.**”
- “Machen’s brief also pointed out that **Congress has the “legislative discretion” to grant “privileges” to those born in “the outlying possessions” as it “sees fit,”** recalling that “the Supreme Court has never found that the Congress *must* bestow all of the same panoply of privileges upon those born in the outlying possessions that the Constitution bestows on those born in the United States.”
- “U.S. citizenship is granted to individuals born in Puerto Rico, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands, another **unincorporated territory, by law.**

Good morning, my name is Derick Leon from Cayey PR.

Since I was able to decide what's is better for PR, the statehood has been my choice, I want each and every puertorrican to have the same benefits, same life quality and a better living. Here in the island we have a lot a issues that only can be resolved by becoming a state. First and one of the mos important y to vote for our president and congress man and woman so they can legislates for the people of PR. We need better access to security with a better paid Police so the can work in better terms with no only with the people of PR but to all the USA visitors who came each year and also to be more prepared to play against criminals and drugs. We need better access to education with more controls of the money to be assigned to the Department of Education, we need better access to health for those in need of it, we want better roads, better life quality to older people, to retire workers and to each and every puertorrican.

Many times I ask me this question, Why people of PR has to go to war and serve in the military if we don't have the opportunity to participate in the big nation democracy.

You can said we gave you a lot of money, and that is correct, but we want to be equal and thats only can be with PR to be admitted as 51 State.

Thank you and God bless you all.

Derick Leon

I am eternally blessed to be part of this historical experience that our island lives. I belong to Puerto Rico and I express myself in my capacity as a daughter, wife, sister, woman and above all a citizen in my personal character. As a citizen I am committed to the causes that affect our country. During my life, I have been a participant in many electoral events, always seeking the well-being of Puerto Ricans. I have worked a lot in the private sector and I have also had the opportunity to work in the government, but I still have a lot to do. Although this presentation is a personal one, I carry the feelings of many Puerto Ricans who fight, think and feel in the same way as I do.

First of all, I want to express the gratitude of all our Puerto Rican leaders, especially our governor Pedro Pierluisi, who have led the fight to be heard.

Second, my respects to our resident commissioner, who is the member of the House of Representatives who proudly symbolizes more than 3.2 million citizens who fight for equality. With its legislation H.R. 1522, our commissioner, who worthily represents us, seeks to defend the will of us Puerto Ricans. Therefore, I join the cry of so many that on November 3 said Yes to Statehood.

Why do I want Puerto Rico to be a state? Because I'm tired of being a second-class citizen. Because I want to have the same rights, responsibilities and opportunities as any other american citizen. Because apart from the benefits, I want to be able to elect our representatives, senators and president of the United States. Because I am tired of hearing people say that we lost our culture, when it is not true. We will continue to be Puerto Ricans, we will continue to have our flag as each state does. We will continue with our customs, because we will continue to be Puerto Ricans. Puerto Ricans with equality, Puerto Ricans who love their island and want to see it progress. Let's be aware of reality and don't get carried away by idealistic people who only think about their own well-being. Let us seek the equality and well-being that we need and that we deserve so much for being american citizens. Long live Puerto Rico, long live the American Nation.

A handwritten signature in black ink, appearing to read 'Sara Muñoz Meléndez'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Dr. Sara Muñoz Meléndez

To Whom It May Concern:

My name is Enid Marie Acevedo-Colón, and I am here to express that I am completely in favor of the passing of H.R. 1522, the *Puerto Rico Statehood Admissions act*. I am a U.S. citizen born and raised in Puerto Rico. Currently, I am studying as a first-year at New York University. Throughout my life, I have been deeply affected by the colonial rule by part of the United States of America on my home, Puerto Rico. We must see this colonial status to an end. It is a violation of the human and civil rights of over 3 million U.S. citizens living on the island.

Today I have been watching the discussions of the two bills currently being presented in the House of Representatives of the United States. These two bills, H.R. 1522 and H.R. 2070 propose ways to move forward to decolonize Puerto Rico finally. Nevertheless, one of these bills, H.R. 1522 *Puerto Rico Statehood Admission Act*, works in accordance with democracy and the will of the people. The people of Puerto Rico already voted for Statehood, and H.R. 1522 does provide room for a second, approved plebiscite in which people will have the option to oppose if they so wish. On the other hand, H.R. 2070 disrespects Puerto Ricans and wishes to negate their decision. The *Puerto Rico Statehood Admission Act* is the right and democratic decision, and Congress must move to approve this bill immediately.

This debate should be over. We must act and stand on the right side of history.

Sincerely,

Enid Acevedo

April 13, 2021

To all members of the Natural Resources Committee,

Puerto Rico has been a Territory for over 120 years. In the same amount of time, politicians have been discussing how to resolve our status. Nothing has happened. It is evident that the majority of the U.S. citizens residing in Puerto Rico want to become a State of the Union. While the discussion of status continues, American citizens of Puerto Rico do not enjoy equal rights like the residents in the Union. Inconceivable for a Nation founded under the precept that all men were created equal. One of the largest disadvantaged groups is our U.S. veterans. Among the discussions that may arise in Congress, our veterans' differential treatment due to this status is a subject to be debated and evaluated by this committee.

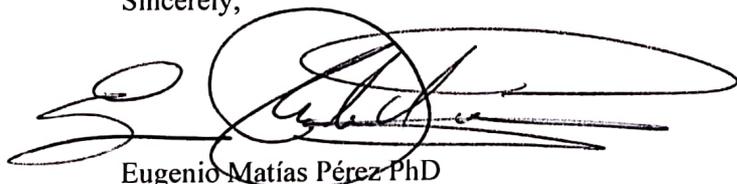
The American Citizens of Puerto Rico served most of the United States' wars. So far, evidence of Puerto Rican service in the U.S. military dates to the mid-19th Century. On August 15, 2019, local newspapers in Puerto Rico reported a tribute by the Territory House of Representatives to the Puerto Rican soldier who participated in the United States' Civil War. Lieutenant Augusto Rodríguez became the oldest Puerto Rican veteran recorded in our history to date. Indeed, there is a tradition of service and patriotism in Puerto Rico, and currently, there are over 100,000 veterans.

The political status of Puerto Rico is harmful to our veterans. As a result of our territorial status, our veterans are not on an equal footing with veterans in the States. Veterans in the States enjoy higher benefits, which is unfair since military service is the same standard for all soldiers. For example, veterans in Puerto Rico do not have equal health benefits such as Tricare prime. Neither can they vote for the President of the United States in general elections.

In my opinion, the military and veterans residing in U.S. Territories should have the right to vote for the person who will command them in any conflict (our President). Likewise, veterans of the States who move to territories must not lose their right to vote; they must retain it for the simple fact of having served our Country. Morally, it is the correct thing to do. More so when the military who reside in the territories pays federal taxes. Unfortunately, the territorial status provides for this unequal treatment. The only way to change it is statehood.

The project of Congresswoman Nydia Velázquez, beyond seeking self-determination, seeks to delay Puerto Rico's decolonization through a bureaucratic process. A process that will keep our heroes without the same benefits that soldiers who reside in the states enjoy. I recommend that this committee respect the will of the American citizens of Puerto Rico who voted to join the States' federation. Respecting democracy is the right thing to do. It is the best example we can give to the rest of the world.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eugenio Matías Pérez', is written over a circular stamp. The signature is fluid and cursive, with a large loop at the end. The circular stamp is partially obscured by the signature.

Eugenio Matías Pérez PhD

Salutes

My name is Francisco Ortiz Berlingeri, staff Sargeant retired of Army Reserve. My father,uncles,brother, nephew all have served proudly in the defense of our Nation USA us.

At the recent polls a majority of our population, voted for statehood. It's a matter of democracy to obey the desire of majority. Former Governor Anibal Acevedo Vila, explained with a lot of arguments to produce questions about the 52 percent of majority. Clearly who wins in a democratic election deserve the rights in this claim.

How can explain, as former soldier don't have the right to vote for my Commander in Chief, Mr President Biden.We have fought side by side with our fellow soldier of our greatest Nation USA, we feel equally in the service.

Please approve HR 1522 ,to bring equal duties and rights as State Finish the territory conditions and the tax heaven, that's is inconsistent with our fellow citizens that pays taxes at the mainland.

Thanks

Francisco Ortiz Berlingeri

CITY AND STATE, NY

Puerto Ricans have demonstrated support for statehood

Claims that last year's referendum didn't show enough support don't make sense.

<https://www.cityandstateny.com/author/gene-roman>

By GENE ROMAN

MARCH 31, 2021

Puerto Rico wants to be a state: 52% of its residents said so in a locally-sponsored plebiscite in November 2020.

Sen. Martin Heinrich, a Democrat from New Mexico, affirmed that choice when he introduced a Puerto Rico statehood bill in January. "Last November, a majority of Puerto Ricans voted in favor of statehood and for full voting representation in Congress," Heinrich [wrote](#) in a statement. "It is long past due for the millions of American citizens living in Puerto Rico to get the representation they deserve."

Only three of Heinrich's Democratic colleagues have signed on to his bill and New York's senior senator, Senate Majority Leader Chuck Schumer, was not among them. Schumer and 38 of his Democratic colleagues [did endorse](#) the D.C. Statehood Admissions Act. Schumer is all in on statehood for D.C., but seemingly lukewarm on giving Puerto Rico the same consideration.

The reasons for this should be called out, challenged and scrutinized. In a September 2020 [interview](#) on MSNBC, Schumer detailed some of what he hoped to accomplish as the new Senate Democratic Majority Leader. "On D.C. & Puerto Rico, particularly if Puerto Rico votes for it. D.C. already has voted for it and wants it. Would love to make them states," he said.

In November, [52.5%](#) of Puerto Rican voters endorsed statehood. Six weeks later, Schumer moved the goalposts. He told El Nuevo Dia, Puerto Rico's largest daily newspaper, that 52.5% of the vote [did not](#) reflect the strong majority required to advance a statehood bill. "There is still no

consensus. There is division,” he said. “I’m waiting for a consensus to develop.” So now Puerto Rico has to vote for statehood in big numbers like D.C. to win his support?

Democrats in Puerto Rico expressed disappointment after learning of his remarks. They wondered why he was “backtracking” his pledge to support statehood if the people chose that option. “You can’t ask the people of Puerto Rico to vote and then ignore what they democratically decide with their ballots,” [wrote](#) Puerto Rico Democratic Party Chairman, Charles Rodriguez, in a letter to Schumer.

Schumer is proposing an artificial threshold to judge the validity of an election. Trying to nullify and discredit an election because the majority results are low is a questionable proposition.

Consider the following: The U.S. Senate just passed a \$1.9 billion Covid Relief Bill by a one vote majority. The final vote was a tie: 50 v. 50. Vice President Kamala Harris cast the tie-breaking vote.

Rep. Adriano Espaillat from Washington Heights [told](#) El Nuevo Dia’s “Podcast from Washington” that a 52.5% majority was not large enough to advance a statehood bill. Espaillat won the Democratic primary for his congressional seat in 2016 with just [36%](#) of the vote.

Rep. Nydia Velazquez, a longtime statehood opponent from Manhattan’s Lower East Side, won the Democratic primary in the first contest for her congressional seat in 1992 with [33%](#) of the vote.

Don’t these low numbers invalidate the legitimacy of these elections, according to Schumer’s logic? Where is the outcry deploring the lack of a consensus or strong majority? Why is some unspecified supermajority threshold being selectively used in an election in Puerto Rico?

Political status requires a different sort of calculus, according to those like Velazquez, who are working to ensure their own version of a fair and inclusive self-determination process, in which a convention whose delegates are selected by Puerto Rican voters would decide the island’s fate.

The finality of a vote for statehood requires a larger-than-usual majority because the consequences of such a vote are irreversible, they argue.

But is that a compelling enough reason to delay congressional consideration of the status option chosen by the majority? We lament it when folks don't exercise the franchise, but we don't negate the votes of those who do. Nor do we nullify the results of those elections because the losing side decides to selectively question the percentage of votes won by the winning side.

So why is Schumer eager to implement D.C.'s status preference through a statehood bill while finding reasons to block Puerto Rico's?

Gene Roman works as a freelance reporter in the Bronx. His work has appeared in the Boston Herald, NY Daily News, America Magazine and El Diario NY.

BOSTON HERALD, OPINION

Congress needs to act now on Puerto Rico's status

By **Gene Roman** | December 18, 2020

When Puerto Rico is referred to as a “commonwealth” the term obscures the true meaning of its current political status.

We use “commonwealth” as a legal designation for states like Massachusetts, Kentucky, Virginia and Pennsylvania. In a state, you can vote for president. In Puerto Rico, you can't. This facade has served to disguise the island's undemocratic and unequal relationship with the U.S.

“For too long, many have believed the fiction that Puerto Rico can somehow have the best of both worlds under the commonwealth status (local autonomy with the full benefits of American citizenship),” said retiring U.S. Congressman Jose Serrano, D-N.Y. “This fiction papered over what we have known all along, Puerto Rico has been a colony of the United States, treated unfairly and unequally.”

A nonbinding referendum held last month sought to end this by asking the 3.2 million American citizens on the Island: “Should Puerto Rico be immediately admitted into the Union as a state?” — 52.24% of voters answered yes and 47.66% said no, according to official results reported by the Puerto Rico State Elections Commission.

“Puerto Rico voted for statehood fair and square,” tweeted Puerto Rico Democratic Party Chair Charlie Rodriguez on Nov. 6. “Congress must support the will of the people of Puerto Rico. America cannot demand democracy abroad if it ignores the plebiscite results and denies its citizens (in Puerto Rico) the equal rights that only statehood can provide.”

Congress should affirm or reject Puerto Rico’s statehood petition with a public statement in writing. A yes still needs a presidential signature to become law. And a no might set off a nonviolent protest campaign demanding that Congress affirm Puerto Rico’s choice of Statehood or approve a transition plan to Independence.

But a status plebiscite doesn’t automatically trip a switch that converts a territory into a state. Congress must respond because the Framers vested responsibility for reviewing territorial petitions in the legislative branch.

“New states may be admitted by the Congress into this union ... The Congress shall have the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States,” according to Article 4, Section 3, Clauses 1 & 2 of the Constitution.

Commonwealth status allows Congress to unilaterally impose laws on the Island without consultation. In the past, they have canceled tax breaks for drug companies to create jobs, banned Puerto Rico from seeking federal Chapter 9 bankruptcy protection and permitted the federal government to treat Puerto Rico differently than a state in the allocation of funds for nutritional support, Social Security disability and Medicaid.

Almost half of Puerto Rico’s residents (1.4 million people) receive health coverage through Medicaid, according to the Center for Budget and Policy Priorities.

“Puerto Rico’s Medicaid program differs significantly from state Medicaid programs,” said Judith Solomon, a Senior Fellow at the Center. “It is much harder for Puerto Rico to ensure its residents can get the health care they need because states receive open ended federal funds. Puerto Rico receives only a fixed block grant that does not come close to covering the health care costs of its Medicaid enrollees.”

The question of Puerto Rico’s permanent status does not need another study, presidential task force, congressional hearing or constitutional assembly.

Congress needs to accept or reject Puerto Rico’s statehood petition and follow through with a plan.

Gene Roman works as a freelance reporter in NYC.

Puerto Rican statehood can’t wait

By **FRANKIE MARTÍNEZ-BLANCO**, NEW YORK DAILY NEWS, FEB 21, 2021

<https://www.nydailynews.com/opinion/ny-oped-puerto-rican-statehood-cant-wait-20210221-2q6apeqqfrcf5nkfyhdwv3jjzm-story.html>

Senate Majority Leader Chuck Schumer is taking the lead in the Senate during a perilous time, with a pandemic raging and Americans struggling to keep their jobs or small businesses open. As Democrats work to tackle these important challenges alongside President Biden, it is critical that the party honors the zeal of equality that drove voters nationwide to entrust them with the reins of democracy and to not forget the disenfranchised voices in Puerto Rico, who are fighting for their rights as American citizens to finally achieve equal status under the law. While there are many important issues Congress must face in the 117th session, Democrats must not ignore the democratic will expressed in Puerto Rico this past November, when a majority of voters cast their ballot in favor of statehood. This was the third vote on Puerto Rico’s status since 2012, and the third time that statehood earned the most support from voters.

The reason Puerto Ricans support statehood is easy to understand. Living in a territory has relegated Puerto Ricans to second-class status, without any voting representation in the Senate, one non-voting member in the House, and no right to vote for president of the United States — despite having to live under the rules set forth by Congress and the executive branch. Many Puerto Ricans can share their personal stories of experiencing this second-class status, in my case working on the presidential campaign of then-Sen. Barack Obama while not being able to cast a ballot for him. And while Puerto Ricans also pay taxes, we don't get the full benefits afforded to those on the mainland.

Schumer has [said](#) that “on D.C. and Puerto Rico, particularly if Puerto Rico votes for it — D.C. already has voted for it and wants it — I'd love to make them states.” With his newfound power of a Senate Democratic majority, he has the opportunity and the responsibility to now uphold his promise to the people of Puerto Rico.

While there are many Democrats who are unequivocally in support of statehood, the majority have said that they will respect the will of the Puerto Rican people. If they want to prove that their sentiments are real, they must respect the fair and democratic results of the recent statehood vote.

Unfortunately, there is a legislative effort underway led by Reps. Nydia Velazquez and Alexandria Ocasio-Cortez to undermine the voters in Puerto Rico, from afar. A [bill introduced last year](#), which will likely be introduced again during this new Congress, aims to ignore the recent democratic decision in favor of statehood for Puerto Rico and give power to a “status convention,” where delegates would come up with a plan to address the status of Puerto Rico for those on the island to vote on it — again.

The disingenuous part of this plan is that the people of Puerto Rico have already repeatedly expressed their will democratically, not through delegates, over the past decade.

In 2012, [voters on the island were asked two questions](#). First, whether they agreed that Puerto Rico should continue to have its present form of territorial status. The majority, 53.97%, said they do not support Puerto Rico's current status as a territory. Voters were then asked, regardless of how they answered the first question, their preference among the three non-territorial alternatives: statehood; complete independence; or nationhood in free association with the United States. The results were clear: 61.16% chose statehood of the three status options for Puerto Rico.

In 2017, they held another referendum on the political status of Puerto Rico. The ballot comprised three options for voters to choose from: becoming a state of the United States, independence/free association, or maintaining the current territorial status. The statehood option garnered [97%](#) of the voters' support

And then, in the most recent referendum [in November 2020](#), voters were asked a straightforward question: "Should Puerto Rico be immediately admitted into the Union as a state?" Again, a majority of voters (52.52%) said "Yes."

We have seen firsthand in recent weeks the dangers of ignoring the democratic process, or attempting to invalidate the results of an election. Any effort by elected officials, such as the bill introduced last session by Velazquez and Ocasio-Cortez, to invalidate the voices of the Puerto Rican electorate should be opposed as contrary to the democratic values Democrats espouse. Especially if the so-called solution is a process that once again delays what has already taken place on the island at the ballot box.

Democrats know that the delay of justice is itself an injustice. And any effort to delay the implementation of the democratic will of the Puerto Rican people would certainly be an injustice that Democrats should not stand for.

Martínez-Blanco is a former Obama administration appointee who served in the U.S. Department of Education and as an associate member of the President's Task Force on Puerto Rico's Status.

Riverdale (N.Y.) Press

LETTERS TO THE EDITOR, March 28, 2021

Isn't having a majority enough? By Gene Roman

<https://www.riverdalepress.com/stories/isnt-having-a-majority-enough.73829?>

Congressman Adriano Espaillat told the Podcast from Washington of *El Nuevo Dia* in San Juan, Puerto Rico, that he believes that 52.5 percent who voted for the statehood option during the Nov. 3 status plebiscite in Puerto Rico is not enough to advance a statehood bill.

“It must be approved by a very solid majority,” he said.

Espaillat is proposing an artificial threshold for an election to be considered legitimate. It is a self-serving and hypocritical argument.

Consider the following:

Espaillat won the Democratic primary for his congressional seat in 2016 with just 36 percent of the vote, according to the state elections board. Using Espaillat’s thinking, does that mean that his election to Congress was illegitimate and invalid? If so, should we not have another Democratic primary election for his congressional district?

A small sample of individuals from the metropolitan area rebutted the congressman’s argument in the following statements:

“If independence had gotten 52 percent of the vote, does anyone think these people would still be claiming that it isn’t sufficient?” asked Christopher Fagan, a statehood supporter from Long Island.

“Let’s be honest here ... most independence supporters would be reacting the same way statehooders are reacting to Espaillat’s statement. And they’d be right to be upset at being marginalized despite winning a majority,” Fagan added.

John De Jesus questioned the fairness of an artificial threshold for claiming an election was valid.

“Joe Biden was elected with more than 50 percent of the vote,” he wrote in Spanish. “Anything more than 50 percent is a majority.”

Luis Arroyo dared supporters of the independence option and Puerto Rican “separatists” to allow island residents to choose between the only two status options that produce a permanent resolution to the status question — statehood or independence.

“If you’re so convinced Puerto Rico will reject statehood, why do you oppose a statehood admissions act?” Arroyo asked. “Puerto Ricans can defeat and kill off statehood forever. Why won’t you let ‘no’ win. Let ‘no’ win.”

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Boston Herald

Status bill muddies the waters for Puerto Rican statehood

By [GENE ROMAN](#) | February 8, 2021 at 5:30 a.m.

Puerto Rico wants to be a state — 53% of its 3.2 million American citizens said so in a November 2020 status referendum.

Two status bills are offering different roadmaps to help Congress determine if a star should be added to the flag. The Puerto Rico Statehood Admissions Act makes the island a state. The Puerto Rico Self-Determination Act rejects the November 2020 plebiscite. It convenes a political status assembly of island delegates to develop options for an entirely new plebiscite.

The first bill ends the “unequal and undemocratic” territorial status of the island. The second bill confuses, complicates and delays the permanent resolution of Puerto Rico’s ultimate political status. Which is exactly what it’s supposed to do.

“We had a plebiscite in November 2020,” said Congressman Darren Soto (D-Fla.), a sponsor of the Statehood Admissions Act. “If the people of Puerto Rico choose statehood, then the next steps for Congress are pretty clear. We vote to admit them to the Union. In such a scenario, there would be no need for this (other) bill (Puerto Rico Self-Determination Act).”

Congresswoman Nydia Velazquez (D-N.Y.) introduced the Self-Determination Act because the ballot used in November excluded all status options except statehood.

“Puerto Ricans deserve the respect and dignity to determine their own future,” wrote Velazquez in an essay posted on NBC News. “And that is exactly what the Puerto Rico Self-Determination Act will help to facilitate. The key is that this framework (of a constitutional status assembly) would be developed by Puerto Ricans and for Puerto Ricans, not dictated to them like so many previous policies.”

Velazquez’s bill also aligns with the position of the Popular Democratic Party (Partido Popular Democrático, PPD) of Puerto Rico. The PPD opposes statehood and independence, supports a status assembly and objects to any ballot that excludes the current “unequal and undemocratic” territorial status as an option.

“The proposal of a constitutional assembly to address Puerto Rico’s political status has been a mainstay of the PPD to dampen the growing call for statehood on the island,” writes Professor Andres Cordova of Puerto Rico’s Interamerican University Law School. “Stateside politicians like Velazquez have consistently allied themselves with the PPD to block any attempt to move the statehood question through Congress under the pretext of self-determination.”

Another major flaw in Velazquez’s bill is that it ignores the fact that the 2020 plebiscite (like the ones in 2012 and 2017) was developed “by Puerto Ricans and for Puerto Ricans.” It was not imposed by Congress.

In Massachusetts, Congresswoman Ayanna Pressley of Boston, along with Congressman Jim McGovern of Worcester and Richard Neal of Springfield, have signed on as co-sponsors of the Self-Determination Act.

Any serious legislation aimed at permanently resolving Puerto Rico’s status must acknowledge Congress’s duty under the territorial clause (Article 4) of the Constitution to “make all needful rules and regulations respecting the territory or other property belonging to the United States.”

That means that the primary authority and responsibility to define status options and sponsor an informed process of self-determination lies with Congress. The Statehood Admissions Act acknowledged this when they asked Congress to review their petition for statehood.

Many of the Self-Determination Act's provisions are ambiguous and allow for the creation of status options that are simply "viable." The threshold for Congress to approve status options demand more. All three branches of the federal government have declared that any status option included on a congressionally sponsored plebiscite ballot cannot be: unrealistic, deceptive, unattainable, ambiguous or constitutionally invalid.

A 2006 Senate report reviewing the conclusions of a presidential task force on Puerto Rico's status added that "in the history of U.S. territorial law, statehood and independence are the normative options."

Which means that statehood and independence are the only two constitutionally valid options that end the colonial relationship between the U.S. and Puerto Rico.

Given this history, it is clear that defining status options under federal law and determining which ones Congress is willing to consider are the single most important requirement for permanent status resolution. The Statehood Admissions Act passes that test. Velazquez's bill fails it.

Gene Roman works as a freelance reporter in NYC.

BAY STATE BANNER

April 1st, 2021

All in for D.C. statehood, but what about Puerto Rico? By Gene Roman

<https://www.baystatebanner.com/2021/04/01/all-in-for-d-c-statehood-but-what-about-puerto-rico/>

Senate Democrats are all in for making our nation's capital a state.

As of this week, 41 out of the Senate's 50 democrats have signed on in support of S. 51, the Washington, D.C. Admission Act. That includes progressive stalwarts Ed Markey and Elizabeth Warren.

Puerto Rico also wants to be a state.

Fifty-two percent of the island's residents said so in a locally-sponsored plebiscite in November 2020.

Sen. Martin Heinrich (D) of New Mexico introduced the Puerto Rico Statehood Admission Act (S.780) this past January to affirm the island's status choice.

"Last November, a majority of Puerto Ricans voted in favor of statehood and for full voting representation in Congress," said Heinrich in a press statement. "It is long past due for the millions of American citizens living in Puerto Rico to get the representation they deserve."

Only three of Heinrich's Democratic colleagues have signed on to his bill. Markey and Warren are not among them. Markey and Warren have invoked the progressive, civil rights tradition of their party in support of D.C. statehood. Why are they unwilling to give Puerto Rico the same consideration?

Both have acknowledged the democratic deficiency that plagues both the District and Puerto Rico.

"Washington, D.C. has more residents than Wyoming or Vermont, but they don't have equal representation in Congress," Warren said on her Twitter page.

Markey echoed that sentiment in his remarks on D.C. statehood.

"For far too long, the people of Washington, D.C. have been denied a vote in Congress. At this point, simply supporting D.C. statehood is not enough. We need bold action to ensure D.C. statehood can pass in the Senate."

That bold action cannot even be considered without the approval of the new Senate majority leader, Charles Schumer of New York. Schumer supports statehood for D.C., but like Markey and Warren is lukewarm on Puerto Rico.

"On D.C. and Puerto Rico, particularly if Puerto Rico votes for it, D.C. already has voted for it and wants it, I'd love to make them states," he said on MSNBC.

When 52% (655,505) of island voters voted for statehood in a referendum in November 2020, Schumer decided to move the goalposts. Suddenly, a majority of 52% was not enough to advance a statehood bill for Puerto Rico.

“There is still no consensus. There is division,” he said. “I’m waiting for a consensus to develop,” he said.

So a simple majority vote for Puerto Rico’s status choice is not enough for its statehood aspirations to be taken seriously?

Trying to nullify and discredit an election because it failed to meet an artificial threshold is a questionable proposition. Consider the following.

The U.S. Senate just passed a \$1.9 trillion COVID relief bill by a one-vote majority. The final vote was a 50-50 tie. Vice President Kamala Harris cast the tie-breaking vote.

Ed Markey in 2013 won the Democratic primary in a special election for his Senate seat with 20% of the Massachusetts Democratic vote, according to the state election bureau.

Warren won the Democratic primary in her first Senate election in 2012 with 21% of the statewide Democratic vote, according to state election figures.

Using Schumer’s logic, don’t these low numbers invalidate the legitimacy of these elections? Where is the outcry deploring the lack of a consensus or strong majority for Warren and Markey in their elections?

We lament it when folks don’t exercise the franchise, but we shouldn’t negate the votes of those who do. Nor should we nullify the results produced by those elections.

Why are Markey, Warren and other Democrats in the Senate eager to implement D.C.’s status preference through a statehood bill while blocking Puerto Rico’s?

Statement of
Joaquín A. Márquez, Esq.
Before the United States House of Representatives
Committee on Natural Resources
H.R. 1522 “Puerto Rico Statehood Admission Act”
H.R. 2070 “Puerto Rico Self-Determination Act of 2020”
April 14, 2021

Chairman Grijalva, Ranking Member Westerman, Resident Commissioner González-Colón, and other Members of this Committee:

Thank you for the opportunity to express my personal views in strong support of H.R. 1522 the “Puerto Rico Statehood Admission Act” and in strong opposition to H.R. 2070 the “Puerto Rico Self-Determination Act of 2021”.

Introduction

My name is Joaquín A. Márquez, and I am an American citizen born and raised on Puerto Rico. I am part of the Puerto Rican diaspora, having moved permanently to Virginia in 1970. Like more than 235,000 other Puerto Ricans, I am a veteran having served in the United States Army as a special warfare officer in Vietnam where I was awarded the Bronze Star Medal, among other decorations. From 1970 until 1981, I was engaged in federal and state public service serving as chief of staff to two Resident Commissioners, as an attorney advisor to the USAID in Secretary Kissinger’s Department of State, and as Puerto Rico’s senior non-elected representative heading the Puerto Rico Federal Affairs Administration. From 1981 to 2015, I was engaged in the private practice of law as a partner in the Washington, D.C. office of two large, national law firms. I have always been a staunch supporter of Statehood for Puerto Rico.

H.R. 2070 is Incompatible with the United States Constitution and is a Subterfuge to Delay Implementation of the Expressed Political Will of the People of Puerto Rico to Attain Political Equality

I began my congressional crusade on behalf of Statehood for Puerto Rico during the 86th Congress in 1959 when Congressman Wayne Aspinall, Democrat from Colorado, was Chairman of this Committee, and Congressman John P. Saylor, Republican from Pennsylvania, was the

Ranking Member. At that time, this committee was known as the Committee on Interior and Insular Affairs. Together with Congressman Jack Westland, Republican from Washington, Congressman Saylor successfully led the opposition that thwarted the first attempt by the then Popular Democratic Party's Resident Commissioner, Dr. Antonio Fernós Isern, and the then Governor of Puerto Rico, Luis Muñoz Marín, to "enhance" the powers of the newly adopted Commonwealth status of Puerto Rico. At that time, other student volunteers and I assisted Congressmen Saylor and Westland in defeating the proposals put forth by the supporters of Commonwealth status. That defeat was the first of several subsequent defeats that proponents of an "enhanced Commonwealth Compact" would suffer over the next five decades. I have participated in most congressional hearings regarding Puerto Rico's status over the past 62 years, always in support of Statehood for the island.

All such attempts to have Congress approve an "enhanced" Commonwealth have been rejected by Congress because of their incompatibility with the Constitution of the United States. When that initial attempt was made in 1959, Commonwealth status was in its heyday and supported by two-thirds of the electorate, while Statehood was supported by only a third. At that time, a great myth was propelled by the political supporters of Commonwealth status: that because Commonwealth status was the product of a permanent "Compact" with the United States, that it was no longer subject to the territorial clause of the United States Constitution. The Commonwealth's official name in Spanish was designated by its supporters as "El Estado Libre Asociado de Puerto Rico", which translates into English as "The Free Associated State of Puerto Rico", clearly an intentional misnomer.

During the years that followed, the United States Supreme Court and other federal courts repeatedly have dispelled the myth of Puerto Rican sovereignty. Instead, the courts have held that Puerto Rico remains a territory of the United States subject to the plenary powers of Congress under Section 3 of Article IV of the United States Constitution. On the island, as its residents have become aware of the true colonial nature of Commonwealth status and its multiple political and economic inequalities, support for Commonwealth has declined precipitously while support for Statehood has significantly increased and currently is supported by most of the electorate. In a referendum held on November 6, 2012, Commonwealth status was rejected at the polls by over 61.2% of the electorate. In the most recent referendum, held on November 3, 2020, that posed a straight "Statehood yes or no" referendum, the Statehood option won by 52.2%. The residents of Puerto Rico have become tired of being treated as second-class citizens while living in a failed colony of the United States for the past 123 years. A majority of the island's electors have now voted for Statehood in the four most recent referendums, thereby triggering their inalienable right to petition Congress to grant them full political equality through Statehood. During the past decade, many other Puerto Ricans have opted to immediately attain the full political equality of Statehood simply by moving to one of the 50 States of the Union.

On December 23, 2000, President William Jefferson Clinton established the President's Task Force on Puerto Rico's Status pursuant to Executive Order 13183. The Task Force was tasked with the obligation of working with "leaders of the Commonwealth and Congress to clarify the options to enable Puerto Ricans to determine their preference among options for the island's future status that are not incompatible with the Constitution and the basic laws and policies of the

United States”. The Task Force and its mandates were extended by President George W. Bush on April 30, 2001 pursuant to Executive Order 13209.

In December of 2005, the Task Force issued its Report and concluded that “there are only two non-territorial options recognized by the U.S. Constitution that establish a permanent status between the people of Puerto Rico and the Government of the United States. One is statehood...the other is independence.” The Task Force recommended that a federally sanctioned plebiscite be held within a year where the people of Puerto Rico would be asked to decide whether “they wish to remain a U.S. territory subject to the will of Congress or to pursue a Constitutionally viable path toward a permanent non-territorial status with the United States.” The Task Force further recommended that if the people of Puerto Rico elected to pursue a permanent non-territorial status, “Congress should provide for an additional plebiscite allowing the people of Puerto Rico to choose between one of the two non-territorial options.” Finally, the Task Force recommended that Congress should begin a transition to implement the option selected.

It has been the long-standing policy of the United States Government that all territories are subject to the Territorial Clause of the United States Constitution. Puerto Rico is no exception. In 1901, in *Downes v. Bidwell* 182 U.S. 244 (1901), the same United States Supreme Court that adopted the invidious “separate but equal” doctrine in *Plessy v. Ferguson* 163 U.S. 537 (1896), confirmed the policy when it classified the island as an “unincorporated territory”. That status has not changed to this day. In 1978 the United States Supreme Court held in *Califano v. Torres* 435 U.S. 1 (1978) that the federal government could discriminate against Puerto Rico because of its territorial status. Two years later the Court again confirmed this fact in *Harris v. Rosario* 446 U.S. 651 (1980). Most recently the Court again reaffirmed this position in *Financial Oversight and Management Board of Puerto Rico v. Aurelius Investment LLC* 590 U.S. __ by holding that the action taken by Congress in establishing a financial control board over Puerto Rico was consistent with Congress’ constitutional power over a territory.

H.R. 2070 is but the most recent attempt to have Congress adopt an “enhancement” of Commonwealth status, but it also is doomed to failure because such “enhancements” are completely inconsistent with the United States Constitution. H.R. 2070 proposes that a “semi-permanent” status commission be established by the Legislature of Puerto Rico “for the purpose of proposing to the people of Puerto Rico a self-determination option.” This bill is unconstitutional because there is no requirement in it that any such undefined self-determination option adopted by the status commission be compatible with the Constitution of the United States. Furthermore, H.R. 2070 does not set forth any time limits for the status convention to complete its work and propose an option. H.R. 2070 clearly constitutes the most recent subterfuge by the supporters of Commonwealth status to continue delaying the ultimate exercise of proper self-determination by the people of Puerto Rico, thereby unfairly depriving them of the inevitable attainment of Statehood. In proposing H.R. 2070, supporters of Commonwealth status are seeking from Congress the approval of a political status that has been repeatedly rejected by the Puerto Rican electorate and determined to be unconstitutional by the federal government. Congress must adopt the recommendation of the Task Force on Puerto Rico and provide for a federally binding referendum between the two non-territorial options – Statehood or Independence.

H.R. 1522 and S. 780 Set Forth a Constitutionally Acceptable Way for Implementing the Will of the People of Puerto Rico

One hundred twenty-three years ago, as part of the Spanish-American War, General Nelson Miles and his invading troops came to Puerto Rico “bearing the banner of freedom” and promised to “bestow on us the immunities and blessings of the liberal institutions of our Government”. Relying on his representation, Puerto Ricans largely welcomed his troops with open arms. One hundred twenty-three years later, Puerto Ricans are still waiting to be given the opportunity to exercise that most sacred blessing of our liberal institutions – the right of self-determination.

One hundred and four years ago Congress extended statutory United States citizenship to all residents of the island; albeit a truncated second-class citizenship that condemns our people to political inequality to this day. And yet, an overwhelming number of Puerto Ricans cherish their United States citizenship because of its implied promise of equality, which they hope will be attained someday soon. How long must the American residents of Puerto Rico wait before Congress grants them the opportunity to realize the full rights and obligations of their citizenship through the exercise of their self-determination? If this Congress intends to willfully condemn United States citizens on Puerto Rico to a status of political inferiority by imposing a second-class citizenship, then it should speak unequivocally. Otherwise, it should adopt H.R. 1522 and let them exercise their right of self-determination by allowing them to vote for Statehood or Independence.

Over the past two centuries, the great wave of colonialism that swept the world has receded into the dark pages of history. Even the formerly disenfranchised people of atavistic empires have exercised their right of self-determination in accordance with international law and the most cherished principles of the League of Nations and its successor, the United Nations. And yet, the United States Government, that beacon of freedom, that “shining city on a hill”, continues to deny Puerto Ricans the right of self-determination. Mr. Chairman and Members of this Committee, adopt H.R. 1522 and let Puerto Ricans vote so that the concept of self-determination can again truly become the keystone of our democracy and does not become just a hollow and expeditiously meaningless expression of our diplomacy.

How many more times must we come before you to plead our right of self-determination? Must we wait another century? As the first rays of the dawn of a new century of freedom begin to break over our America the Beautiful, can you not see the ugly stain of colonialism that stains the collective soul of our gallant republic? These same rays are warming in the breasts of Puerto Ricans a new yearning for the sweet breath of equality that cannot be long contained by a policy of indifference or of “benign neglect”. No, Mr. Chairman and Members of this Committee, the question before this body is one of awful moment to our Nation – what is the real meaning of self-determination to this Congress? Is it merely a convenient self-righteous slogan with which to flagellate our adversaries in China, Cuba, Russia, Iran, and other “undemocratic societies”? Why do we advocate its exercise worldwide while denying its benefits to our own citizens in Puerto Rico? Is self-determination available to all citizens, except those that are poor, weak, and disenfranchised? What manner of Congress is this that would deny the United States citizens of

Puerto Rico the right of self-determination out of a fear that they may opt to seek equality of rights and obligations under Statehood? Now is the time for this Congress to end the double standard and decide whether those great democratic principles that have formed the bedrock of our republican government shall be denied to some citizens because they are perceived to be different. For my own part, I consider this question as nothing less than a question of equality or colonialism. All Americans cannot be deemed equal as long as one American remains unequal. Enact H.R. 1522 and let Puerto Ricans vote for equality under our Constitution.

You ask, what type of self-determination do we seek? I submit that we seek informed self-determination. Because of Puerto Rico's current colonial status, any federal legislation providing for self-determination must unambiguously set forth only those alternatives that are compatible with the United States Constitution and which are acceptable to Congress. In simple English, you are the colonial power, you must tell them what is acceptable to you. They need not be extensive definitions, but they must be sufficiently clear that they cannot be misconstrued by self-serving politicians during the referendum that would soon follow. If the price of Statehood is the payment of federal taxes and the enhanced teaching of English coequally with Spanish, say so. If the price of Independence is the end of United States citizenship for future generations and those immediately electing Puerto Rican citizenship, say so. Please bear in mind that to have a valid exercise of self-determination, you must clearly set forth definitions that fit within the rubric of the Constitution and that will be acceptable to Congress.

We seek these rights not by force of arms or through violent protest. As loyal American citizens we seek redress by Congress through the pursuit of reason and in reliance on the moral imperative of our position. Because we wish to be equal with our fellow citizens of the fifty States, because we wish to secure those blessings for which we have so long struggled, we shall continue to press on until we are successful. In this new era of instant communications that has truly turned our world into a global village, the nations of the world will be watching with interest what you do here. Over 61 million Hispanics who are already an integral and productive part of our nation will also be watching with interest. What message will you convey to them? Will your message be that equality and self-determination in America is not available to those of Hispanic heritage? That at the American table of plenty, Puerto Ricans need not apply? The only way to disprove such a message is to adopt H.R. 1522 and let the people of Puerto Rico decide between the constitutionally acceptable non-territorial options.

I support H.R. 1522 and its companion Senate bill, S. 780, because they represent an appropriate congressional response to the legitimate petitions of the Puerto Rican people. Only Congress has the requisite authority under the Territorial Clause of the United States Constitution to set forth the parameters pursuant to which a process of informed self-determination may properly be held. Neither of these bills will automatically create a State or an independent nation, nor should they do so. Instead, they establish a process to determine what is the popular will of the people of Puerto Rico, and what steps need to be taken if that will be to be democratically implemented. It is up to the Puerto Rican people ultimately to decide which constitutionally acceptable non-territorial status offered by Congress will prevail.

Full Political Equality through Statehood is the Preferred Way Forward

The United States is not a finished product; it still a work in process. The work that you undertake here today is another link in the great chain of events that links our glorious past to an even more illustrious future. The United States is far better off today because federal legislators like you had the vision and the courage to continue assembling our great republic through a process of self-determination. The ultimate choice that Puerto Rico makes is yet to be decided. However, you need not be fearful. If in the exercise of their self-determination the people of Puerto Rico elect to join our national union of States, future generations shall praise your vision and courage for making possible the many benefits that will flow to the Union from Puerto Rico's accession as our 51st State.

The special temporary tax and economic competitive advantages that were granted to the Commonwealth by Congress and the United States government in the 1970s only served to mask the intrinsic flaw of that status – the inherent weakness that results from the insidious poisons of colonialism and inequality. Those temporary tax and economic advantages attracted many large manufacturing companies from the United States, especially pharmaceuticals, to establish operations on the island and avail themselves of these tax benefits. These companies and their local employees, consultants, and other local professionals that provided services to these companies became a particular special interest group whose purpose was to guarantee the continuation of Commonwealth status and the preservation of their tax and economic privileges. This special interest group protected their pecuniary interest by financially supporting politicians and parties that promoted Commonwealth status and opposed Statehood. They knew that if Statehood were to be granted, they would lose their tax and economic privileges and so, they opposed Statehood. However, in 1995 Congress, concerned about the huge loss of federal tax revenues resulting from the special tax advantages given to Puerto Rico, phased out those tax advantages over the following ten years. Once Commonwealth status lost its tax-advantaged status, its economic base began to shrivel, and Puerto Rico's economy began its current long descent. With their economic future in doubt, many Puerto Ricans commenced their diaspora to the United States mainland. Others, witnessing the true weakness, inequality, discrimination, and many failures of Puerto Rico's colonial status, realized that a change in status was essential to their future. As a result, support for Commonwealth status has disappeared and support for Statehood has skyrocketed. The time has come for Congress to remove this blemish from our collective souls and allow the American citizens residing on Puerto Rico to break free from those colonial shackles. Let a new spirit of freedom and equality provide the spark that will deliver the people of Puerto Rico from the vestiges of colonial bondage that has held them back. As I stated earlier, all American citizens cannot be deemed to be equal while some American citizens truly remain unequal.

The struggle for full political equality has been a long and arduous struggle for those of us who love the United States and treasure its values. We have seen how other previously unequal American citizens have had to endure long struggles to achieve equality: women were not granted the right to vote until 1920; African-Americans attained the end of the abhorrent practice of racial segregation in the 1960's; and the gay and lesbian community has just recently been granted the right to marry. Puerto Rico's struggle for equality has been long but not futile. From modest beginnings, the struggle for Puerto Rican equality has grown as a powerful rising tide

that has swept the island from one end to the other. This struggle for equality is unstoppable. The ongoing diaspora to the mainland is but one manifestation of that struggle for equality. The majority vote for Statehood in the 2020 plebiscite is another. The pleas that we are articulating here are also part of that struggle. We will not stop, we will not hesitate, we will not falter, and we will not fail in our quest for equality.

The United States Congress shares in the tragedy that is unfolding in Puerto Rico. For too long it has ignored petitions by the American citizens of the island to address the economic and political inequality that affects the island. Through my more than a half century of trudging through the hallowed halls of Congress seeking support of equality for the island, I have seen how supporters of Statehood have increased on the island from a modest minority to an overwhelming majority. Support for Statehood has increased from 39% in the first plebiscite held in 1967, to 52.52% in the sixth and most recent plebiscite held in 2020. A significant majority of eligible voters participated in that plebiscite. This majority vote for Statehood is more remarkable when you consider that over 700,000 highly educated, productive, and enterprising persons, the typical Statehood supporters, did not vote in that plebiscite because, like me, they had previously migrated to the mainland. If the island's voters were to be asked as part of a congressionally sanctioned binding referendum the question "Do you want to be a State of the Union", I am sure the yes would win by an even larger margin. As people have become better educated, more exposed to life in the United States through travel or the medium of television, their eyes have been opened to the iniquities of inequality. Thousands already have opted for the equality attained through Statehood by voting with their feet and migrating to the mainland – thus the Puerto Rican diaspora.

It has been argued by many, including some in the Congress, that in 1952, in ratifying Commonwealth status through the ballot box, Puerto Rico consented to being a colony. To those who hold such a view, I must then say that in 2012, in voting against the continuation of Commonwealth status by an overwhelming margin in that year's plebiscite, Puerto Rico, again through the ballot box, revoked such consent. The United States now finds itself to be the master of the oldest colony in the world without the consent of its residents. One hundred twenty-three years and counting! No other territory of the United States has had to endure such a long struggle for equality. How can the United States preach anti-colonialism in world fora when it holds 3.2 million of its citizens in a vile colonial state against their will! How can the United States aspire to become "a shining city on a hill" when some of its citizens are not allowed to enter that city? All 31 territories that have petitioned to be admitted to Statehood have been admitted. We have earned the right to petition for equality because of our demonstrated loyalty to the values set forth in our Nation's Founding Documents. We have purchased this right with the ultimate sacrifice made by our sons and daughters – their lives and the blood they have shed in support of all our Nation's wars since 1917.

Another argument that has been wielded by opponents of Statehood for the island is that its residents do not pay federal taxes. That is not true. Currently, residents of Puerto Rico pay federal payroll taxes such as Social Security and Medicare taxes just as their counterparts on the mainland do. Residents of the island who are federal employees or contractors must pay federal income taxes on that income. Residents of the island must pay federal income taxes on any income earned outside of Puerto Rico. Residents also pay United States custom duties. Only

income from sources within Puerto Rico generally is exempt from federal income taxes under Section 933 of the current United States Internal Revenue Code. If this Congress wants to immediately repeal Section 933 and tax that income, I for one would not have any objection, but only if that repeal is an integral part of a transition to Statehood by a date certain within no more than five years. With taxation comes the right of representation, and under such a condition, I would welcome repeal of the current exemption from federal income taxation.

The granting of Statehood would resolve Puerto Rico's current economic situation. In one stroke Statehood would send a message to one and all that Puerto Rico is and will always be an integral and equal part of the Union; with full representation and a voice that may not be silenced; with full participation in the benefits of the Union; with equal obligations and privileges; with the knowledge that one day a child born in a small town in Puerto Rico not unlike Lamar, Missouri, Tampico, Illinois, or Hope, Arkansas, may aspire to the highest office in the land. American and foreign investors would be able to invest in the island's economy with certainty in the knowledge that American laws applied by federal courts would always be there to protect their interests. In addition, a full Puerto Rican congressional delegation consisting of four or five Representatives and two Senators would ensure that the current discrimination in federal funding would be replaced with parity funding in all programs, especially those relating to health and welfare. The new State government could afford to downsize as the federal government assumed more of the functions now carried out by the former, just as it does in the several States. A smaller State government would require fewer financial resources to maintain it and would be more affordable.

Perhaps the biggest boon of Statehood for Puerto Rico to both the island and the United States is the energy that it would bring to the island. Freed from the inequalities of colonial status, instead of expending all their energies in the age-old political battles over ultimate political status, the island's residents would be able to dedicate all their energies to a singular purpose – the economic development of the island and the well-being of its residents. Statehood would jumpstart progress for the island, just as it did for Alaska and Hawaii. Tourism, especially from the mainland, is sure to increase as our fellow citizens would flock to visit their new State and enjoy our Old-World culture and American customs. Residents of other States would feel as comfortable retiring in the State of Puerto Rico as they do in the State of Florida. Mainland banks would find the island to be a great place to do business and would likely expand their branch networks to the island, thereby enhancing the local availability of credit. Uncertainty deters investment. Ending the conundrum of status politics would free the entrepreneurial spirit of American citizens on the island to develop and grow Puerto Rico's economy to levels previously unattained. As conditions on the island improved, we would see a large portion of the Puerto Rican diaspora return to the island and bring their talents and resources to join in the development of its economy. As the fears that someday Puerto Rico could become just another poor Caribbean republic begin to subside, confidence in the island's potential by internal and external investors will begin to rise and so will the well-being of its residents. The dignity and self-respect of American citizens on Puerto Rico would be enhanced as they begin to experience the fruits of equality and the plenary exercise of their citizenship.

The granting of Statehood to Puerto Rico is good for the United States as well. Admission of the first Hispanic State to the Union would demonstrate to the world that the United States truly is

committed to equality and diversity. Granting Statehood to Puerto Rico would remove the ugly stain of colonialism that blemishes our Nation's honor, which is caused by subjecting some of its citizens to colonial rule without their consent. It would end the specious charge that the United States government is anti-Hispanic. It would contribute to our Nation's rich melting pot the valuable Spanish culture that characterizes Puerto Rico. Statehood would allow the American citizens on the island to contribute to the coffers of our Nation's treasury by paying their fair share in federal taxes on income that currently is exempt from such taxes. It would demonstrate that America still is a work in process and that Manifest Destiny is alive and well. In short, granting Statehood to Puerto Rico would be a win-win proposition for both parties and would strengthen the Nation as a whole.

Lastly, the granting of Statehood would finally redeem the implied promise made to the residents of Puerto Rico when American citizenship was granted in 1917. For too long we have suffered patiently under an atavistic decision rendered by the same bigoted Supreme Court that rendered the ignominious Plessy versus Ferguson decision at the turn of the 19th century. That decision held that Puerto Rico is an "unincorporated territory" and that our citizens do not have the same rights; in effect, that we are unequal. Furthermore, because the island is an "unincorporated territory", its residents, even though they are American citizens, could never aspire to Statehood. According to that decision, not only are the American citizens in Puerto Rico unequal, but they can never have the hope of attaining equality. This is the reason why the people of Puerto Rico by an overwhelming vote in 2012 revoked their consent to remaining an unincorporated territory and voted for Statehood. This is the reason why our struggle for Statehood will not end until we attain nothing less than full equality with our fellow American citizens on the mainland.

I would like to end as I started – by thanking the supporters of Statehood for our island on this Committee. Members of this Committee who support such outcome must and will be commended not only by freedom-loving people in Puerto Rico, but by all freedom-loving citizens of our great Republic. Through your words and your deeds, you have repeatedly demonstrated your dedication to our cause of correcting this injustice and for that we thank you from the bottom of our hearts. This Committee should look not just at our current impoverished situation, which is a by-product of our colonial condition for the last 628 years, 123 under United States rule, and 405 years under Spanish rule; this Committee should look at the values that we hold dear in our hearts: undying love for this great Nation, a commitment to the democratic principles enshrined in the Constitution of the United States, a deep love for our families and the faith of our fathers, a respect for the traditions and the rule of law, and the abiding faith that our Nation will grant us equality.

Let this Congress here and now commit to adopt H.R. 1522 and thereby to offer Puerto Rico the opportunity to be admitted as the 51st State of our glorious Union. Let that great enterprise bring honor to our Nation by ending 123 years of colonialism and inequality and granting equality to the people of the new State. Let this be the Congress that finally fulfills the implied promise of equality given to Puerto Rico when citizenship was granted to all. Let this be the Congress that redeems the national honor of America and redresses a grievous wrong by adopting H.R. 1522, ending colonialism and inequality in Puerto Rico, and granting to the United States citizens of Puerto Rico the opportunity to freely exercise their informed self-determination. Let your

actions be a beacon of hope for all remaining colonialized people of the world. You have the sole power to make this happen. Please adopt H.R. 1522 and let the people of Puerto Rico vote!

Thank you.

PUERTO RICO QUIERE L ESTADIDAD

Saludos Sr Robles , le escribe Jose Avilés,pasado Alcalde de Moca PR del 2001 al 2021 . Apoyamos el Proyecto del Congresista Soto y Nuestra Comisionada Jenniffer Gonzalez . Los inmensa Mayoría de los Puertorriqueños añoramos convertirnos en un Estado mas de la Nación Americana .
Por favor haga llegar nuestro mensaje al Honorable Congresista Grijalba Gracias por su atención



Hon. Raul Grijalva
House Committee of Natural Resources
US Congress

Dr. José Vicente
Pastor

Subject: Letter for the members of House Committee of Natural Resources

Greetings and blessings from Puerto Rico. It is a pleasure and honor for me to address a representation of the Ministries of Puerto Rico. My name is Dr. José Vicente Pastor of one of the biggest Church in Puerto Rico by the name of Filadelfia IDDPMI Santiago Iglesias, San Juan Puerto Rico, linked to the Pentecostal Church and others Evangelical Movements in different Stated of the United States. Also, I am a retired US Navy with 23 years of service in different Commands in Lemoore, CA; San Diego CA; Mayport, Fl and Washington, DC.

As you know the on November 3, 2020, an undisputable majority of 53% of Puerto Rico's voters demanded change in a locally sponsored referendum requesting democracy and equality through statehood. In the US Navy we learn not to leave any sailor behind, but we American citizens fill that the Congress has left US behind not accepting the will of fellow Americans. Why, for example my long-time friend in the military that was born and raise in the US decided to move to Puerto Rico US territory even with all his family living in the US he will lose his Civil Rights to express his vote for the President and Congressman including additional benefit, and in the same condition if I decided to move to the US from Puerto Rico to any states, I will be able to vote for the President and Congressman. This is not Right.

For that reason, we are requesting the acceptance and full support of the Statehood Admission bill Act H.R. 1522, bill submitted by Hon. Darren Soto and Hon. Jennifer Gonzalez. Many veterans, religious members and many groups are in support of this bill HR 1522 and refusing the un-democratic bill H.R. 2017&S.865.

I will express my gratitude for understand our position and as a US Navy Veteran I would like to see before my life is done the Statehood for Puerto Rico as full part of the land of the Brave and freedom.

For any question you can contact at email: Josevicentemartinez10@hotmail.com or my cell (787) 646-6796.

Thank You, may God bless you.

A handwritten signature in black ink, appearing to read 'J. Vicente', with a small horizontal line underneath.

Dr. José Vicente
Pastor
(Filadelfia Church) IDPMI Santiago Iglesias
Manuel Ocasio Street #1786
San Juan PR 00936
(787) 646-6796
Josevicentemartinez10@hotmail.com

Hi cordially,I write with respect to Mr.Congressman Grijalva,to let him know mi opinion about PR status. I was born in New York in 1973 and my parents returned to PR when I was baby 3 years old. Like me in the island exist thousands of people and plus the US Citizens Puertoricans,also thousands of brave and loyalty US Veterans that gave their lives for the Country and our freedom. Over a hundred years of this unequal territorial status is ENOUGH,in 2012 the people in the island voted rejected the territorial status and choose statehood,in 2017 people choose statehood again and in the past November 3rd the people choose Statehood again with a majority sayin (yes) Statehood. Please let's go to honor our National Anthem "the land of the free and the home of the brave".

You can't take over a 3 millions of US Citizens without the same democracy of the others. Please is time put action on the verb.

P.D. I was part of ARMY ROTC,mi GrandPa was US Veteran,also my father and my wife father .

Luis Matos <lkidmatos@gmail.com>

April 12, 2021

The Honorable Raúl Grijalva
Chairman, House Committee on Natural Resources

Nancy Locke
Chief Clerk , House Committee on Natural Resources

Via E-mail

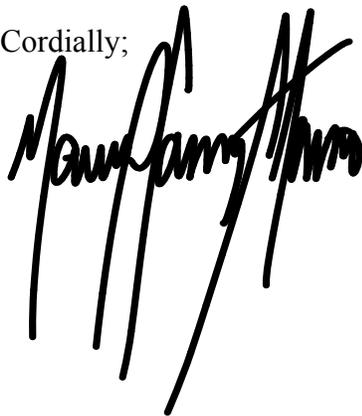
Dear Rep. Grijalva & Mrs. N. Locke

My name is Manuel Lopez, I currently live in the city of Dorado, Puerto Rico. Being a young man and a university student on the island, I am concerned about everything related to the future of our now Commonwealth.

I am writing you this letter requesting that you act in favor of HR 1522. Our youth must be included in every effort that affects or will affect our future.

Understanding that there are two days left for the public hearing, I am attaching my presentation so that it can be added to the record and read during the hearings.

Cordially;

A handwritten signature in black ink, appearing to read 'Manuel Lopez', with a stylized flourish at the end.

CC: Hon. Jenniffer Gonzalez Colon
Resident Commissioner

Manuel De Jesus Lopez Alamo

To the members of the Natural Resources Committee:



It is a pleasure and an honor for me to address you as a representative of the youth in this historic public hearing for the future of our island. My name is Manuel Lopez, as a young college student, I want the best for our future; as you know on November 3, 2020, an indisputable majority of 53% of Puerto Rico's voters demanded change in a locally sponsored referendum calling for full democracy and equality through statehood. We as young people do not want to leave once we obtain our university diploma to have better opportunities, when here on the island we can have them. A large part of the voters, counting the young population of Puerto Rico, have requested statehood, now Congress must react formally and allow the voters of the island to confirm their election in an endorsed vote. Turning around and telling voters to go back to the board and define many other options that have been rejected by the majority three times out of eight long-years and statehood has become the most requested solution. Not accepting the will of the people would not only be an insult to us but also as a form of cover-up from voters. This is basically unsatisfactory ,un-American and un-democratic. And thats what basically want the H.R. 2070 & S. 865 delay, confuse and distract the mandate of the people.

That is why, as a proud young American citizen who wants the best for the future not only for me but also for our young people who at some point will be the leaders of our state, I support the project our only representative Jenniffer Gonzalez Colon, the Puerto Rico Statehood Admission Act "HR 1522", which is the only project that will benefit us and take our will into account. Not from others who do not live on the island but intend to direct it according to his narrative, trying to overshadow the will of a people who democratically chose statehood. Puerto Rico has already chosen, now the ball is on the congress court and must act now.

Thanks for listening

"El que ignore a su pueblo, no merece su respeto"- Governor Pedro Pierluisi

Apoyo al Proyecto Puerto Rico, Estado 51

Sr. Iván Robles, Puerto Rico necesita que se continúe el apoyo de lograr que después de 123 años se logre está indecisión que nos tiene en guerra constante entre las diferentes ideologías. Ningún país merece tal indecisión, mientras tanto los partidos emergentes, los colonialistas e independentistas se aprovechan de estas divisiones y a espaldas nuestras están tratando de impulsar el comunismo. No queremos otra Venezuela ni otra Cuba. Los hermanos que han ofrecido su sangre y su vida en favor de la libertad, no merecen este viacrucis. Gracias, María C Robles-Torres

March 31, 2021

Mr. Raúl Grijalva, Chairman
US House Committee on Natural Resources
1324 Longworth HOB
Washington, DC 20515

Dear Mr. Grijalva:

I am a 55-year-old US citizen who resides in Puerto Rico (PR). I am not a politician; I am a woman, a wife, a mother, a professional... a common citizen.

For 123 years the people of Puerto Rico have heard from the different Presidents and Congressmen that the United States of America believes that the ~3.2 million disenfranchised American citizens residing in Puerto Rico have the right to a permanent and fully democratic status of their choice. Now, that on November 3, 2020 *'We, the People of Puerto Rico'* had vote for a change in our territorial political status, again I am asking myself if you, the Chairman and members of this Committee on Natural Resources are going to work for supporting the Puerto Rican people solve what I understand is our nowadays biggest problem - the solution of the Puerto Rico's status.

The following arguments have been heard for years by the people of Puerto Rico and are very similar to those of millions of Puerto Ricans who believe in the US Nation:

- 1. That the American history is the story of a diverse people striving to realize US ideals: a common dream of equality, and opportunity, freedom, and community. That you believe in a better America, more equal, more free, more American.***

I have always believed that the US Nation is based in the diversity of races, cultures, political and religious believes... and that these are the most important components of what the words *Equality* and *Freedom* mean for most of the American people... except for the ~3.2 million of Puerto Ricans who reside in this 100 x 35 territory. *Equality? Freedom?* Do you really think that we, the people of Puerto Rico, can feel more *Equal, Freer, more American*, when we do not have the same rights as the ~5.8 million of Puerto Ricans who reside in Mainland?

- 2. That your commitment to civil rights is ironclad.***

I hope that your commitment to civil rights does not be another promise. You must know that you have ~3.2 million of American citizens whose rights are transgressed with every sunset, only because we do not reside in Mainland; and that we will continue fighting to obtain the equality that we deserve.

- 3. That US is a nation of immigrants, and from Arab-Americans in California to Latinos in Florida, we share the dream of a better life in the country we love.***

"I have a dream...". I am sure you have read and heard these words, because they are part of the US Nation history. Let me re-use some of the words of the August 28, 1963, Martin Luther King's speech to dramatize my dream and the dream of millions of Puerto Ricans:

"But one hundred twenty-three years later, the Puerto Ricans still are not free. One hundred twenty-three years later, the life of the Puerto Ricans is still sadly crippled by the manacles of segregation and the chains of discrimination. One hundred twenty-three years later, the Puerto Ricans live on a

lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred twenty-three years later, the Puerto Ricans are still languished in the corners of American society and find themselves an exile in his own land. And so, I come here today to dramatize a shameful condition”.

Fifty-eight years ago, Martin Luther King, Jr., had a dream... Nowadays, I have a dream, too...

- 4. That voting is the foundation of democracy, a central act of civic engagement, and an expression of equal citizenship. Voting rights are important precisely because they are protective of all other rights.***

Puerto Ricans have been statutory US citizens since 1917. As I am sure you know, that means that our future US citizenship and nationality is not guaranteed. When Puerto Rico became a Commonwealth in 1952, it meant that Puerto Ricans could vote for our governor and other Puerto Rican government posts, but not for the US President. Also, there is a non-voting representative in Congress from Puerto Rico. If you really believe that voting is the foundation of democracy, why, at the 21st. Century, the US Nation has approximately ~3.2 million of US citizens who do not have the right to vote for the President and Congressmen who make the laws that affect their life and future?

- 5. That you will hasten family reunification for parents and children, husbands, and wives.***

As you may know, currently more than a half of Puerto Ricans reside in Mainland, and the other half in the Island. This is because since 1898, when Puerto Rico became a territory of the United States, Puerto Ricans have lived a 123-year tradition of cultural integration with Mainland society and have looked for a better future for our families, seeing the US Nation as one of *Freedom* and *Equality*. But nowadays, Puerto Ricans who reside in the Island still deal with social, educational, language, housing, and employment discrimination... Why?

- 6. That you are committed to equal treatment of all service members and believe all patriotic Americans should be allowed to serve our country without discrimination, persecution, or violence.***

Puerto Ricans have served in the US Armed Forces since 1917. In all the wars in which the US has been involved, the participation of Puerto Rico has been greater than that of 22 states of the Union. Over ~225,000 Puerto Ricans have fought in all US wars since World War I. More than ~2,000 have been killed in action; more than ~3,000 wounded, and hundreds have remained disabled for life. Approximately 60 Puerto Ricans have received the Congressional Medal of Honor for heroism, including our well known 65th. Infantry “*Borinqueneers*”. As it was the case in the past, during the present times in which our Nation finds itself fighting the savage and cowardly terrorism, Puerto Ricans are voluntarily offering to serve and the members of our National Guard and Reserve Components are responding to the call of duty. The above could not be more eloquent evidence of the trust and confidence which the US has placed in Puerto Ricans. s

The US Nation has a debt with all those Puerto Ricans who, throughout these 104 years, have served in the US Armed Forces. It must be your responsibility to work for obtaining for them the 100% of the benefits they deserve under the federal and state laws.

- 7. That for all those who live under our flag, you support strong economic development and fair and equitable treatment under federal programs.***

For 123 years, as a US territory the Commonwealth of PR has had a poor economic growth if we compare it with the 50 states, and the difference between the Island and the States is wider with every

sunset. In the past 45 years, the Island's economy has decreased and continues decreasing. Nor the lower federal benefits nor the income tax exemptions that PR receives have been sufficient to obtain the expected growth rate. Under the Commonwealth, PR has not been able to close the difference between it and the poorest states of the US Nation. Our labor force participation is under the Arkansas, Mississippi, and North Carolina ones; our unemployment rate is twice the US; our poverty indicators are near the 50%, and our older citizens receive pensions under the average of the 50 states. In summary, Puerto Ricans who reside in the Island have more difficulty to obtain a job; when we find one, we receive a lower salary, and when we retire, we receive fewer benefits compared with the Puerto Ricans who reside in the Mainland. As you may see, as a territory Puerto Ricans will never reach our objective to obtain greater levels of income, economic growth, and quality of life because of the limitations this condition imposes us.

“The future does not belong to fear; it belongs to the freedom”. As you have asked for years, on November 3, 2020, *‘We, the People of Puerto Rico’*, expressed our voice in a democratic local referendum: from a total of 1,248,176 voters, an absolute majority of 655,505 (52.52%) voted for Statehood as the non territorial option to live in. Our voice is loud and clear. It is your turn; it is time, Mr. Grijalva, you work for defining for the American citizens who reside in the territory of Puerto Rico a process and give us the tools for obtaining a permanent and fully democratic status as the 51st. State of the United States of America.

Sincerely,

Norika Rodríguez Carmona
US Citizen
Caguas, PR USA 00725-2081

Saludos . un grupo de legisladores municipales estamos respaldando el proyecto de admision de puerto rico. Para que se convierta en estado 51 de la nación americana ... Att. . hon. Virgilio Sánchez figueroa
Legislador municipal de LAS Marias P.R.
Virgilio Sánchez figueroa