



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

*My name is Catherine Torres and I am representing The Puerto Rican Bar Association. The Puerto Rican Bar Association is the oldest ethnic bar association in New York State. And we, above everything else, accept full responsibility for standing up for the Puerto Rican, Latino communities and commit to protect our rights, when those rights are being denied.*

*I am here in support of Resolution 626.*

*And, I commend Councilwoman Melissa Mark Viverito for her sponsorship. And, the members of the Cultural Affairs Committee for the opportunity to testify.*

*This resolution is important to the Puerto Rican community and the United States as a country because-*

*On January 5, 2011, the 112<sup>th</sup> U.S. Congress SILENCED an important VOICE and the people of Puerto Rico need it back. It passed a House Resolution preventing the Puerto Rico Resident Commissioner from presiding over or voting as part of the Committee of the Whole and violated one of the most fundamental rights and privileges of the Commissioner, of the people of Puerto Rico. The new congress rule sent a message to 4 million U.S. citizens, "You don't deserve to be heard. You don't count. And, you don't matter", as has been stated by Puerto Rico Resident Commissioner Pedro Pierluisi.*

*It is a travesty that the new congress has taken away the right to vote of the Puerto Rico Resident Commissioner, an elected representative, who speaks and acts on behalf of 4 million U.S. citizens living in Puerto Rico.*

*For nearly 100 years, Puerto Ricans have been citizens of this country, have worked hard to serve in the U.S. military, use U.S. currency and postal*

*service and cannot vote for a U.S. president, yet the only right they have to participate in the legislative process is stripped away.*

*Loss of power to vote in the Committee as a Whole means less funding going to Puerto Rico. The new congress rule takes away a vote from the Puerto Rico Resident Commissioner and essentially takes away funding from 4 million residents – that affects children, families, schools and education system in Puerto Rico. The new congress rule severely and negatively impacts the most vulnerable citizens in Puerto Rico --the elderly who depend on Medicaid funds and other health care funding. The right to vote in the Committee as a Whole has also helped to influence Puerto Rico's funding under the American Recovery and Reinvestment Act bringing over \$6 billion.*

*In Carribean News, Congressman José Serrano, who was born in Puerto Rico serving as U.S. Representative, a veteran elected official from the Bronx, stated....“This is a shameful step backwards...and it is a slap in the face of the millions of citizens and people living under the U.S. flag in these territories. They have had the ability to have their voices heard in the U.S. House of Representatives for only four short years, and there is no excuse for taking that right away from these duly elected leaders”. Congressman Rangel has called losing the right to vote in the Committee as a Whole, “a full disenfranchisement of 4 million U.S. citizen”.*

*There is no basis in law for this move. There are political and individual motives that clearly should be handled in a different arena.*

*It is for the aforementioned reasons that the Puerto Rican Bar Association supports Resolution 626.*

*I applaud the leadership of Councilwoman Melissa Mark Viverito as the sponsor. And, thank you for your time and consideration.*



Luis M. Balzac

Puerto Rico Federal Affairs Administration

Official Statement

Councilman:

I thank you for the opportunity to address the issue of the voting privileges of the Resident Commissioner of Puerto Rico. As the resolution being considered notes, the changes in the new rules package for the U.S. House of Representatives that was recently passed by the 112<sup>th</sup> Congress effectively end the ability of delegates and the Resident Commissioner to vote in, and preside over, the Committee of the Whole in the House. on the state of the Union.

This is important because the Resident Commissioner of Puerto Rico is the only official representative in the U.S. Congress for nearly four million U.S. citizens, far more than any other member in the U.S. House of Representatives. The people he represents are all part of the American family. They pledge allegiance to the same flag as their fellow Americans in the 50 states. They fight and die in defense of our nation.

For the past three sessions of Congress a rule had been in place that allowed representatives from the U.S. territories and the District of Columbia the right to exercise a single, extremely-

circumscribed voting and speaking privilege on the House floor. Under this rule, Congressman Pierluisi was permitted to vote on amendments when the House resolved into the Committee of the Whole, a device designed to allow greater participation by Members in debate. **However, the rule clearly provided for an automatic revote to be held in the instances where his vote affected the outcome.** This means that the Resident Commissioner's vote could never be a deciding vote and therefore had more of a symbolic than practical value.

Regardless, this simple privilege promoted responsible and transparent government by enabling constituents to understand and evaluate Congressman Pierluisi's public stands on important issues. The privilege also sent an important message of inclusiveness, conveying to our constituents that their voices could be heard.

For those reasons, I support Resolution 626 by the New York City Committee on Cultural Affairs calling upon the United States Congress to reinstate the privileges, formerly held by the Resident Commissioner of Puerto Rico and other delegates, allowing them to vote on amendments and procedures in the Committee of the Whole.

Thank you Councilman/Woman.



Statement  
Of  
Rafael Rodriguez  
President and Founder  
Thursday, February 10, 2011  
Before the Committee on Cultural Affairs  
New York City Council

Distinguished members of the Committee on Cultural Affairs of the New York City Council; thank you for the opportunity to be here today. My name is Rafael Rodriguez. I am the President and Founder of the Center for Puerto Rico Equality & Advancement (CPREA) a pro-equality, independent, and non-partisan non-profit policy and education organization, which enjoys significant community, city and nationwide support.

We appreciate the Committee taking up this issue, but we believe this Committee is not the appropriate venue to address it. . Rather, a topic of this political and moral importance would be more appropriately addressed in the Committee on Civil Rights and or the Committee on State and Federal Legislation. This issue is not about culture - it is about equal rights and democracy. Be that as it may, regardless of the forum, our message today would be the same.

The proposed Resolution 626 presented by Council member Mark-Viverito – “calling upon the United States Congress to reinstate the privileges, formerly held by the Puerto Rico Resident Commissioner and the other delegates to the United States Congress, allowing them to vote on amendments and procedures in the Committee of the Whole.” While well intended, this effort is misplaced and falls far short of the mark deserved by the four million United States Citizens residing in Puerto Rico. The Resident Commissioner’s vote is merely a symbolic vote and is of no influence or consequence whatsoever; particularly so in that regardless of the vote itself, by law, it is not permitted to be a deciding vote in the United States Congress.

Unfortunately, as granted, this vote, the vote in the Committee of the Whole, is inconsequential. It does not reflect sovereign citizen equality; equality of citizenship, in principle, measure, or practice. This vote relates to four million citizens who do not enjoy equal rights as United States citizens, voting representation proportionate to their numbers, their population, as Americans. This fake vote is supported by persons who support 'dependent', subjugated, unequal citizenship of the United States; not equal American citizenship, no matter how you slice or dice it. These are the facts regarding the territorial status of Puerto Rico, a Puerto Rico subject to the whims of the United States Congress, where without full, sovereign Puerto Rican participation

and membership, where without their participation, Puerto Ricans are unequal. 112 years of colonialism is too long. It was wrong yesterday, it is wrong today, and the notion of second-class citizenship by choice should be anathema to ALL right minded Americans; liberal, conservative libertarian, republican, democrat or other; regardless of race, ethnicity, religious creed, national origin or any other concern.

It is commendable that the resolution embraces our fellow citizens in Puerto Rico. But it is ironic that a committee that understands the value of democracy would promote a fake vote that reflects the inequality suffered by four million United States citizens living under colonial rule. Instead, I would respectfully urge you all to embrace the notion of full and equal citizenship, and with it, true democracy for our Puerto Rican brothers and sisters.

In closing, this is NECESSARILY the American credo; and equal, proportionate sovereign voting rights are those fundamental, constitutionally guaranteed rights of ALL citizens. Anything short of that is a false choice. We urge you to reject this fake vote, and instead support equal citizenship for ALL Americans including the four million fellow United States citizens residing in Puerto Rico, only attainable by full recognition as a state of the American union, with full, proportionate representation and voting rights in the United States House of Representatives and the United States Senate.

Thank you again for this opportunity this morning. We are very grateful for it. We are pleased to share and provide any information that may assist in any discussion of the political status of Puerto Rico, and that relates to attaining equal rights for those who reside in the island.

*'Advancing Statehood Through Policy Analysis and Academic Endeavor'*

Statement to the New York City Council Cultural Affairs Committee  
Resolution 626 - February 10, 2011

By: Anthony Melé, Chairman, 65<sup>th</sup> Honor Task Force, Inc.

[Borinqueneers]

Mr. Chairman and esteemed members of the New York City Council Cultural Affairs Committee; thank you for your invitation to testify before this body today.

I am Anthony Melé; I rise before you as the Chairman of the 65<sup>th</sup> Infantry Regiment of Puerto Rico, Honor Task Force, a New York State Not for Profit dedicated to recognizing the deeds of valor and preserving the memory of the Puerto Rican soldiers who composed this legendary combat Regiment affectionately called: The Borinqueneers.

My Great Grand Father, Leoncio Beauchamp was a founding member of this regiment. He and his 'compadres' were born under the flag of Spain. But after the Jones Act of 1917 granted every resident of the Island full American citizenship, they swore allegiance to the American Flag, when it had but 48 stars on it, as opposed to the 50 waving boldly outside this building today.

He fought in WWI and after nearly a century of life as an American citizen and former soldier for the United States Army, he was buried with full military honors in his home town of Cayey. Despite the valor, blood and irreplaceable youth he and the 65th Infantry Regiment expended in defense of the US Constitution, they were never afforded the inalienable right of every American; The right to vote for President of the United States and equal representation under the law. Over 112 years have passed and today in the year 2011, 4 million Americans are denied these blood purchased rights by an arcane piece of legislation that can be amended by the US Congress, as they did for the District of Columbia in 1961.

I was invited here today to express support for Resolution 626 proposed by Council member Mark-Verito pleading to restore the Puerto Rico Resident Commissioner's symbolic vote in the House of Representatives. Although well intended, let us clearly state yet again, it is a vote of no consequence whatsoever; because it is unlawful for a non member of Congress to cast a deciding vote.

Mr. Chairman, I salute this noble gesture, but the voting rights of free people are not subject to compromise, resolution, dilution, demotion, political theater or gamesmanship.

Make no mistake, we are not begging for a symbolic vote; we are not begging for a 51<sup>st</sup> star on the US Flag, we are not begging for equal protection under the law. We have earned it. It belongs to us. You give us nothing that was not already bought and paid for with the currency of blood, life and limbs of every American soldier since the Declaration of Independence to the day an honor guard laid my Great Grand-father to rest besides his gallant comrades.

I hereby invoke the name of every Puerto Rican soldier, who bled and fell in defense of the American flag, do petition this Committee and all within the sound of the voice I lend to them, to summon the courage, to take the bold initiative of withdrawing Resolution 626, and replace it with a Resolution from the entire New York City Council, that calls upon the United States Congress to remove the obstructions that preclude 4 million American citizens, residing on the Island of Puerto Rico, to immediately restore their inalienable rights, under the authority of the U.S. Constitution.

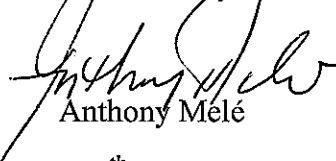
Council Members; would you delay to heed this request, if I were to petition you to restore the voting rights of 4 hundred, 4 thousand, 400 thousand or 4 million New Yorkers, in the name of the soldiers who fought under the American flag.?

Would you respond to their spilled blood, severed limbs and open wounds, by offering them the consolation price of a meaningless, symbolic vote to one delegate; rather than the power to vote that is the inalienable right of 4 millions?

Would you recite arcane legislation, fabricated 5 column ballots engineered to never result in a clear majority, as proof to a false argument that the residents of your district truly enjoy the equivalent of indentured servitude, unequal protection under the law, or they willingly embrace this injustice?

It is incumbent upon the honor and prestige of the entire New York City Council to find the courage today, to rise up in solidarity, rewrite this Resolution and unequivocally call for restoration of the inalienable rights to 4 million Americans. Only then, will the spirits of the soldiers, whom we have summoned into these chambers to inspire you; find their rest. The challenge is yours to do what you intuitively know must be done. I hope in earnest, with all the powers of persuasion at my humble command, to sway this august body to here and now, resolve to begin the steps to replace a figure head Resident Commissioner, with true Congressional representatives of, by and for the People.

Submitted by:



Anthony Mélé

Chairman, 65<sup>th</sup> Honor Task Force

6 Christine Drive, Chestnut Ridge, New York 10977 914 329-0338  
[www.borinqueneers.net](http://www.borinqueneers.net) [amisecure@aol.com](mailto:amisecure@aol.com)





Anthony Melé is a US Army veteran that served on the US Army Staff for Intelligence at the Pentagon and other challenging assignments to include the Defense Intelligence Agency, Intelligence and Security Command and U.S Military Training Mission to Saudi Arabia, 1977-1983. As an International Security Associate, BDM Corporation, Mclean, Virginia, he provided counter terrorism exercise scenarios for the US Dept. of State and a study of the international arms trade. In the private sector, he owns a global security consulting firm and traveled extensively throughout Africa, the Middle East, Europe and Latin America. He holds a MA, Diplomacy, International Conflict Management and BS, International Relations – Counterterrorism, Norwich University, Vermont, also a graduate of the Defense Intelligence College, Washington, DC.

Mr. Melé is a registered foreign agent and held Defense Trade Export Permits from the US Department of State, Bureau of Politico-Military Affairs, in accord with International Traffic Arms Regulations (ITAR), Defense Trade Commission. Mr. Melé has experience in Foreign Military Sales and Foreign Material Acquisitions. He is familiar with the DOD and United Nations Procurement process. His experience ranges from providing professional services to protect transports from African diamond mines, training presidential protection teams, procuring counter-narco equipment, advising members of the diplomatic community and consulting think-tanks on the international arms trade.

He is a public speaker, former [2010] US Congressional candidate and advocate for a multi lateral thinking in US Foreign Policy and practical approach to National Security Policy.



President Eduardo Dos Santos, President of Angola



***TESTIMONY OF Peter Fontanes ,Chair- Mission 51***

***New York City Council***

***February 10, 2011***

***Hearings on Resolution 626- calling upon the United States Congress to reinstate the privileges, formerly held by the Puerto Rican Resident Commissioner and other delegates, allowing them to vote on amendments and procedures in the Committee of the Whole.***

My name is Peter Fontanes and I am Chairman of Mission 51, an organization based on the mainland United States advocating for Puerto Rican Statehood.

We thank the Chair and the other members of this New York City Council Cultural Affairs Committee for their assistance and support for holding these hearings on Resolution 626 calling upon the United States Congress to reinstate the privileges, formerly held by the Puerto Rican Resident Commissioner and other delegates that would allow them to vote on amendments and procedures in the Committee of the Whole.

Mission 51 is comprised of thousands of American citizens throughout the nation fighting for the civil rights of our 4 million fellow American citizens. Presently, we have representatives in 17 states that are active in our mission and our numbers grow each year. Mission 51 is comprised of members who represent people who are from the business, religious, civic and political sector and are leaders and activists not only from the Puerto Rican American community but from other Latino and Non Latino communities as well.

We have heard from many witnesses today on the facts surrounding this gross violation of the civil rights of our fellow American citizens residing in United States territories so I really do not want to waste your time by repeating them again. We believe that our main purpose in testifying today is to assist the members of this committee and hopefully anyone else within earshot to begin focusing on at least two important collateral premises that these hearings could bring to the surface. Unfortunately, this is typical of the debate surrounding the obstacles facing our fellow

American citizens in the United States territories that include not only Puerto Rico but the Virgin Islands, the Commonwealth of the Northern Mariana Islands, Washington, DC, and American Samoa. Time and time again, we get so engrossed in the collaterals of the debate surrounding territorial rights and political status that we get stuck on peripheral issues such as taxation and territorial definitions. So, today, instead of reterritoring old arguments, I intend to speak to the heart of the problem inherent in these debates.

First of all, there is the importance of how this issue affects the future of the United States. In the census data that is now just being released, it is clear that our nation has now become the focal point for the dreams and aspirations of people from all over the world representing a myriad of cultures, races, creeds and sexual orientations. Over the last 200 years, many have migrated to our shores hearing the noble welcome inscribed at the bottom of the Statue of Liberty. They came despite the hardships expected not only from the long journey but also from what they heard from their friends and relatives who were already here. They came anyway and still they come! Despite the horrid stories of exploitation and repression coming from this nation's sad legacy of racism, they brought with them their misgivings and their aspirations. Indeed, they overcame obstacles and barriers thrown their way and persevered in ways unimaginable, in their journey to the American dream. Yet, they prevailed because the constitution and the freedoms and liberties so eloquently pronounced therein has also prevailed time and time again.

So again, we are faced with the evil that is now pervading our country and threatening the very fabric of our existence. One only has to look at the debate over a comprehensive national immigration reform bill. Let's be real about what is happening here. It is not coincidental that the Americans who are being deprived of their right to congressional representation are people who either speak a different language or are of a different race or other persuasions that are not the typical norm for those who profess a racist view of our nation. Is this a coincidence? We doubt it!

Additionally, in a world where technological globalization is fast making our world smaller, political symbolism is becoming more important in the worldwide political discourse. If our nation is to begin leading by example, I can assure you that this move on the part of the Republican leaders in the United States Congress does not bode well in the eyes of those who now see that people of colors can still be systematically deprived of their basic civil rights as citizens of the world's oldest democracy.

According to a statement from Republican leadership, the reasoning behind denying voting privileges to the territories was that the previous voting rights they had enjoyed were unconstitutional. A spokesperson for the leadership said "only members of the House are eligible to vote in the House." They inexplicitly said that the Committee of the Whole was essentially the same as the whole House, and therefore the votes of these quasi-representatives were unconstitutional. It seems fair to point out that these voting rights were hardly the same as full voting rights. Many refer to the voting privileges previously held by the territories as almost purely symbolic, and in no way substantive.

Notwithstanding all the arguments about why the Republicans did this, the image has been tarnished. Even if we take their most seemingly strongest constitutional rationale for taking this

action, it flies against reality because the Supreme Court has already affirmed the right of Congress to allow for rule changes away from the floors of the two main chambers of Congress.

So we now have a few very petty partisans voting to strip the symbolic remnants of an already constitutionally sanctioned rule that impacts on the civil rights of not only millions of American citizens but stains the memory of tens of thousands of soldiers from these territories who have sacrificed their lives so that we can enjoy our democracy. No matter how much rhetorical spin and political double talk they put on this issue, the reality is that if this vote is left to stand, the Republican leaders have dealt freedom and liberty in our nation a serious setback. It sets a dangerous precedent that needs to be rectified.

Even here in the New York City Council, we have a symbolic meltdown. Though I laud the Chair and this Committee on Cultural Affairs for having taken on this issue, it really belongs on the committee dealing with civil rights not cultural affairs. With all due respect, though cultural racism is one of the causes that lead to the Republicans unjust move, the core of the problem here is that we have to recognize that this is just as much a civil rights issue as those that shook our nation during the sixties. In order to be effective in this endeavor of protecting our fellow American citizens in this instance, we need to stop putting this all paramount issue of civil rights and the the future of our fellow American citizens living in the territories on the back burner.

Then, and only then, can we resolve this seemingly endless debate on what we finally do with the United States territories!

Now some people may ask what the big fuss is all about. After all, the people of Puerto Rico do not pay taxes. Well, the people of the District of Columbia do and yet they too have been thrown into the purgatory of a constitutional political limbo. So the real issue is not taxes or voting for a status that deprives people of their basic rights to representative government. It is about true sovereignty as a human being within the political system under which you live in.

In fact, that issue was truly settled over two hundred years ago, when our forefathers declared that all men were created equal and had the right to life liberty and the pursuit of happiness and to representative government. It was further settled when Abraham Lincoln affirmed that this government was "by the people and for the people"! Now, I do not know about you but those resounding words are as inspiring to me as the first time that I heard them as it is again, today. For this reason, I urge this committee, to seek further hearings in the civil rights committee.

Finally, if we are to seek sovereignty and justice for the citizens of the American territories, we should seek to support a congressionally sponsored two tiered plebiscite for the United states territories to determine the political statuses that reflect these values: Statehood or Independence. It is only when the citizens of these territories discard the present subservient political yokes of our fellow citizens living in United States territories that we can say to the rest of the world that America has shed the last vestiges of colonialism in the world. It is only then that we, as a democratic society, can enter the twenty first century as a beacon for all free peace loving citizens of the world.

In conclusion, this is not the time for publicity pandering or political showmanship. This is a very real and serious issue that goes beyond what we have here today. I hope that this committee will move aggressively forward and take the leadership role in this struggle. Hopefully, the next time I come down here to testify is when we are before a more appropriate committee of the New York City Council.

Thank you for your attention to this matter. God bless America!

**Peter Fontanes – Chair**

10-93 Jackson Avenue Suite 3RR

Long Island City, New York 11101

Office: 718-392-5939

Cellular: 646-721-0984 Fax 718-430-1122

Email: [pfontanes111@aol.com](mailto:pfontanes111@aol.com)

Web: [www.MISSION51.org](http://www.MISSION51.org)



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/10/11

Name: Rafael Rodriguez (PLEASE PRINT)

Address: 23-08 Steinway St. Suite 2B

I represent: Center for Puerto Rican Equality &

Address: Astoria, NY 11105

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 626 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Anthony Tele (PLEASE PRINT)

Address: 6 Christine Dr

I represent: 65th Infantry

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2-10-11

Name: Catherine Torres (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: President, Puerto Rican Bar

Address: Association

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

*Appearance Card*

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. 626

in favor     in opposition

Date: \_\_\_\_\_

Name: Luis BALZAC (PLEASE PRINT)

Address: 135 W 50<sup>th</sup> - NY NY

I represent: Puerto Rico Federal Affairs

Address: same

◆ Please complete this card and return to the Sergeant-at-Arms ◆