

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND  
INTERNATIONAL INTERGROUP RELATIONS

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February 10, 2011

Start: 10:30am

Recess: N/A

HELD AT: Committee Room  
215 Broadway - 14<sup>th</sup> Fl.

B E F O R E:  
JAMES G. VAN BRAMER  
Chairperson

COUNCIL MEMBERS:  
Leroy G. Comrie, Jr.  
Elizabeth S. Crowley  
Inez E. Dickens  
Jessica S. Lappin  
Domenic M. Recchia, Jr.  
Melissa Mark-Viverito

## A P P E A R A N C E S (CONTINUED)

Luis Balzac  
Concerned Citizen

Catherine Torres  
President  
Puerto Rican Bar Association

Anthony Mele  
Chairman  
65th Infantry Honor Task Force

Rafael Rodriguez  
President  
Center for Puerto Rico Equality and Advancement

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2 [gavel]

3 CHAIRPERSON VAN BRAMER: Good

4 morning. My name is Jimmy Van Bramer and I am  
5 Chair of the Committee on Cultural Affairs,  
6 Libraries and International Intergroup Relations.  
7 And I want to thank everyone for being here today  
8 as we consider this very important resolution that  
9 has been introduced by Council Member Melissa  
10 Mark-Viverito. I want to of course recognize  
11 Council Member Mark-Viverito as well as some of  
12 the members of the Committee, who are with us;  
13 Jessica Lappin from Manhattan on my right and  
14 Council Member Leroy Comrie taking a seat to my  
15 left, and he is from the great borough of Queens,  
16 which I'm quite fond of.

17 As many folks undoubtedly know, as  
18 a Commonwealth of the United States, Puerto Ricans  
19 gained U.S. citizenship in 1917 and serve in the  
20 U.S. Armed Forces. Puerto Ricans represent the  
21 largest group of Hispanics living in both New York  
22 City and New York State—35% overall for both city  
23 and state. Currently, Puerto Ricans lack any  
24 representation in Congress other than the honorary  
25 position of resident commissioner in the House of

2 Representatives. Pedro Pierluisi is the current  
3 resident commissioner. The resident commissioner,  
4 like the delegates from D.C. and other U.S.  
5 territories, is a non-voting member of Congress,  
6 unlike the other delegates and representatives;  
7 however, the resident commissioner is elected to a  
8 four-year term as opposed to two-year terms. I,  
9 myself, am fond of four-year terms.

10 The Committee of the Whole  
11 effectively turns the entire House of  
12 Representatives chamber into one large committee,  
13 Procedurally, the Committee of the Whole defers  
14 from the full House, even though there is  
15 identical membership. The Committee of the Whole  
16 requires only 100 members for quorum, not 218  
17 members as required during a regular House  
18 session. This is one of several ways in which the  
19 whole need not adhere to all of the formal rules  
20 of a House session. The Committee of the Whole is  
21 normally invoked to give initial consideration of  
22 important legislation, including bills for raising  
23 revenue and serves to expedite the process, since  
24 debate over amendments occurs under a special  
25 five-minute rule. The Committee of the Whole can

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2 recommend amendments to any bill, which the House  
3 must then approve before added to a final bill.

4 In 1993, the resident commissioner  
5 and other non-voting delegates received a limited  
6 vote in the Committee of the Whole, based on their  
7 right to vote in legislative committees. This  
8 privilege was upheld upon challenge in 1994. A  
9 federal court of appeals concluded that the  
10 Congress has the constitutional authority to allow  
11 delegative voting in the Committee of the Whole.  
12 On January 5<sup>th</sup>, 2011, on the first day of the 112<sup>th</sup>  
13 House session, the House voted for a rules package  
14 against stripped non-voting delegates of their  
15 votes in the Committee of the Whole. A subsequent  
16 motion by Representative Eleanor Holmes Norton  
17 from the District of Columbia to provide further  
18 study of the non-voting delegate issue was tabled  
19 by a 225 to 118 vote.

20 As the Chair of this committee, I  
21 have also added by name to a co-sponsorship of  
22 this resolution because I believe that the act of  
23 the Congress was outrageous and disrespectful to  
24 not only the Puerto Ricans living on what is one  
25 of my favorite islands in the whole world, but

2 also to all of the Puerto Ricans living here in  
3 New York State and in this wonderful, wonderful  
4 land. So with that, I want to recognize Council  
5 Member Melissa Mark-Viverito, an amazing champion  
6 of Puerto Rico and of her district and someone  
7 with whom I was able to travel to Puerto Rico last  
8 January.

9 COUNCIL MEMBER MARK-VIVERITO:

10 Thank you, Chair Van Bramer and I want to just  
11 thank you personally, thank the Speaker for really  
12 expediting this resolution and making sure that  
13 this legislative body, New York City Council,  
14 which represents the largest probably Puerto Rican  
15 community in a municipality in the country outside  
16 of the island has a position and makes a statement  
17 about this act that occurred on January 5<sup>th</sup>. It's  
18 very important that we are able to really express  
19 that point of view and ask and encourage this  
20 legislative body—the Congress to reinstate those  
21 rights, so I want to really again thank you for  
22 this hearing.

23 The reso we're discussing this  
24 morning as you've indicated, urges the U.S.  
25 Congress to reinstate the already limited

2 privileges recently removed from Puerto Rico's  
3 resident commissioner as well as delegates from  
4 Washington D.C. and U.S. territories. The fact  
5 that this was among the first actions by the new  
6 Republican-lead House truly speaks volumes. As a  
7 state-side Puertorriquena who was born on the  
8 island and has been residing in New York City for  
9 the past 24 years, I'm particularly concerned  
10 about the impact of this decision on the island  
11 and its residents. Puerto Ricans are U.S.  
12 citizens since 1917, affected by decisions the  
13 Congress makes every day. Men and women of Puerto  
14 Rico lives under the U.S. flag, serve in our  
15 military and use U.S. currency. And now Puerto  
16 Rico has been left without any true representation  
17 in Congress.

18 Additionally, let's not forget the  
19 others who have been disenfranchised by this  
20 decision--Delegate Eleanor Holmes Norton  
21 represents Washington D.C., Delegate Donna  
22 Christensen represents the Virgin Islands, Eni  
23 Faleomavaega Represents American Samoa, Madeleine  
24 Bordallo represents Guam, Gregorio C. Sablan  
25 represents Northern Mariana Islands, as well as

1  
2 Commission Pedro Pierluisi, who represents Puerto  
3 Rico. Just hours after all of these delegates,  
4 who in essence are representatives, were sworn  
5 into the 112<sup>th</sup> Congress, they lost their right to  
6 vote in the U.S. House of Representatives  
7 Committee of the Whole, which you explained, Mr.  
8 Chair. U.S. Representative Dr. Donna Christensen  
9 was the first female physician in the history of  
10 the U.S. Congress to be elected to the House of  
11 Representatives and is a delegate. She said quite  
12 powerfully, "It was a sad day for democracy and  
13 for the 5 million people of color." And I think  
14 that that needs to be really highlighted, whose  
15 elected representatives lost their voting right to  
16 an action of the Republican majority in the House.  
17 It was significant and regrettable that one of the  
18 first acts of the new Republican House was to  
19 strip the voting rights of the territorial  
20 delegates sent to Capitol Hill by the votes of  
21 Puerto Rico, D.C., U.S. Virgin Islands, Guam, the  
22 Mariana Islands, and American Samoa. It's a  
23 travesty when you deny elected representatives a  
24 vote of such significance.

25 In an op-ed Puerto Rico's resident



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2 commissioner, Pedro Pierluisi, called January 5<sup>th</sup> a  
3 sad and shameful way to begin the 112<sup>th</sup> Congress  
4 and goes on to say quote, "Poignantly as  
5 Republicans were approving their rules package,  
6 the Department of Defense was preparing to  
7 announce the names of the first two American  
8 soldiers killed in Iraq in 2011. Both of whom  
9 were members of the Puerto Rico National Guard."  
10 Pierluisi wrote, "What does this say about the  
11 Republican leadership that is perfectly willing to  
12 allow men and women from Puerto Rico to defend our  
13 nation in uniform, but absolutely unwilling to  
14 give their dually elected representatives any  
15 voice on the House floor. The Republican rules  
16 package dishonors and demeans Americans living in  
17 the territories and the District of Columbia. It  
18 says to them your voice does not matter and that  
19 you are not important and that you do not count."

20 And lastly I just want to read from  
21 the *El Diaro* op-ed, which also powerfully  
22 expresses the issue at hand, and it says, "In  
23 playing politics, Republicans are ignoring a long  
24 historical truth that they have had a part in.  
25 U.S. citizenship was cast on Puerto Ricans, who

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2 were denied the right to choose their status, so  
3 the island should not be penalized as for a  
4 situation it did not hatch. On the eve of the  
5 Republican maneuver two Puerto Rican soldiers were  
6 killed in Iraq. They and others did not give half  
7 their effort on the battlefield, simply because  
8 they weren't born in a state."

9 This is about fairness and  
10 representation, which Republicans have set aside  
11 in a name of partisanship and exclusionary tactics  
12 and I'm glad that this Council is willing to take  
13 a stand on such an important issue, and with that,  
14 I really want to thank you, Mr. Chair.

15 CHAIRPERSON VAN BRAMER: Thank you  
16 very much Council Member Mark-Viverito. I want to  
17 recognize Council Member and Finance Chair Domenic  
18 Recchia has joined us and we have four people  
19 scheduled to testify. We'd like to do that as a  
20 panel, if that's alright with everyone, so if Luis  
21 Balzac, Catherine Torres, Anthony Mele and Rafael  
22 Rodriguez would come forward to begin your  
23 testimony.

24 [pause]

25 CHAIRPERSON VAN BRAMER: Why don't

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2 we start with Luis and then Catherine, and on down  
3 the line? Sound good?

4 LUIS BALZAC: Good morning.

5 Esteemed Chairman and Council Members, I thank you  
6 for the opportunity to address the issue of the  
7 voting privileges of the resident commissioner of  
8 Puerto Rico. As a resolution being considered  
9 notes, the changes in the rules package for the  
10 U.S. House of Representatives that was recently  
11 passed by the 112<sup>th</sup> Congress effectively ended the  
12 ability of delegates and the resident commissioner  
13 to vote in and preside over the Committee of the  
14 Whole in the House on the State of the Union.

15 This is important because the  
16 resident commissioner of Puerto Rico is the only  
17 official representative in the United States  
18 Congress representing 4 million U.S. citizens, and  
19 that is far more than any other member in the U.S.  
20 House of Representatives. The people he  
21 represents are all over and are all a part of the  
22 American family. They pledge allegiance to the  
23 same flag as their fellow Americans in the 50  
24 states. They fight and die in defense of our  
25 nation.

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2 For the past three sessions of  
3 Congress, a rule had been in place that allowed  
4 representatives from the U.S. territories—the  
5 District of Columbia, the right to exercise a  
6 single extremely circumscribed voting and speaking  
7 privilege on the House floor. Under this rule,  
8 Congressman Pierluisi was permitted to vote on  
9 amendments when the House resolved into the  
10 Committee of the Whole. The - - designed to allow  
11 greater participation by members in debate;  
12 however, the rule clearly provided for an  
13 automatic re-vote to be held in the instances  
14 where his vote effected the outcome, and I want to  
15 stress that this means that the resident  
16 commissioner's vote could never be a deciding vote  
17 and therefore, had more of a symbolic than a  
18 practical value for those 4 million U.S. residents  
19 in Puerto Rico. Regardless, this privilege, this  
20 simple privilege promoted responsible and  
21 transparent government by enabling constituents to  
22 understand and evaluate Congressman Pierluisi's  
23 public stance on important issues, such as health,  
24 immigration, education and others that effect the  
25 Latino community here stateside and in the island

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2 of Puerto Rico. The privilege also sent an  
3 important message of inclusiveness, conveying to  
4 our constituents that their voices could be heard.  
5 For those reasons, I support Resolution 626 of the  
6 New York City Committee on Cultural Affairs  
7 calling upon the United States' Congress to  
8 reinstate the privileges formally held by the  
9 resident commissioner of Puerto Rico and other  
10 delegates, allowing them to vote on amendments and  
11 procedures in a Committee of the Whole.

12 I want to commend Mark-Viverito,  
13 Councilwoman, for bringing this up, but I would  
14 urge you to please be aware of the message that we  
15 sent--for people to understand that the vote that  
16 the resident commissioner cast in the nation's  
17 capitol is only one of symbolic meaning. When it  
18 comes time, if it's a tied vote, they have to re-  
19 vote, so in essence, it allows for the resident  
20 commissioner to express himself, but people don't  
21 lobby him--don't lobby that position because that  
22 position is really more of a symbolic vote. It's  
23 important--it means something, but it does not  
24 carry a true voice for those of us that resided or  
25 reside now in the island of Puerto Rico. Thank

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2 you very much.

3 CATHERINE TORRES: My name is Cathy  
4 Torres, and I'm here representing the Puerto Rican  
5 Bar Association, as its president. The Puerto  
6 Rican Bar Association is the oldest ethnic Bar  
7 Association in New York State, and we believe  
8 above everything else that we accept full  
9 responsibility for standing up for the Puerto  
10 Rican community, Latino communities and commit to  
11 protect our rights and those rights being denied.  
12 I am here in support of Resolution 626 and I  
13 commend Councilwoman Melissa Mark-Viverito for her  
14 sponsorship and the Chair and the members of the  
15 Cultural Affairs Committee for the opportunity to  
16 testify today.

17 This resolution is important to the  
18 Puerto Rican community and the United States as a  
19 country because on January 5<sup>th</sup>, 2011 the 112<sup>th</sup> U.S.  
20 Congress silenced an important voice, and the  
21 people of Puerto Rico need it back. It passed a  
22 House resolution preventing the Puerto Rico  
23 resident commissioner from presiding over or  
24 voting as part of the Committee of the Whole and  
25 violated one of the most fundamental rights and

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2 privileges of the commissioner and of the people  
3 of Puerto Rico. The new Congress rule sent a  
4 message to 4 million U.S. Citizens and others  
5 represented by the five other delegates: you don't  
6 deserve to be heard. You don't count and you  
7 don't matter, as has been stated by Puerto Rico  
8 Resident Commissioner Pedro Pierluisi. It's a  
9 travesty that the new Congress has taken away this  
10 right to vote of the Puerto Rico resident  
11 commissioner, an elected representative who speaks  
12 and acts on behalf of 4 million U.S. citizens  
13 living in Puerto Rico. For nearly 100 years,  
14 Puerto Ricans have been citizens of this country,  
15 have worked hard to serve in the U.S. military,  
16 use U.S. currency, use U.S. postal service and  
17 cannot vote for a U.S. president, yet the only  
18 right that they have to participate in the  
19 legislative process is stripped away. Loss of  
20 power to vote in the Committee as a Whole means  
21 less funding going to Puerto Rico. The new  
22 Congress rule takes away a vote from the Puerto  
23 Rico resident commissioner, essentially takes away  
24 funding from 4 million residents. This affects  
25 children, families, schools, the education system

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2 in Puerto Rico. The new Congress rule really and  
3 negatively impacts the most vulnerable citizens in  
4 Puerto Rico--the elderly who depend on Medicaid  
5 funds and other healthcare funding. The right to  
6 vote in the Committee as a Whole has also helped  
7 to influence Puerto Rico's funding under the  
8 American Recovery and Reinvestment Act, bringing  
9 over 6 billion dollars to the island.

10 Recently in the Caribbean news,  
11 Congressman Jose Serrano who was born in Puerto  
12 Rico, a veteran elected official from the Bronx,  
13 stated, "This is shameful step backwards. It's a  
14 slap in the face of millions of citizens and  
15 people living under the U.S. flag in these  
16 territories. They have had the ability to have  
17 their voices heard in the U.S. House of  
18 Representatives for only four short years, and  
19 there is no excuse for taking that right away from  
20 these duly elected leaders." Congressman Rangel  
21 has also called losing the right to vote in the  
22 Committee as a Whole a full disenfranchisement of  
23 4 million U.S. citizens.

24 There is no basis in the law for  
25 this move by the new Congress. There are



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2 political and individual motives that clearly  
3 should be handled in a different arena, and it is  
4 for the aforementioned reasons that the Puerto  
5 Rican Bar Association supports Resolution 626. I  
6 applaud the leadership of Councilwoman Viverito  
7 and her sponsorship, and I thank you for the time  
8 and your consideration. Thank you.

9 CHAIRPERSON VAN BRAMER: I'd like  
10 to recognize we've been joined by Councilwoman  
11 Inez Dickens from Manhattan, and if you would  
12 continue your testimony..

13 ANTHONY MELE: Thank you. Good  
14 morning. Mr. Chairman and esteemed members of the  
15 New York City Council Cultural Affairs Committee,  
16 thank you for the invitation to testify to this  
17 body today. I am Anthony Mele. I rise before you  
18 as the chairman of the 65<sup>th</sup> Infantry Regiment of  
19 Puerto Rico Honor Taskforce, a New York State not-  
20 for-profit dedicated to recognizing the deeds of  
21 valor and preserving the memory of the Puerto  
22 Rican soldiers who composed this legendary combat  
23 regiment, affectionately called "The  
24 Borinqueneers."

25 My great grandfather Leon - - was a

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2 founding member of this regiment. He and his  
3 compadres were born under the flag of Spain, but  
4 after the Jones Act of 1917 granted every resident  
5 of the island full American citizenship, they  
6 swore allegiance to the American flag when it had  
7 but 48 stars on it as opposed to the 50 stars  
8 waving boldly outside this building today. He  
9 fought in World War I and nearly after a century  
10 of life as an American citizen and former soldier  
11 for the United States Army, he was buried with  
12 full military honors in his hometown of Cayey.  
13 Despite the valor, blood and irreplaceable youth,  
14 he and the 65<sup>th</sup> infantry regiment expended in  
15 defense of the United States Constitution, they  
16 were never afforded the inalienable right of every  
17 American citizen—the right to vote for president  
18 of the United States and equal representation  
19 under the law.

20 Over 112 years have passed today in  
21 the year 2011, 4 million Americans are denied  
22 these blood purchased rights by an arcane piece of  
23 legislation that can be amended by the U.S.  
24 Congress as they did for the District of Columbia  
25 in 1961. I was invited here today to express

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2 support for Resolution 626, proposed by Council  
3 Member Mark-Viverito, pleading to restore the  
4 Puerto Rican resident commissioner's symbolic vote  
5 in the House of Representatives. Although well-  
6 intended, let us clearly state again, it is a vote  
7 of no consequence whatsoever because it is  
8 unlawful for a non-member of Congress to cast a  
9 deciding vote.

10 Mr. Chairman, I salute this noble  
11 gesture, but the voting rights of free people are  
12 not subject to compromise, resolution, dilution,  
13 demotion, political theater or gamesmanship. Make  
14 no mistake, we are not begging for a symbolic  
15 vote. We are not begging for a 51<sup>st</sup> star on the  
16 U.S. flag. We are not begging for equal  
17 protection under the law. We have earned it. It  
18 belongs to us. You give us nothing that was not  
19 already bought and paid for with the currency of  
20 blood, life and limbs of every American soldier  
21 since the Declaration of Independence till the day  
22 the honor guard laid my great grandfather to rest,  
23 beside his gallant comrades.

24 I hereby invoke the name of every  
25 Puerto Rican soldier who bled and fell in defense

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2 of the American flag to petition this Committee  
3 and all within the sound of the voice I lend to  
4 them to summon the courage to take the bold  
5 initiative of withdrawing Resolution 626 and  
6 replace it with a resolution from the entire New  
7 York City Council that calls upon the United  
8 States Congress to remove the obstructions that  
9 preclude 4 million American citizens residing on  
10 the island of Puerto Rico to immediately restore  
11 their inalienable rights under the authority of  
12 the U.S. Constitution. Council Members, would you  
13 delay to heed this request?

14 If I was to petition you to restore  
15 the voting rights of 400, 4,000, 400,000 or  
16 4,000,000, New Yorkers in the name of the soldiers  
17 who fought under the American flag, would you  
18 respond to their spilled blood, severed limbs and  
19 open wounds by offering them the consolation prize  
20 of a meaningless symbolic vote to one delegate,  
21 rather than the power to vote that is an  
22 inalienable right of 4 millions? Would you recite  
23 arcane legislation fabricated five-column ballots  
24 engineered to never result in a clear majority as  
25 proof to a false argument that the residents of

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2 your district truly enjoy the equivalent of  
3 indentured servitude, unequal protection under the  
4 law, how they willingly embrace this injustice?

5 It is incumbent upon the honor and  
6 prestige of the entire New York City Council to  
7 find the courage today to rise up in solidarity,  
8 rewrite this resolution and unequivocally call for  
9 restoration of the inalienable rights to 4 million  
10 Americans. Only then will the spirits of the  
11 soldiers, whom we have summoned into these  
12 chambers to inspire you, find their rest. The  
13 challenge is yours to do what you intuitively know  
14 must be done. I hope in earnest with all the  
15 powers of persuasion at my humble command to sway  
16 this - - body to here and now resolve to begin the  
17 steps to replace a figurehead resident  
18 commissioner with true congressional  
19 representatives of, by and for the people. Thank  
20 you for your time.

21 CHAIRPERSON VAN BRAMER: Thank you  
22 very much, Mr. Mele. I'd like to recognize  
23 Council Member Elizabeth Crowley from Queens has  
24 joined us. Mr. Rodriguez?

25 RAFAEL RODRIGUEZ: Distinguished

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2 members of the Committee on Cultural Affairs of  
3 the New York City Council, thank you for the  
4 opportunity to be here today. My name is Rafael  
5 Rodriguez and I am president and founder of the  
6 Center for Puerto Rico Equality and Advancement, a  
7 pro-equality, independent and non-partisan, non-  
8 profit policy and education organization, which  
9 enjoys significant community, city and nation-wide  
10 support. We appreciate the Committee taking up  
11 this issue, but we believe this Committee is not  
12 the appropriate venue to address it; rather, a  
13 topic of this political and moral importance would  
14 be more appropriately addressed in the Committee  
15 of Civil Rights and/or the Committee on State and  
16 Federal Legislation. This is not about culture.  
17 It is about equal rights and democracy. Be that  
18 as it may, regardless of the forum, our message  
19 today will be the same. The proposed Resolution  
20 626 presented by Council Member Mark-Viverito,  
21 calling upon the United States Congress to  
22 reinstate the privileges formally held by Puerto  
23 Rico resident commissioner and the other delegates  
24 of the United States Congress allowing them to  
25 vote on amendments and procedures in the Committee

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2 of the Whole, while well intended this effort is  
3 misplaced and falls short of the mark deserved by  
4 4 million United States citizens residing in  
5 Puerto Rico. The resident commissioner's vote is  
6 merely a symbolic vote and is of no influence or  
7 consequence whatsoever; particularly so in that  
8 regardless of the vote itself, by law it is not  
9 permitted to be a deciding vote in the United  
10 States Congress. Unfortunately as granted, this  
11 vote—the vote of the Committee of the Whole is  
12 inconsequential. It does not reflect sovereign  
13 citizen equality—equal citizenship in principle,  
14 measure or practice. This vote relates to 4  
15 million citizens who do not enjoy equal rights as  
16 United States citizens--voting representation  
17 proportionate to their numbers—their population as  
18 Americans. This fake vote is supported by persons  
19 who support dependent, subjugated, unequal  
20 citizenship of the United States, not equal  
21 American citizenship, no matter how you slice or  
22 dice it. These are the facts regarding the  
23 territorial status of Puerto Rico—a Puerto Rico  
24 subject to the whims of the United States Congress  
25 where without full sovereign Puerto Rican

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2 participation and membership where without the  
3 participation, Puerto Ricans are unequal. 112  
4 years of colonialism is too long. It was wrong  
5 yesterday. It is wrong today. And the notion of  
6 second-class citizenship by choice should be  
7 anathema to all right-minded Americans—liberal,  
8 conservative, libertarian, republican, democrat or  
9 other, regardless of race, ethnicity, religious  
10 creed, national origin, or other concerns.

11 It is commendable that this  
12 resolution embraces our fellow citizens in Puerto  
13 Rico, but it is ironic that a Committee that  
14 understands the value of democracy would promote a  
15 fake vote that reflects the inequalities suffered  
16 by 4 million United States citizens living under  
17 colonial rule. Instead, I respectfully urge you  
18 to embrace the notion of full and equal  
19 citizenship and with it true democracy for our  
20 Puerto Rican brothers and sisters.

21 In closing, it is necessarily the  
22 American credo an equal, proportionate, sovereign  
23 voting rights are those fundamental  
24 constitutionally guaranteed rights of all  
25 citizens. Anything short of that is a false



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2 choice. We urge you to reject this fake vote and  
3 instead, support equal citizenship for all  
4 Americans, including the 4 million fellow United  
5 States citizens residing in Puerto Rico only  
6 attainable by full recognition as a state of the  
7 American union, with full proportionate  
8 representation and voting rights in the United  
9 States House of Representatives and the United  
10 States Senate. Thank you again for this  
11 opportunity this morning. We are grateful for it.  
12 We are pleased to share our—and provide any  
13 information that might assist in any discussion of  
14 the political status of Puerto Rico and that  
15 relates to attaining equal rights for those who  
16 reside in the island.

17 CHAIRPERSON VAN BRAMER: Thank you  
18 very much. Council Member Mark-Viverito?

19 COUNCIL MEMBER MARK-VIVERITO: I  
20 want to thank all of you for testifying and  
21 clearly, for the record and I'm very strong on my  
22 position, I'm not a statehood proponent. And I  
23 know that the majority testifying here today are.  
24 To me that is not the issue at hand, and this is  
25 not about a discussion of the political status of

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2 the island, which clearly is yet unresolved and  
3 needs some level of resolution. I would agree.  
4 But so far, in terms of whatever plebiscites have  
5 happened, the choice has not been one for  
6 statehood, but understanding that the vote is  
7 symbolic and I understand what you're saying in  
8 your testimony. To me it's even more egregious  
9 that - - a symbolic vote and it's more insulting  
10 that this symbolic vote would then be taken away,  
11 so that I think is the essence here. It's what  
12 message is it sending? And I thank you for your  
13 efforts. The 65<sup>th</sup> infantry and the regiment is  
14 obviously in terms of its contributions all of our  
15 soldiers, we know that we have disproportionately  
16 served in the armed forces of this country—that  
17 our families have been impacted, that we've  
18 suffered many deaths. We know that we do pay  
19 taxes, despite the fact that people think we  
20 don't. There's a lot of falsehoods out there—  
21 there were misunderstandings of what Puerto Rico  
22 is and what we do, and what we don't do. So in  
23 this case, I think it's really about the message  
24 that yes, understood that it is a symbolic vote  
25 and there should be a greater voice for our people

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2 in Congress—that it was stripped is even more of  
3 an insult to all of us. And I just particularly—  
4 and I know that Cathy mentioned it in her  
5 testimony—but I really in particular want to thank  
6 Congressman Rangel 'cause he is my representative  
7 as well and Representative for Council Member Inez  
8 Dickens who is my partner up in Northern  
9 Manhattan, but also Congressman Serrano, who had  
10 been very vocal in opposing this move by this  
11 House Republican—reactionary—what I call  
12 reactionary Republican Congress, so thank you all  
13 for your testimony. The debate continues.

14 CHAIRPERSON VAN BRAMER: And just a  
15 minor point of clarification, the full name of the  
16 Committee is Cultural Affairs, Libraries and  
17 International Intergroup Relations, so items such  
18 as this are actually forwarded to our Committee  
19 for consideration because of that International  
20 Intergroup Relations piece of it; although  
21 certainly, Civil Rights and Federal and State  
22 Legislation are important committees. Yeah.

23 LUIS BALZAC: [off mic] Mr.  
24 Chairman, I am not sure that the international  
25 term here—and I think the Councilwoman Viverito

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2 will agree on this one with me—we're not an  
3 international jurisdiction. The United States  
4 federal government, which is exactly what we are  
5 discussing here, has jurisdiction in Puerto Rico.  
6 When I board a plane to fly to Puerto Rico, I  
7 don't need my passport. I don't do customs and I  
8 don't do immigrations. I am a United States  
9 citizen, just like you are and Puerto Rico is not  
10 an international destination and therefore, on  
11 that, I have to agree that maybe the committee  
12 could have been State and Federal Legislation or  
13 the other.

14 COUNCIL MEMBER MARK-VIVERITO: I  
15 will take responsibility for that, you know,  
16 because it is in terms of where the resolution was  
17 deferred, and I guess I didn't really analyze it,  
18 but I know that in essence, you know, I would  
19 agree with you on that. Regardless, it's still  
20 being considered by the City Council and by our  
21 legislative body and at the end of the day, it is  
22 all of us as members that will be voting on this.  
23 So I respectfully agree with that and it's  
24 obviously—again I think it just speaks to the  
25 important work that we need to do within ourselves

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2 as well, you know, so-but thank you very much.

3 CHAIRPERSON VAN BRAMER: And just  
4 for the record, we were assigned this resolution  
5 in the Committee, so I neither disagree or agree.  
6 Council Member Dickens?

7 COUNCIL MEMBER DICKENS: Thank you  
8 so much and you're perfectly correct and maybe  
9 what we could have done and maybe what we in the  
10 future now that you have enlightened us, is we  
11 would have a joint committee hearing with Federal  
12 and State Legislation. So you know, it's not that  
13 we disagree with you, it's just that when we put  
14 in different resolutions and pieces of  
15 legislation, it has to be put into a box if you  
16 will and the Council Member did the best that she  
17 could and put into this Committee, but in the  
18 future, we will consider that maybe we need to  
19 have a joint hearing--and Civil Rights because it  
20 clearly impacts upon civil rights as it you know--  
21 because so-what has occurred in Puerto Rico, so as  
22 what goes on in Washington D.C.

23 LUIS BALZAC: The Councilwoman and  
24 I spoke a few days ago and I don't think this was  
25 in any way the intention. And I understand that

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2 we have to box things up. I think the important  
3 thing is the message that we send because those of  
4 us that are sitting here we know that Puerto Rico  
5 is part of the United States, but those are  
6 outside this room and may read something through  
7 the media and may connect the dots and see Puerto  
8 Rico issues being discussed under an international  
9 platform may be confused—and I'm referring to  
10 those that may not be Puerto Rican, so that's the  
11 only reason why I felt that I comment on your  
12 statement, Chairman.

13 RAFAEL RODRIGUEZ: Mr. Chairman?

14 CHAIRPERSON VAN BRAMER: Are there  
15 any questions from the Committee members? No?  
16 Okay.

17 RAFAEL RODRIGUEZ: I understand with  
18 Councilwoman Viverito saying that this is a  
19 resolution regarding the Committee of the Whole  
20 vote; however, this is an issue of equality.  
21 Again, I want to emphasize that. You know, we  
22 sometimes lose sight that piecemeal efforts are  
23 good as a solution, but we cannot offer Puerto  
24 Rico piecemeal efforts. This is not a piecemeal  
25 effort. We're saying, listen, we're tired of—it's

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2 time to move out of the minor leagues and come  
3 into the major. And the citizens of Puerto Rico  
4 deserve that right because again, they paid the  
5 price serving in the military, they paid their  
6 duties, they're done. We know that. We enjoy  
7 equality here in the States and we enjoy the right  
8 to have a representation and to vote, but what  
9 about those who do not have that?

10 A comment was made that the  
11 fundings would be taken away of the island, you  
12 know. Unfortunately, Puerto Rico unlike the other  
13 states cannot have a delegation to appropriate  
14 what is deserved into that state. It has to wait  
15 until the Congress decides what is allocated and  
16 what should go into Puerto Rico as a lump sum, so  
17 I think that the whole effort of this, which is  
18 good intended, but the whole effort should be  
19 considered that if we believe in democracy and we  
20 enjoy it, then let us fight for it for those  
21 American citizens who do not enjoy it fully and  
22 equally under the Constitution and under what our  
23 country is all about.

24 ANTHONY MELE: Mr. Chairman, may I  
25 address?

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2 CHAIRPERSON VAN BRAMER: Thank you,  
3 sure.

4 ANTHONY MELE: First of all, let me  
5 be clear that I commend the resolution put forward  
6 and with the intention that it came. This is not  
7 a statehood debate. This is a clear issue of  
8 citizenship. Either you are an American citizen  
9 afforded the full rights and privileges of the  
10 U.S. Constitution or you are not. Your  
11 citizenship and your rights—inalienable rights of  
12 the Constitutional do not evaporate when you cross  
13 the Bermuda Triangle. If a Puerto Rican goes to  
14 the moon, he is still a Puerto Rican, a moon-a  
15 Rican [phonetic], a whatever Rican, but he is  
16 still an American citizen. The territory or the  
17 land that is under your feet do not determine your  
18 citizenship. If an American citizen goes to  
19 Europe, he's still an American citizen and he can  
20 vote by absentee ballot, so this is a matter of  
21 citizenship.

22 It's 112 years and I will defer to  
23 the legal minds whether or not—what the legality  
24 is. I think in the circles that I run, it's  
25 called a legal mumbo jumbo because it's baloney.



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2 You either are an American citizen or you're not.  
3 The bullet that found—the members of the 65<sup>th</sup>  
4 infantry regiment, who fought in the most  
5 horrendous war—the Korean War—and distinguished  
6 themselves with the last battalion-sized bayonet  
7 charge in American military history, found a  
8 bullet as Americans that were Puerto Rican. And  
9 when they returned to Puerto Rico and some  
10 returned to New York, why was there a disparity in  
11 the vote and their rights that they have?

12 So this is not a—political football  
13 of statehood that's been going for nonsense for  
14 112 years. And we will not have it. I was raised  
15 by Puerto Rican women, and the first thing I  
16 learned about Puerto Rican women is they don't  
17 settle for less when they can get more when they  
18 know what's due them. And the people in Puerto  
19 Rico are due the full rights and privileges of the  
20 Constitution. John Adams said stand on principle,  
21 even if you stand alone. I'm standing on  
22 principle. I'm urging you with all the powers of  
23 persuasion I can withdraw upon. Seize this  
24 opportunity, Council. Take it. If any one of  
25 your members in your district, be they 4, 400,

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2 4,000, 400,000 or 4,000,000 were denied their  
3 constitutional rights, would you delay? Would you  
4 say there was some mumbo jumbo on a five ballot  
5 plebiscite that—it's a mathematical impossibility  
6 to ever arrive at a solution?

7 CHAIRPERSON VAN BRAMER: Thank you,  
8 Mr. Mele. I appreciate that. With no other  
9 questions, I believe you are all excused. Thank  
10 you very much for coming today and testifying.  
11 And with that, this hearing is adjourned.

12 [gavel]

C E R T I F I C A T E

I, Kimberley Uhlig certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature

Kimberley Uhlig

Date

February 28, 2011