

The Honorable Pedro Rosselló

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Governor of Puerto Rico, 1993-2001

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Written Testimony submitted to

The Committee on Resources

United States House of Representatives

Oversight Hearing

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The President's Task Force on Puerto Rico's Status

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Chairman Pombo, good day to you and to each of the other members of the House Committee on Resources.

For the record, my name is Pedro Rosselló. I am President of the New Progressive Party of Puerto Rico. I have been a member of the Puerto Rico Senate for the past 14 months, and I was Governor of Puerto Rico from 1993 until 2001.

Speaking officially, on behalf of the New Progressive Party, as well as in my personal capacity, I emphatically support the recommendations contained in the document that is the topic of this hearing: namely, the Report that was released on December 22, 2005 by The President's Task Force on Puerto Rico's Status.

The Task Force Report is predicated upon decades of experience:

- Republican experience and Democratic experience;
- Executive Branch experience, Congressional experience and Judicial Branch experience.

The Report is succinct, but it is thorough and it is forthright and it is fair.

The President's Task Force has accurately and articulately addressed a very old and very sensitive item of unfinished business on the agenda of American democracy.

"We the People of the United States" have overcome an extraordinary number of difficult obstacles in our never-ending quest to "form a more perfect union."

Little by little, over the span of more than two centuries, we have succeeded in empowering nearly all of our citizens with that most fundamental of democratic rights, the right to vote.

As we have done so, we have simultaneously sought to sow the seeds of democracy throughout much of the world.

At Gettysburg in 1863, with respect to the preservation and perfection of the Union, Abraham Lincoln proclaimed:

“It is for us the living...to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced.”

In 1918, during his own era's Great War, Woodrow Wilson uttered the following words to a joint session of Congress:

“The principles to be applied are these: ... peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game....”

Lincoln's focal point was freedom on the home front; Wilson's was freedom abroad. But the principles being embraced were identical.

Today, just as in the past, some of the most pressing issues that confront you – as America's leaders -- are those that relate to civil and human rights.

- You are currently grappling with the issue of tyranny and terror -- in Iraq, as in Afghanistan, and elsewhere. “We the People of the United States” are paying a heavy price, and bearing a painful burden, as we strive to expand the boundaries of individual freedom and democracy abroad.
- On the home front, you are currently weighing the fate of more than 10,000,000 human beings who have come to America illegally. “We the People of the United States” are assiduously struggling to come to grips with that situation. As “a nation of immigrants,” we are collectively endeavoring to solve this difficult problem in a manner that is both compassionate and just.

Those are weighty issues. These are tumultuous times.

Mister Chairman, as Members of Congress, you and your Committee colleagues – together with our Nation's other elected leaders – have before you what can only be described as “a very full plate” of urgent responsibilities. I recognize this.

In these decidedly trying times, I deem it to be an act of statesmanship that both of the Federal Government's political branches are openly acknowledging the importance of the Puerto Rico conundrum.

And important it is. Puerto Rico's destiny cannot be reduced to – or dismissed as – a problem involving some 4,000,000 American citizens, chronically squabbling among themselves on a Caribbean island located 1,000 miles off the coast of Florida. No, this issue – this portion of American democracy's unfinished business – goes straight to the heart of what the United States of America is all about.

Let us keep firmly in mind that the union of American states had its genesis in a revolutionary reaction to colonial injustices perpetrated by the British Empire. Let us never forget that our Nation's founders were truly political pioneers in boldly undertaking the novel experiment that was republican government within a democratic framework.

It was to this novel experiment that Lincoln alluded at Gettysburg when he steadfastly resolved “ that this nation, under God, shall have a new birth of freedom -- and that government of the people, by the people, for the people, shall not perish from the earth.”

Each of you is well aware that, with the single specific exception of the Nation's Capital, the Constitution countenances the existence of two types -- and only two types -- of political jurisdiction under U.S. sovereignty: one is states; the other is territories.

From the very outset, predecessors of this committee were tasked with ensuring that American territories were managed in accordance with the dictates of the Constitution.

For more than 100 years, the Nation's doctrine for overseeing territories was embodied in the Northwest Ordinance of 1787.

Beginning with the Louisiana Purchase of 1803 and ending with the annexation of Hawaii in 1898, the United States consistently applied the progressive principles of the Northwest Ordinance to each of the inhabitants of the vast quantity of new terrain that the Nation acquired throughout the 19th century.

Then, abruptly, there occurred a paradigm shift.

The Nation underwent a metamorphosis.

What had always been a republic was suddenly transformed into an empire.

As the 20th century dawned, the United States was on the verge of becoming a world power. There were those who openly espoused the notion that America should claim for itself the same kinds of colonial prerogatives that European empires had long been exercising with respect to their own overseas possessions.

This development was steeped in irony. America had come full circle.

Propelled by an unquenchable thirst for justice, the peoples of 13 colonies endured immense hardship and terrible sacrifice in order free themselves from the stifling bonds of imperialism. Together, they “brought forth on this continent a new nation.”

Then, a dozen decades later, that very same “new nation” found itself assuming the mantle of empire.

In order to rationalize this jarring transformation, the Nation discarded its traditional doctrine for the administration of territories. The humane principles which underscored that doctrine were turned upside down. Emerging in their place would be a wholly contradictory regime of attitudes and policies.

As a consequence of the Spanish-American War, literally hundreds of far-flung islands fell under the domain of the Stars and Stripes.

It was this freshly acquired territory that prompted the paradigm shift.

From 1898 onward, with the acquiescence of a bitterly divided Supreme Court, the Executive and Legislative Branches of the Federal Government began to practice a kind of apartheid: for the inhabitants of these former Spanish colonies, inoperative would be the Northwest Ordinance philosophy to the effect that territorial status should logically be a prelude to U. S. statehood. Instead, it was decided, Congress would rule indefinitely over those possessions – and the extension to them of the Constitution’s full panoply of individual rights would indefinitely be denied. That same approach has been applied to every territory acquired after 1898. It is a paradigm that U.S. Appeals Court Judge Juan Torruella has eloquently condemned as “the doctrine of separate and unequal.”

So it is that the Spanish-American War converted the Northwest Ordinance into a “dead letter.” Thenceforward, its altruistic provisions – which had served the Nation so well for so long -- became permanently null and void. The Founders’ novel experiment was abandoned. The republic vanished. Established in its place was another in humankind’s endless succession of colonial empires.

Eventually, statehood would be granted to every single territory that was acquired while the Northwest Ordinance philosophy remained in effect. By contrast, statehood has never even been offered to any territory acquired after the termination of the Spanish-American War. This stark dichotomy is no coincidence.

Today, your Committee and this Congress stand at a crossroads.

All across the globe, perennially subjugated peoples are at long last breathing free or at least are advancing hopefully in that direction.

The United States is applauding and promoting this inspiring trend.

Yet, at the same time, the very law of our own land sanctions geographical discrimination against certain communities of American citizens dwelling on American soil.

Herein lies a real conundrum – truly a national conundrum – in America’s ongoing quest to form a more perfect union.

Herein lies, beyond all doubt, the unfinished business of American democracy.

The Puerto Rico issue obliges our Nation’s leaders to take a stand.

The questions that the Puerto Rico issue poses to our Nation’s leaders are these:

- Shall America return triumphantly to its roots as a republic, or will it embarrassingly perpetuate the trappings of empire in which it has cloaked itself since 1898?
- Is America devoutly committed to civic equality, or is it determined indefinitely to exercise colonial hegemony over nearly 4,000,000 of its own citizens?

As the President's Task Force makes clear, it is ultimately to the Congress that these questions must be directed; in its entirety, the first paragraph of the "Recommendations" section of the Report reads as follows:

"The Task Force recognizes that the authority under the U.S. Constitution to establish a permanent non-territorial status for the Commonwealth of Puerto Rico rests with Congress."

That is why I welcomed the Chairman's invitation to testify today: because the "buck" stops right here – in the halls of Congress; the responsibility, in this instance, is inescapable.

- The Constitution so decrees -- in the second paragraph of Article IV, Section 3 – by stipulating that "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."
- And no less unequivocal is a complementary stipulation contained in the document that formally terminated the Spanish-American War, and – in the process -- bestowed sovereignty over Puerto Rico upon the United States. Article IX of the 1898 Treaty of Paris establishes that "The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress."

In summary, the Report of The President's Task Force on Puerto Rico's Status earnestly and effectively targets a dilemma that for far too long has been denied the "front burner" attention that it needs and deserves. Moreover, the Report targets a dilemma that arises out of the very essence of the bedrock principles of American democracy.

In other words, what we have before us is in no way merely a local or regional issue. Rather, what we have before us is unquestionably a situation that demands attention as a national issue.

And this brings me to one of the many virtues of the Report: its even-handedness.

The Task Force underscored the need to come to terms with this item of unfinished business; yet it wisely and admirably refrained from taking sides in Puerto Rico's – and the Nation's -- "destiny debate." To the extent that the Report has generated controversy, it has done so only because the Task Force diligently discharged its duty.

Among the parties most directly affected by the Report, the only individuals professing great dissatisfaction with it are persons who refuse to accept reality; that is, persons who insist upon ignoring the irrefutable fact that – as a territory -- Puerto Rico does not possess now, never has possessed, and never will possess anything that authentically constitutes sovereignty.

As the Task Force Report explains in no uncertain terms, the sole alternatives to territorial status for Puerto Rico are separate sovereignty -- as a discrete "country" -- and shared sovereignty as a fully integrated component of the U.S.A.

Because the Report carefully and conscientiously sets forth the unvarnished truth about Puerto Rico's past and present status, the document has understandably elicited fervent denunciation from persons who are either unwilling or unable to accept that truth.

In contrast to the naysayers, Mister Chairman, I have not the slightest doubt that the American citizens of Puerto Rico – together with the members of this Committee and our fellow citizens from throughout the Nation -- are fully capable of contending with the truth.

In conclusion, therefore, I hereby reiterate my strong support for the findings and recommendations of The President's Task Force on Puerto Rico's Status.

I urge that Congress adopt those recommendations by enacting legislation to implement them.

By initiating the deliberative process proposed by the Task Force, the Congress will have patriotically shouldered its constitutional obligation; and regardless of the outcome of that process, the American people will once again have manifested their commitment to achieving an ever more perfect union.

Earlier, I quoted Abraham Lincoln and Woodrow Wilson on the principles that have made America both unique and great.

Now I leave you with an excerpt from the Second Inaugural Address of one additional President.

Just 15 months ago, on January 20, 2005, I am sure that most of the men and women here assembled were listening intently as the Honorable George W. Bush delivered this inspiring message:

“ America has need of idealism and courage, because we have essential work at home -- the unfinished work of American freedom. In a world moving toward liberty, we are determined to show the meaning and promise of liberty.”

Mister Chairman and members of the Resources Committee:

Illuminated and enlightened by Liberty's flame, let us all collaborate; with regard to Puerto Rico, let us all collaborate on successfully completing the unfinished work of American freedom.

Thank you very much.