

discredited Rhodesian apartheid policy. The time is now for the establishment of a decolonization policy to guarantee four million, almost four million Americans, their undeniable right to self-determination with clearly defined and attainable formulas within the framework of the Constitution. This policy and ensuing process will erase the injustice of having a second-class citizenship under the present condition and will open the door for our people to become the 51st State of the Union, a totally independent country, or an associated republic.

In closing, I ask you to reflect on the statement made by Abraham Lincoln in a letter addressed to Joshua Speed on August 24, 1855, and I quote, "As a nation, we began by declaring that all men were created equal. We now practically read it, all men are created equal except Negroes. When the know-nothings get control, it will read, all men are created equal except Negroes and foreigners and Catholics. When it comes to this, I shall prefer emigrating to some country where they make no pretense of loving liberty."

Thank you, Mr. Chairman and members of the committee.

Mr. DOOLITTLE. Thank you.

[The prepared statement of Mr. Rodriguez follows:]

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Mr. DOOLITTLE. I am going to reserve my comments until the end and recognize Governor Romero-Barcelo for his questions.

Mr. ROMERO-BARCELO. Thank you, Mr. Chairman.

I just want to thank Angel Sabat for his testimony and Charlie Rodriguez for his testimony. I agree with you. I do not have any questions to ask of you other than those probably self-serving questions, and that might not look proper. They might be much more subject to criticism than otherwise. So I just want to thank you for being here and thank you for your testimony.

Mr. DOOLITTLE. Thank you.

Mr. Faleomavaega is recognized.

Mr. FALEOMAVAEGA. I would like to follow the same tact that Governor Barcelo has proceeded with and thank both gentlemen for their testimony. I had hoped, Mr. Chairman, that maybe someone from the Popular Democratic Party would be here to testify to perhaps kind of explain what their thinking is about the enhanced commonwealth as proposed in the bill, but maybe on another occasion we will have this.

Just one real quick question of Mr. Sabat, and I have been very intrigued by this term that we keep using, and that is as an unincorporated territory. I believe it was Justice Brown who issued this decision in the Supreme Court giving a very unique status to territories, a territory that is incorporated and a territory that is unincorporated, and I wonder if Mr. Sabat could respond to this. What is an unincorporated territory?

Mr. ROTGER-SABAT. Yes, Congressman. An unincorporated territory is the term used from the early 1900's in a series of insular cases, what are the so-called insular cases, in which it is a transition in which it is acknowledged full sovereignty of the United States over that territory, but it is still not a direct part of the Union as a whole, but it is an unincorporated territory. It is a step before becoming part of the Union, but exclusively under the sovereignty of the Territorial Clause.

Mr. FALCOMA. In the readings of these insular cases, there was also another opinion rendered as an unincorporated territory, that territory will never see the day of becoming a State in the future, as opposed to incorporated territories. Every one of them have become States. In other words, with the intention of the Congress if at some future date, some period of time that that territory will become a State, and I was just curious. It is an interesting interpretation. I was just curious about that.

Mr. ROTGER-SABAT. It reflects a statement of the time.

Mr. ROMERO-BARCELO. Will the gentleman yield?

Mr. FALCOMA. I gladly yield to my friend.

Mr. ROMERO-BARCELO. The term unincorporated territory, I think my own personal opinion after having read the cases also is that it was a prejudiced statement. In other words, the U.S. Supreme Court did not feel that Puerto Rico, because we were a Spanish-speaking society, we were Catholic, there were more black and browns than there were in the rest of the nation, that we would really be accepted into the nation. We were not U.S. citizens when the first insular case was decided. So that was a way of keeping us out of the Union, and that is why the unincorporated territory was an invention of the U.S. Supreme Court. There is no such thing in the Constitution. So that is where this term comes from, and that is my interpretation, reading the insular cases.

Mr. FALCOMA. And I want to echo the same sentiments that Governor Barcelo did. The legal fiction that this U.S. Supreme Court adopted by judicial legislation made that at the point in time because of the strong Spanish culture that existed in Puerto Rico, and if there was any consideration of Statehood, I believe that this legal fiction was adopted by the U.S. Supreme Court in the same way that they did the equal but separate clause that denied so many African-Americans their civil rights in so many instances. I thank the Governor for his statement.

Mr. ROMERO-BARCELO. Would the gentleman yield?

Mr. FALCOMA. I would be glad to yield to the Governor.

Mr. ROMERO-BARCELO. Thank you. I just wanted to make sure that I made this also clear, because we are talking here about the proposals that were made under the Popular Democratic Party and they have not appeared to defend their proposal. They were invited by this committee. In Puerto Rico, the press continuously asked them if they were coming. The president of the Popular Democratic Party, which are the ones that proposed the commonwealth, said that they would not be coming.

The reason I feel also that they are not coming is because they realize that their proposal is indefensible. They can only propose this new enhanced commonwealth, as they call it, publicly from a platform and speaking to their own people and do it on the radio and the television. But to come into a place where they are going to be asked hard questions about all of these things that they propose, they would be very, very hard—in a very difficult position to answer in a serious, logical, and enlightened manner. So that is why they shy away from coming here to testify and they refuse to confront the issue. This proposal was never submitted as such to this committee when we were discussing the options the last time. This proposal came out afterward of the plebiscite.