

IN THE UNITED STATES COMMISSION ON CIVIL RIGHTS
WASHINGTON, D.C. 200202

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| COUNCIL OF VETERANS AND SOLDIERS | * RACIAL DISCRIMINATION |
| FROM PUERTO RICO INC. | * AGAINST THE PEOPLE OF |
| | * THE UNINCORPORATED |
| | TERRITORY OF PUERTO RICO |
| Petitioner Complainants | * |
| | * |

COMPLAINT AGAINST THE GOVERNMENT OF THE UNITED STATES OF
AMERICA AT THE U.S. COMMISSION ON CIVIL RIGHTS FOR RACIAL
DISCRIMINATION AGAINST THE U.S. CITIZENS LIVING IN THE U.S. A.
UNINCORPORATED TERRITORIAL REGIMES: THE CASE OF THE U.S.
CITIZENS IN THE COMMONWEALTH OF PUERTO RICO

Come now, Complainants, The Council of Veterans and Soldiers from Puerto represented by its President, Mr. William Lourido, the Vicepresident, Dr. Nelson Rochet-Santoro, and Senior Advisor Mr. Dennis O. Freytes--do allege and pray to this Honorable Civil Rights Forum that:

INTRODUCTORY INFORMATION

Mr. William Lourido is the President of the Council of Veterans and Soldiers from Puerto Rico, (CVSPR), Sargeant Major (SGM), US Army Ret.; Dr. Nelson Rochet-Santoro, Ph.d., is its Vice President and Historical/Legal Advisor. Dr. Nelson Rochet-Santoro is also an Attorney at Law, Economist and University Professor and an ex U.S. Army Officer. Dr. Rochet-Santoro has been designated since November 2012 as "Amicus Curiae" to the Court of Human Rights of the Organization of American States and "Amicus Curiae" in the U.S. Federal District Court for the District of Puerto Rico and at the U.S. Court of Appeals in Boston. Mr. Dennis Freytes, is a Lieutenant Colonel (U.S. Army Ret.)- also, Senior Advisor to CVSPR (American Veterans) and former Professor at the University of Puerto Rico Department of Military Sciences. All the above mentioned officers were all born in the US Territory (Commonwealth) of Puerto Rico.

They are filing this complaint in their personal and institutional capacity, on behalf of the over 200,000 veterans, and in the name of 3,700, 000 U.S. citizens who are all presently domiciled in the U.S. Unincorporated Territory [UT] of the Island of Puerto Rico; plus, in the name of millions of statutory US Citizens (born in Puerto Rico-with non-permanent US Citizenship) residing in the States.

1. Complainants, are charging the United States Federal Government, its Congress, its Supreme Court, and its President, with practicing, and perpetuating the illegal and immoral practice of governmental and institutional racial discrimination towards its 3,700,000 of U.S. citizens—veterans included-- by violating both constitutional and international human rights of U.S. citizens residing and domiciled in the US Territory of Puerto Rico [and the U.S. Virgin Islands]. In the case of the Government of Puerto Rico, it enjoys local government but finds itself subjected to the absolute will of Congress. The colonial Government of Puerto Rico was named “Commonwealth” and translated into Spanish as “ELA” or (Free Associated State) (terms not found in our US Constitution; confuse people as to the true Status, which is “Unincorporated Territory.”)

2. Complainants charge the U.S. Federal Government with practicing and perpetuating institutional racism against 3,700,000 U.S. citizens, since 1898 through the more than centenary U.S. National Public Policy of maintaining and perpetuating the present territorial colonial status of the unincorporated territory” when the peoples of the Territories were seen as “negroes” or “people of inferior races”. This racial or racist evaluation of the peoples of the Territories can be seen in the utterances of a Washington Senator, Mr. Wesley Jones, quoting a U.S. Army Occupation soldier circa 1900, Captain Seaborne G. Chiles when in September 20th 1899 he reported to his higher authorities that:

“a more helpless and worthless set of people it is hard to imagine. In my opinion they are far inferior to our southern Negroes, and but little if any better than our Indians. They certainly have all their vices with none of their virtues.”¹

¹ [1] U.S. Congressman **Representative from Washington, Mr. Wesley L. Jones**, February 28th, 1900 quoting U.S. Army Captain, Mr. Seaborne G. Chiles, **11th Volunteer Infantry** during the

3^a. The people of Puerto Rico were seen as completely black or "negro" thus becoming the object of the most blatant discriminatory racism of the Anglo-Saxon white supremacist brand. It must be acknowledged that by 1900, racism and racial segregation were widely accepted throughout the entire United States, both North and South as legally, morally and politically sound or proper. In fact, white supremacist racist way of thinking and all kind of the most extreme policies to implement said policies in general American life was the proper line of thinking and behaving.

And it was a U.S. Vice-President and erstwhile U.S. Senator, the Hon. Hubert H. Humphrey, (Dem-Minnesota), brought to the Nation and the press attention, that in the United States the white supremacist way of thinking was very deeply entrenched in the American people's political and social culture. In fact, he stated for the U.S. Congressional Record the following statements: On 30th March, 1964, he denounced the startling fact that the practices of white supremacist thinking were highly infesting the United States. He declared before a Congressional Record that:

"Unfortunately, **the doctrine and practices of racial supremacy are too widely and tenaciously held [in the United States]...**" ²

3. Complainants charge and accuse the U.S. Federal Government before this Hon. Commission **by practicing and expressing illegal and unconstitutional racist visions, philosophies and public policies, in keeping the People of Puerto Rico under subjection to congressional plenary powers³ for more than 114** years under the

56th Congress, 1st Session, Military Commander of the U.S. occupation, Aguadilla, , referring to the People of Puerto Rico and quoted by Congressman W.L. Jones in **33 Congressional Record, 86 Appendix to the Cong.Record, 56th Congress, 1st Session**, Feb. 28th, 1900.

² [2] Hubert H. Humphrey (Dem-Minn.), Vice-President of the U.S., **110 Congressional Record, pag. 6532**, 88th congress, 2nd session, March 30th 1964, U.S. Govt. Printing Office, Washington, 1964

³ [3] Professor of Law at the University of Texas at Austin, in **81 U. Texas Law Review**, Sarah Cleveland explains that Congress has plenary powers towards the territories. She also has stated that plenary powers were those powers that were used by the Federal Government to regulate the traffic of slaves and their introduction into America (the United States); that these were congressional powers to dispose and finally determine rights for the Indian tribes and foreigners. 81 U.Texas Law Rev._1__ (. As far as we know we, the Puerto Rican People are neither black slaves, nor foreigners, nor Indian tribes either. However, we are

present colonial and territorial status named "Commonwealth of Puerto Rico". It must yet be remembered that the Afro-American blacks were subjected to plenary powers both by Congress as well as from each of the states of the Union who advocated states rights doctrines and regimes of overt white Anglo-Saxon supremacist racism.

4. Complainants also charge the U.S. Federal Government with violating constitutional and civil rights to the U.S. citizens of Puerto Rico as those under the Fifteenth Amendment which postulate that U.S. citizens should not be made to suffer the abridgment of their [sacred] rights to vote on account of their race or origin or skin color or previous conditions of servitude.

5. Complainants also charge the U.S. Federal Government with intentional racial and ethnic discrimination as was accurately charged by the distinguished Federal U.S. District Judge of the District of Puerto Rico, the Hon. Mr. Gustavo A. Gelpí, in case 06-1258, **Consejo de Salud Playa Ponce vs. Secretary of Health of the Commonwealth of Puerto Rico**, **586 F.Supp.22, (October 10th, 2008)**.

The Hon. Federal District Judge, Mr. Gustavo A. Gelpí launched a frontal attack against the causal origin of intentional ethnic racism from the U.S. Government's behalf towards its colonial possession or Unincorporated Territory of Puerto Rico. On November 10th 2008, Federal Judge Gustavo A. Gelpí denounced the existence of institutional racism in U.S. Relations towards Puerto Rico and its people.

He hurled an attack against racist colonial practices from the U.S. Government's behalf in supporting the Insular Cases of 1901 to 1922, and above all, in denouncing racism in the U.S. Congress racist utterances within its halls, and in the text of the Insular Cases . In fact, he declared that:

Under Brown and subsequent civil rights legislation,
comments regarding the annexation of Puerto Rico
and its citizens, such as those made in the Harvard

treated as such. And treated as if the brown people of Puerto did not have any rights which white people should be bound to respect.

Law Review articles, the very Floor of Congress, and in the Insular Cases themselves, would constitute direct prima facie evidence of intentional discrimination based on race and ethnic origin. The rationale behind the Insular Cases’ abhorrent doctrine of “separate and unequal” is, thus, no longer constitutionally justified.

6. As can be seen also, the Hon. Federal Judge Mr. Gustavo A. Gelpí, also charged the U.S. Government **with implementing a regime of political [and thus, racial] apartheid in holding fast to maintain and keep Puerto Rico and its U.S. citizens as second or third class citizens, fully discriminated in the enjoyment of less civil and political rights than their continental counterparts.** He also said that:

“The continued vitality of the [Insular Cases and their progeny] represents a constitutional antediluvian anachronism that has created a de jure and de facto condition of political apartheid for the U.S. citizens that reside in Puerto Rico and the other territories.” Torruella, supra at 347 (emphasis added).⁴

7. Complainants charge the U.S. Federal Government with imposing over 3,700,000 U.S. citizens, a political and de jure status which discriminates and imposes an inferior civil and political condition on the Puerto Rican People which stigmatizes them as second class citizens similar to the inferiority stigma which was also imposed over African Americans from the early seventeenth century (1619 to after the second half of the twentieth century, given the fact that U.S. citizens from Puerto Rico were deemed to be black, mulatto and mixed, according to the Military Commanding Officer and Governor of Puerto Rico, Brigadier General George W. Davis, at the initiation of the U.S. Colonial domination over this Island territory in 1898. (See Appendix, Report of Civil Affairs, by Brig. General George W. Davis, p. 85-94).

⁴ Ibid.

8. Complainants charge the U.S. Federal Government with practicing and maintaining a juridical regime of segregational and intentional racial discrimination towards the U.S. citizens of Puerto Rico, conceived and inspired in a wholly and unabated racist intentions to discriminate based on race and ethnic origin: the unincorporated territorial status in existence since at least 1900 and blessed and directly supported by the U.S. Supreme Court Insular Cases, May 27th 1901 to the present. See **Boumedienne vs. Bush, 553 U.S. 723, 2008.**

9. Complainants base this charge against the U.S. Federal Government directly from U.S. legal and constitutional history as well as its social and political history. This history proves without any lingering doubts that in the U.S. political culture, denying human beings the right to vote both for state and federal political positions was an integral part of its national behavior and culture.

This assertion is more than fully supported by the uncontroverted fact that none other than the U.S. Commission of Civil Rights revealed that for more than a 100 years, **the right to vote had been denied to U.S. citizens based upon skin color and race.** (U.S. Commission of Civil Rights, 1963 Report, p.13.

The USCCR affirmed in said Report that in the U.S. political culture, denying human beings the right to vote was a tradition with a very long history. The Unincorporated Insular Territories acquired from Spain ended up as victims of such a social-political system which had its origin in a pro slavery Republic. These Territories were denied equality under the law and the most basic principles of self determination and liberty. This happened because these Territories were seen as peopled with alleged "inferior races."

10. Complainants also charge the U.S. Federal Government from practicing and maintaining a regime of racial discrimination also towards the fellow American citizens from the U.S. Virgin Islands.

Please see the legal demand filed by a distinguished attorney from Texas, presently domiciled in the Virgin Islands: Mr. J. Russell Pate, Esq., Appendix,_"In the Superior Court of the Virgin Islands, Division of Saint Thomas & Saint John, Civil No. 505/ 2011, Michael Charles vs. U.S. Federal Elections Commission, et. al.)"

11. Complainants allege that this demand, the one attached as Appendix to this Complaint, is cited as corroborating proof of the U.S. Federal Government intention to continue practicing institutional racial discrimination not only against U.S. citizens from Puerto Rico, but also as well, against its Virgin Islands citizens, who happened to be mostly non white and/or black as reported by the Bureau of the Census[] U.S. citizens and not a few foreigners, also non whites.

11. Complainants cite amply U.S. historical sources, both primary and secondary, however, reliable and not challengeable, also, Federal Government sources, both Congressional and Federal Judicial, which amply and fully support the charge that **the U.S. Federal Government has been racially and ethnically discriminating against its insular territorial citizens for their race and skin color based on over century old racially inspired and conditioned prejudices** incarnated and applied into its colonial policies towards its colonial and territorial citizens who were seen as "inferior and mixed races" unfit to govern themselves.

Secretary of the U.S. Navy, Mr. Hillary A. Herbert expressed such racist thinking when on June 29th 1901 he stated to the New York Times that the human and political rights of white men as expounded and contained in the Declaration of Independence were not to be recognized nor respected to those insular conquered peoples of Puerto Rico, Cuba, the Philippines, American Samoa and Guam, classified as "blacks, colored, negroes or mixed" when he stated that:

The Declaration of Independence does not apply to inferior races over whom we acquire dominion. The South contended that before the war, and is vindicated by the Republican policy of today.

The Constitutional Convention [in Alabama] in seeking to limit negro suffrage is doing precisely, what the country is doing in its new Island possessions, [Puerto Rico, Cuba, Philippines] asserting the right of -the superior race to

govern savage tribes and the inferior races and mixed races also. ⁵

This averment is not viciously made or without factual legal support. We launch this charge based upon **utterances by the President of the U.S. Appeals Court at Boston, the Hon. Federal Appeals Judge, the Hon. Juan R. Torruella.** We quote directly from his legal opinion in **Igartúa v. United States, 417 F.3d 145, (1st Cir. 2005) at page 162-163,** when he stated that:

(“Those who advocated overseas expansion faced this dilemma: **What kind of relationship would the new peoples have to the body politic? Was it to be the relationship of the Reconstruction period, an attempt at political equality for dissimilar races, or was it to be the Southern ‘counterrevolutionary’ point of view which denied the basic American constitutional rights to people of color?**

The actions of the federal government during the imperial period and the relation of the Negro to a status of second-class citizenship indicated that the Southern point of view would prevail.

The racism which caused the relegation of the Negro to a status of inferiority ‘was to be applied to the overseas possessions of the United States.’)⁷

Also, former 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** 163 U.S. 537, 1896, (separate but equal doctrine to justify racial segregation) that was overturned with **Brown v Board of Education (1954, 347 U.S.**

⁵ Ex-Secretary of the Navy Hillary A. Herbert, **The New York Times, June 29th1901, p.2,**

⁶ See page 163 in the judicial decision **of Igartúa v. U.S., 417 F.3d 145, (Aug 2005).**

⁷ Federal Appeals Judge, Juan R. Torruella, **417 F.3d 145, 162 (1st Cir Court of Appeals, Aug 3, 2005)**

~~483, 1954~~-- to Puerto Rico's case of un-democratic inequality (2d Class US Citizenship).

U.S. Federal Circuit Judge Juan R. Torruella stated once that , "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 115+ 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". ⁸

THE RACIST HERITAGE OF THE UNITED STATES SOCIETY AND HOW ITS NATIONAL LEADERS HAVE SHOWN THESE ATTITUDES

From a historical perspective, it is hereby stated that to properly understand how U.S. Society has shown its collective institutional racist attitudes towards its conquered insular colonial territories we must pass review to its own internal racist attitudes towards the negro or African American population of the United States.

It would then bear much needed light to U.S. racist attitudes towards its own possessions or colonial territories at present wholly and unconstitutionally being the object of intentional ethnic and racial discrimination as already denounced by the Hon. Gustavo A. Gelpí, U.S. Federal District Judge in Puerto Rico.

⁸ This inequality that has victimized the Insular U.S. citizens from Puerto Rico is precisely, caused and conditioned by the white Anglo-Saxon supremacist racism that has affected U.S. society for many hundred years. It is the same racism that has been applied against the U.S. Insular Territories like Puerto Rico, the U.S. Virgin Islands, Guam and American Samos since 1898.

PROF. AND U.S. HISTORIAN, MR. SAMUEL P. HUNTINGTON

Racism, or better said, white Anglosaxon-Racism has a very long history in the United States. We explain and quote from one of the most known American contemporary historians of great fame. We refer to Mr. Samuel P. Huntington, in "Who Are We? when he disclosed that:

RACE AND ETHNICITY

Americans have, in contrast, felt passionate about race and ethnicity. **For much of its history the United States, as Arthur Schlesinger, Jr., says, "has been a racist nation. [24] Historically white Americans have sharply distinguished themselves from Indians, blacks, Asians, and Mexicans, and excluded them from the American community.**⁹

How has the United States society shown said exclusionary racism? This short historical narrative discloses how.

As stated by historian Huntington, [PAG.53] **for well over two centuries, one victim of U.S. racism has been the American Indian. Thus Americans defined themselves against the Indians whom they generally viewed as savage, backward, and uncivilized. The relation between settlers and Indians became one of intermittent but continuing warfare, and for fifty years after the Constitution was adopted, the War Department was in charge of dealing with the Indians.**

The interaction of Americans with them involved bloodshed, coercion, dispossession, and corruption. In the 1830s President Andrew Jackson persuaded Congress. to pass the Indian Removal Act and the principal tribes in six Southern states were forcibly moved west of the Mississippi, which led to the Second Seminole War of 1835-1843. These removals would today be termed

⁹ This exclusion from the American Community has shown also in the U.S. Federal Government actual policy of denying the federal right to vote in Federal Elections to the people or American Citizens from Puerto Rico as "kept in their place" under the present colonial territorial regime here denounced not only as colonial and in violation of the **United Nations Charter** but also, as one grossly violating **the United Nations Charter on Human Rights of December 10th 1948.**

"ethnic cleansing."

They appalled Tocqueville: "It is impossible to conceive the frightful sufferings that attend these forced migrations. They are undertaken by a people already exhausted and reduced; and the countries to which the new-comers betake themselves are inhabited by other tribes, which receive them with jealous hostility. Hunger is in the rear, war awaits them, and misery besets them on all sides."[27]

In connection with the Indian removals, the Supreme Court, in an opinion by Chief Justice John Marshall, held that the tribes were "domestic dependent nations" and that individual Indians owed allegiance to their tribe and hence were not eligible for American citizenship unless they explicitly detached themselves from the tribe and integrated themselves into American society.[28] While Indians were expelled and/or exterminated, blacks were imported until 1808. and enslaved and suppressed.

The Founding Fathers assumed that the survival of republican government required relatively high levels of racial, religious, and ethnic homogeneity. The first naturalization statute in 1790 opened citizenship only to "free white persons." At that time, blacks, overwhelmingly slaves, constituted 20 percent of the total population.

They were not, however, viewed by Americans as members of their community. Slaves, as the first attorney general, Edmund Randolph, put it, are not "constituent members of our society." Free blacks were viewed similarly and were almost universally denied the right to vote. Thomas Jefferson, along with other Founding Fathers, believed whites and blacks "equally free, cannot live in the same government." [PAG.54]

[PAG. 55] Jefferson, James Madison, Henry Clay, John Randolph, Abraham Lincoln, and other leading political figures supported the efforts of the American Colonization Society to promote emigration of free blacks to Africa. These efforts led to the creation of Liberia in 1821, to which eventually eleven to fifteen thousand free blacks were transported. (To what extent they went voluntarily seems to be in doubt.) In 1862 President Lincoln told the first group

of free blacks ever to visit the White House that they should migrate to Africa.[29]

Chief Justice Roger B. Taney's opinion for the Court in the Dred Scott case (1857) held that the Constitution assumed that not just slaves but all blacks were "a subordinate and inferior class of beings" unentitled to "the right and liberties" of citizens, and hence not part of the "people of the United States."

This decision was abrogated by the Fourteenth Amendment in 1868, which declared that all persons born or naturalized in the United States were citizens of the United States. Blacks remained nonetheless subject to extreme forms of segregation and discrimination, including denial of the right to vote, for another century.

The principal obstacles to equality for blacks and their political participation only began to disappear with *Brown v. Board of Education* in 1954 and the Civil Rights and Voting Rights Acts of 1964 and 1965.

In the early nineteenth century, the concept of race played an increasingly important role in scientific, intellectual, and popular thinking in both Europe and America. By the middle of the century, "the inherent inequality of races" was simply accepted as a scientific fact in America." [30] Americans also came to believe that the qualitative differences among races were innate rather than environmentally determined. Humans, it was widely held, were divided into four major races, which in descending order of quality were Caucasian, Mongolian, Indian, and African.

A further differentiation among Caucasians placed Anglo-Saxon descendants of Germanic tribes at the top. This racial concept of national identity was invoked by both sides in nineteenth-century debates over territorial expansion. On the one hand, the superiority of the "Anglosaxon American race" justified its members conquering and ruling Mexicans, Indians, and others. On the other hand, the desirability of maintaining the purity of an Anglo-American society was an important argument [PAG.55] [PAG.56] of those opposed to the annexation of Mexico, the Dominican Republic, Cuba, and the Philippines.[31]

The building of the railroads after the Civil War led to the immigration of substantial numbers of Chinese workers. In 1889 the Supreme Court upheld the constitutionality of excluding Chinese on the grounds, **as stated by Justice Stephen J. Field, that the Chinese were of a different race, that it seemed "impossible for them to assimilate," and that they "remained strangers in the land, residing apart by themselves, and adhering to the customs and usages of their own country."** 33] These barriers to Asian immigration were not lifted until 1952. For all practical purposes America was a white society until the mid-twentieth century.

Ethnicity is a more limited category than religion or race. Yet historically it also played a central role in the definition of American identity

Between 1860 and 1924, Philip Gleason observes, "ethnicity assumed greater salience as an element of national identity than it has had at any other time before or since." [34] As in the 1840s and 1850s, the dramatic increases generated anti-immigration intellectual and political movements.

The opponents of immigration drew no sharp line between race and ethnicity and much of the argument against southern and eastern Europeans was that they belonged to inferior races. Immigration restrictions were furthered by the ideology of "AngloSaxonism" articulated by writers and social scientists such as Edward Ross, Madison Grant, Josiah Strong, and Lothrop Stoddard.

Let us now disclose how racism, specifically, institutional racism has expressed itself in the attitudes shown through the United States political leadership since George Washington and thence on, through the Nineteenth Century and early Twentieth Century, at the commencement of formal U.S. /Puerto Rico colonial territorial relations, conditioned and imposed over the Puerto Rican people through institutional racism.

UNITED STATES NATIONAL POLITICAL LEADERSHIP DISCLOSING LONGSTANDING RACIST ATTITUDES TOWARDS NON WHITE MINORITIES

One of the first elite U.S. Presidents in revealing truly racist attitudes which could but set an example in racial discrimination towards non whites,

particularly blacks or negroes in the United States was General and later President, Mr. George Washington. On November 12th 1775 he issued General Orders forbidding the recruitment of negroes in the new Continental Army he had recently been placed in command. He ordered that:

**THE RACIST ATTITUDES OF GENERAL
GEORGE WASHINGTON**

**" Neither Negroes, [nor] Boys unable to bare
Arms, nor old men unfit to endure the fatigues of
the campaign, are to be inlisted [sic] "**¹⁰

Then, General Washington made a note through which he informs future generations of Americans what the attitude was in Congress in reference to enlisting negroes who were not slaves but free blacks. The general point of view in Congress was that neither free blacks nor enslaved blacks were to be enlisted in the new Continental Army. It actually was a racist army lead by a racist political leadership. Said events forebode grim expectations in the future for the American non white population.

General Washington reported that:

**"An additional query was laid before the meeting:
"Whether it will be advisable to enlist any negroes
in the new army? or whether there be a
distinction between such as are slaves and those
that are free? Agreed unanimously, to reject all
slaves, and, by a great majority, to reject negroes
altogether."**¹¹

As could be seen, the U.S. Federal Republic got a head start by practicing racial exclusion since the early beginnings of the Republic. But what else

¹⁰ GENERAL ORDERS Head Quarters, Cambridge, November 12, 1775, p.86, Virginia Electronic, University of Virginia Online Library, **Washington, George, 1732-1799. The writings of George Washington from the original manuscript sources: Volume 4** , Electronic Text Center, University of Virginia Library

¹¹ Ibid.

could be expected when the Founding Fathers themselves believed in racist inequality, white supremacy and racial exclusion of its Black and Indian minorities, particularly, the Black or Negro minority. In fact, Jared Taylor, U.S. historian revealed that :

It was true that many of the Founders considered slavery a terrible injustice and hoped to abolish it, but they meant to expel the freed slaves from the United States, not to live with them in equality.¹²

That racialistic or racist attitude from the nation's elite, that of refusing to acknowledge and grant equality to peoples from other racial groups distinct from theirs, would set the benchmark or route to follow for those U.S. ruling elites to follow in dealing with non white peoples acquired by the U.S. through military and naval conquests post 1898.

In Congress, those Congressional politicians of the pro slavery faction like U.S. Senator Mr. Benjamin H. Leigh proudly announced that they did not believed in anything else but slavery for those deemed to be "non whites". He candidly let his racist world outlook be known to everybody when in Congress he uttered that:

U.S. SENATOR FROM VIRGINIA
MR. BENJAMIN W. LEIGH

"It is peculiar to the character of this Anglo-Saxon race of men to which we belong, that it has never been contented to live in the same country with any other distinct race, upon terms of equality; it has, invariably, when placed in that situation , **proceeded to exterminate or enslave**

¹² Jared Taylor, The National Policy Institute, "What the Founders Really Thought About Race, February 17th 2012,

the other race in some form of other, or, failing in that, to abandon the country." ¹³

THE VIEWS OF U.S. REPRESENTATIVE
WILLIAM (BILL) WICK (INDIANA)

Another U.S. Congressional elite member whose notoriously white racist supremacist views deserved being quoted was Congressman William (Bill) Wick of Indiana.

In 1846 he lectured Congress and the historical record with a speech which indeed was typical in the 1840's as a result of the strong racist thinking of the times. We selected it as one of the most typical racist speeches in Congress against non whites.

This kind of extreme nationalist and racialistic nature of such speech would be one whose ideological prism would be employed against the inhabitants of the U.S. colonial and territorial possessions belonging but not a part of the United States. Mr. Wick stated for the record that:

I have heard some speculations upon the consequences of our extension of territory, and of the annexation of the Mexican and other states to our union.

I do not want any mixed races in our union..., nor men of any other color except white, unless they be slaves.¹⁴ Certainly, not as voters or legislators.

My constituents will never consent that their representative in this hall [congress, house of representatives] shall hold political discussion with the honorable colored member from Mexico.

¹³ **Register of Debates, U.S. Senate**, 24th Congress, 1st Session, quoted in Horsman, p. 209 and bibliographic note n.1, January 19th 1836, p.343

¹⁴ When American White Racist Supremacists in the Congress of 1898 saw the newly conquered insular Territories, Cuba, Puerto Rico, Guam, American Samoa, etc. , they initially saw this inhabitants as "negroes" or "people of inferior races" thus applying to them the treatment to be given to black or colored people in the United States. They wanted the insular peoples to come into the U.S. as 'slaves" just as demanded by racists as Congressman Wick and the others of identical ideology.

They know that this would lead to a political strife from ascendancy between colors, ending in revolution and blood.

If Mexico, after going through half a dozen mores revolutions, should become capable of self government, and apply for annexation, I would vote against it, unless her colored races should come in as slaves, or be otherwise excluded from political privileges.

My constituents cannot agree to admit colored men to the exercise of the right of suffrage.

And they cheerfully acquiesce to the representative basis of the slave holding states.

Independent states composed of white people thoroughly imbued with our principles of self government we will receive into our union upon their own request...

But I would annex any part of the world where the American people go, and settle and form communities. [Texas] we have done so, and will do it again [Alaska and Hawaii]¹⁵

Another Congressman who would also express extreme political and racist and exclusivist views about what non whites could expect in reference of recognition of constitutional rights based upon the U.S. Constitution Bill of Rights, viewed as exclusive white Anglo-Saxon rights not to be given nor authorized to non anglo-saxons, was congressman, Mr. Jabez Huntington from Connecticut.

In 1846 he would express himself brutally frank about for whom the U.S. Bill of Rights indeed attached to. He had openly and frankly made clear that the U.S. Constitution did not belong to anyone but white Anglo-Saxon citizens.

This witness is brought here because this *ethnojuridical*¹⁶ line of legal thinking would be utilized to deny full constitutional rights to the U.S.

¹⁵ Speech of Mr. William Wick(Rep-Indiana), U.S. House of Representatives, Appendix to the Congressional Globe, First Session, 29th Congress, Speeches City of Washington, January 30th 1846, p.201

U.S. Senator Jabez Huntington (Connecticut) , Congressional Globe, U.S. Senate , 28th Congress, 2nd Session, Appendix, P.397, February 21st and February 22nd, 1845, p.353-354, quoted in Horsman, R., to page 238 and bibliographic n.1, p.347.

¹⁶ This term or concept means a particular philosophy of the law which stated that human races needed their own body of Constitutions, laws, regulations, separate and apart from those from other races or

citizens from the insular colonial and territorial possessions of the United States. He made absolutely clear that:

"The U.S. Constitution is not a Constitution that would be available for all peoples of any color, race or languages or customs."¹⁷

The U.S. Congress conduct in 1898 and afterwards, is indicative of the aforementioned legal white Anglo-Saxon racist philosophy. Not only in 1898 but still at present, the entire U.S. Government has refused to fully apply or extend the U.S. Constitution to the U.S. Insular colonial territories, particularly in Puerto Rico and its nearby neighbor, the U.S. Virgin Islands,¹⁸ without ever providing any rational explanation to justify such outrageous discriminatory treatment of its colonial territorial subjects in said Islands.

Another piece of evidence to support the charge of intentional racial and ethnic discrimination from the U.S. Federal Govnerment's behalf.

In order to understand the true motive for the U.S. Government (Congress, the U.S. Supreme Court and the White House) to deny incorporation to the U.S. Insular colonial overseas territories of Puerto Rico, the U.S. Virgin Islands, American Samoa and Guam, special attention must be given **to the key historical speech delivered to Congress in 1848 by the famous Southern orator and statesman from South Carolina, U.S. Senator Mr. John Caldwell Calhoun.**

ethnic groups. American white racist supremacists believed that the U.S. Constitution was the juridical expression of the Anglo-Saxon racial group and that said Constitution could not be extended to other racial non Anglo-Saxons groups of people. This is one of the motives which explains why the U.S. Constitution has not been fully been extended to the People of Puerto Rico, and the people of the U.S. Virgin Islands.

¹⁷

U.S. Senator Jabez Huntington (Conneticut), Congressional Globe, U.S. Senate 28th Congress, 2ND Session, Appendix, P.397, February 21st and February 22nd , 1845, p.353-354, quoted in Horsman, R., to page 238 and bibliographic note 1, p.347.

¹⁸ The same can be said of American Samoa, and the Island of Guam likewise.

**A VERY FAMOUS AND INFLUENTIAL U.S. SENATOR FROM
SOUTH CAROLINA: MR. JOHN CALDWELL CALHOUN**

On January 4th 1848 he delivered a very revealing speech in which he made clear that only those territories, peopled by citizens of the white racial stock would be the ones to be accepted as eventual communities to be admitted to statehood. Senator Calhoun also stated that he saw as a great and costly mistake in Hispanic America to grant or give social and political equality with whites to non whites of black or Indian or mixed racial ancestry.

On the other hand, Senator Calhoun was indeed very candid about what kind of territory could be accepted into statehood: territories with people of the white race. He made clear that:

We have conquered many of the neighboring tribes of Indians, but we never thought of holding them in subjection *never* of incorporating them into our Union. They have either been left as an independent people amongst *us*, or been driven into the forests.

I know further, sir, that we have never dreamt of incorporating into our Union any but the Caucasian race-the free white race.

To incorporate Mexico, would be the very first instance of the kind of incorporating an Indian race; **for more than half of the Mexicans are Indians, and the other is composed chiefly of mixed tribes.** ¹⁹

This highly revealing speech shows how the factor "race" has become the foremost and leading factor for Congress in deciding whether to incorporate a foreign people or not.

¹⁹ U.S. Senator (South Carolina) Mr. John Caldwell Calhoun, Congressional Globe, 30th Congress, 1st Session, January 4th, 1848, p.98,

Not in vain the U.S. Supreme Court held in in the Insular Cases decisions, particularly in **Downes v. Bidwell**, 182 U.S. 244, at pages 341-342, (1901) that Puerto Rico had by 1901 become an unincorporated Territory, belonging to the United States, but not a part of, the United States, (Downes v. Bidwell, at 282). And in the same opinion, at page 341-342, it states that Puerto Rico and its People, were "Foreign in a Domestic Sense". ²⁰ Since 1922 in the Balzac v. Porto Rico decision, Mr. William Howard Taft had declared that such was the settled judicial public policy of said court, the U.S. Supreme Court.

I protest against such a union as that! Ours, sir, is the Government of a white race. The greatest misfortunes of Spanish America are to be traced to the fatal error of **placing these colored races on an equality with the white race.** That error destroyed the social arrangement which formed the basis of society.

12. Complainants charge that after these ultra racist utterances from the great Senator Calhoun, that the U.S. Government was a Government of the white race and for the white race, we must forcibly conclude that in the last 115 years of colonial territorial relations between the United States and Puerto Rico, the U.S. Government indeed adopted Senator Calhoun's advice since in the last 115 years, said Government has conscientiously and very carefully avoided to place the People of Puerto Rico on a plane of equality with the People of the United States.

And has then, prevented the People from Puerto Rico from enjoying federal voting right,²¹ and the rights of free self-determination. as propounded in the International Human Rights Charter of the United Nations, December 10th 1948 and as expounded by the United Nations Decolonization Committee, and other United Nations principles emanating from its Charter

²⁰ See Christina Duffy Burnett and Burke Marshall, " **Foreign in a Domestic Sense**", Duke University Press, Durham, 2001.

²¹ See the First Circuit Court of Appeals in Boston, **Igartúa v. United States, 417 F.3d 145 (Aug 3rd 2005).**

of 1945. Senator Calhoun continued in his diatribe against the Mexicans. He did not want them in the Union because of their alleged race: they were seen as mixed peoples (Hispanic and Negro, Hispanic and Indians, and then negroes). Calhoun said:

The Portuguese and ourselves have escaped anarchy. The Portuguese at least to some extent, and **we**, are the only people on this continent which have made revolutions without being followed by anarchy.

And yet it is professed and talked about to erect these Mexicans into a Territorial Government, and place them on an equality with the people of the United States. I protest utterly against such a project.²²

Senator Calhoun's attack to the political project of integrating the Mexicans through the use of racial diatribes in 1848 is highly reminiscent of the contemporary racist attacks in Congress and out of said body against Hispanic American U.S. citizens and for opposing statehood playing "the racial card". It shows that such anti Latin American bashing efforts indeed had long originated since on or around 1846 by the time of the Mexican War.

But Senator Calhoun was not alone in his deeply nationalist and racist white supremacist viewpoints. In fact, the great majority of the members of Congress shared this common viewpoint: that non whites or non Anglo-Saxons, were utterly inferior to these white Anglo-Saxons, and that the former did not have legal and political rights that whites should or could respect.

SENATOR EDWARD CABEL, FROM FLORIDA

This same extremely unfair and racist way of thinking would become the established way of political thinking in Washington, and in fact,

²² U.S. Senator (South Carolina) , Mr. John Caldwell Calhoun, **Congressional Globe, 30th Congress**, 1st Session, January 4th 1848

throughout the entire United States. Senator Edward Cabel, from Florida, joined Calhoun in his racist way of thinking. Cabel declared that:

If we annex the land, we must take the population along with it. And shall we, by an act of Congress convert the black, white, red, mongrel, miserable population of Mexico-the Mexicans, Indians', Mulattoes, Mestizos, Chinos, Zambos, Quinteros into free and enlightened American citizens, entitled to all the privileges which we enjoy? These people would claim the right of representation on this floor, unless we made slaves of them.

According to the present ratio, the seven million population of Mexico would be entitled to one hundred and twelve representatives-nearly one-half our present number.

Are the people of this country prepared to have one-half or one-third of the Congress of the United States composed of these miserable, bigoted creatures?²³

But in these white Anglo-Saxon racist supremacist views and the racialistic attitude of not acknowledging peoples from other race ancestries, these Congressmen were not alone. The U.S. Supreme Court also had its quota of white Anglo-Saxon supremacists who thought alike.

THE HON. U.S. SUPREME COURT CHIEF JUDGE MR. ROGER BROOKE TANEY

²³ U.S. Congressman, Senator Edward Cabel, (Florida), March 4th 1848, **30th Congress, 1st Session, Congressional Globe**, p.429

The Hon. Chief Judge of this high Court, Mr. Roger Brooke Taney also thought that non whites, particularly negroes or blacks, did not have any rights that white people should respect.

In the infamous decision of **Dred Scott v. Sandford, 60 U.S. 393, 404-407**, he published the white racist supremacist ideological elements of his extreme racialist ideology which was also held by Nineteenth Century North America. He warned that:

1. Negroes do not have any rights that white people should be bound to respect.
2. Those [negroes] who descended from those brought to this country as slaves in 1619 to Jamestown in dutch ships, cannot have the same rights and privileges as white citizens.
3. **The political condition [status] and civil rights of negroes shall be determined by whites**

This last racist white supremacist ideological element of the Dred Scott vs. Sandford's decision (60 U.S. 393, at pages 404-407) , reincarnated directly into the second paragraph, Art. IX of the Treaty of Paris of 1898, (19 Stat. 1754) imposed on Spain by the United States in the peace negotiations between both powers. In said paragraph it stated that:

"The political status and civil rights of the natives of Puerto Rico ceded by Spain to the U.S., shall be determined by Congress."

Does this mean that the People of Puerto Rico, or better said, that the U.S. citizens of Puerto Rico, do not have any rights that the politicians in Congress or the U.S. Federal Government should be bound to respect?

It is more than plainly clear that the People of Puerto Rico have been treated by Congress as if Puerto Ricans were black slaves without rights to respect.

We protest such discriminatory treatment by Congress, the US. Supreme Court and the White House. American citizens should not be placed in any condition where their civil, human, political and constitutional rights could be exposed to be not respected or determined in ways separate and distinct than those offered or recognized under the U.S. Constitution to other U.S. citizens or other groups of human beings from the international community.

Until this undignified condition burdening the People of Puerto Rico may get changed, U.S. citizens of Puerto Rico will continue to be treated as political slaves of Congress. We protest such kind of treatment.

**MR. ABRAHAM LINCOLN, NEXT TO BE U.S. PRESIDENT OF
THE UNITED STATES OF AMERICA**

Another American political leader from the Executive Branch, who provided support to the white Anglo-Saxon supremacist racist ideology in the United States was no other than Abraham Lincoln. In 1858, in Charleston, Illinois, during one of the famous Lincoln-Douglass Debates, in fact, the Fourth of said debates, the future to be President unabashedly declared that:

While I was at the hotel to-day an elderly gentleman

called upon me *to know whether I was really in favor of producing a perfect equality between the negroes and white people*. [Great laughter.] ...

I will say then that *I am not, nor ever have been in favor of bringing about in any way the social and political equality of the white and black races,*
[applause]---

that I am not nor ever have been in favor of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people;

and I will say in addition to this that *there is a physical difference between the white and black races which I believe will for ever forbid the two races living together on terms of social and political equality.*

And inasmuch as they cannot so live, while they do remain together there must be the position of superior and inferior, and *I as much as any other man am in favor of having the superior position assigned to the white race. I say upon this occasion I do not perceive that because the white man is to have the superior position the negro should be denied everything.*

I do not understand that because I do not want a negro woman for a slave I must necessarily want her for a wife. [Cheers and laughter.] My understanding is that I can just let her alone. I am now in my fiftieth year, and I certainly never have had a black woman for either a slave or a wife. So it seems to me quite possible for us to get along without making either slaves or wives of negroes.

*I will add to this that I have never seen to my knowledge a man, woman or child who was in favor of producing a perfect equality, social and political, between negroes and white men.*²⁴

Thus Lincoln, the famed U.S. President was also a white supremacist who supplied racist praxis and ideology which heavily nurtured traditional racist outlooks in U.S. Society.

Given the fact that he had such influence in U.S. culture and society, his racist viewpoints and influence can not be underestimated. He had stated that he was against granting the right to vote to negroes in the United States.

He was also against allowing negroes into judicial cases in which whites were involved. But foremost, Lincoln was against granting the right to vote to non whites particularly blacks or negroes.

Lincoln's way of racially prejudiced thinking in denying negroes the vote would also prejudice U.S. citizens from the U.S. colonial unincorporated territories which supposedly, were those U.S. colonial territories which

²⁴ **Fourth joint debate September 18, 1858. Lincoln, as reported in the Press & Tribune.** Douglas, as reported in the **Chicago Times, September 18, 1858** SOURCE INTERNET: <http://quod.lib.umich.edu/cgi/t/text/textx?c=lincoln;cc=lincoln;view=text;idno=lincoln3;rgn=div2;no de=lincoln3%3A20.1>

¹⁷ U.S. American Historian, Mr. Rayford W. Logan, "**The Betrayal of the Negro from Rutherford B. Hayes to Woodrow Wilson** , Da Capo Press [1965], (Ed. 1997), pages 84-85

were not originally destined to reach or attain statehood at any time.²⁵ See the **2005 Bush Presidential Task Force Report at pages 6-7** and the **Granville-Smith v. Granville-Smith, 347 U.S. 1, at page 5, (1955).**

U.S. PRESIDENT MR GROVER CLEVELAND

Another U.S. President showing racist attitudes supplying and strengthening white Anglo-Saxon racist thinking and behavior in U.S. society was Mr. Grover Cleveland. He had increasingly adopted in the Northern U.S. the attitude to the effect that people of the negro race did not have the right to enjoy the same rights as the people of the white race²⁶

In following the long trail of U.S. political leaders in Congress who had set a racist example to U.S. society in abiding by white supremacist racist thinking, U.S. Senator Daniel T. Morgan can not be left unnoticed. Senator Morgan had articulated a whole systemic racist philosophy which communicated the Southern politicians racist way of thinking which at the same time also expressed the Southern society's racialistic way of life.

Senator Morgan truly expressed the South's white supremacist racist outlook and way of life which by no means was alone in said ways of racist thought. Up North also supported such white supremacist racist point of views.

We bring this congressional witness because Morgan's beliefs about the negro people's alleged inferiority and deserved disenfranchisement was to be generally adopted by Congress in evaluating and assigning to the territorial U.S. citizens an ascribed inferiority based upon their racial mixtures and identifiable or "mulatto" or "racially mixed" population.

²⁵ This view was proposed by the famed U.S. Diplomatic Officer and Historian, Mr. George F. Kennan, when he wrote "**American Diplomacy: 1900-1950**", University of Chicago Press, Chicago and London, 1984, p.14-15, The Pres. George Bush administration also adopted such view in its December 22nd 2005 Task Force Report when he stated that unincorporated territories were the ones not "programmed" to reach statehood. See pages 6-7 of said report.

²⁶ Ibid.

In a likewise manner, the U.S. territorial populations of Puerto Rico, Virgin Islands, Guam or American Samoa were classed as "inferior races" in the same way as the African American blacks.

U.S. SENATOR MR. JOHN TYLER MORGAN (DEM-ALABAMA)

In particular, the U.S. Southern white racist supremacists viewed the U.S. black population and other racial or ethnic minorities as inferior and unworthy to enjoy voting rights. In a likewise manner, they had the same perception of the Insular peoples conquered in 1898. In reference to U.S. blacks, Morgan thought:

I have not believed that the negroes of the United States as a race were more than capable of the simplest form of government amongst themselves, and it has been one of my lamentable experiences that these people have not really been able to bring themselves up properly under the privileges of their present opportunity, **because they have not, as a rule, the power of self-control and the power of family management.**

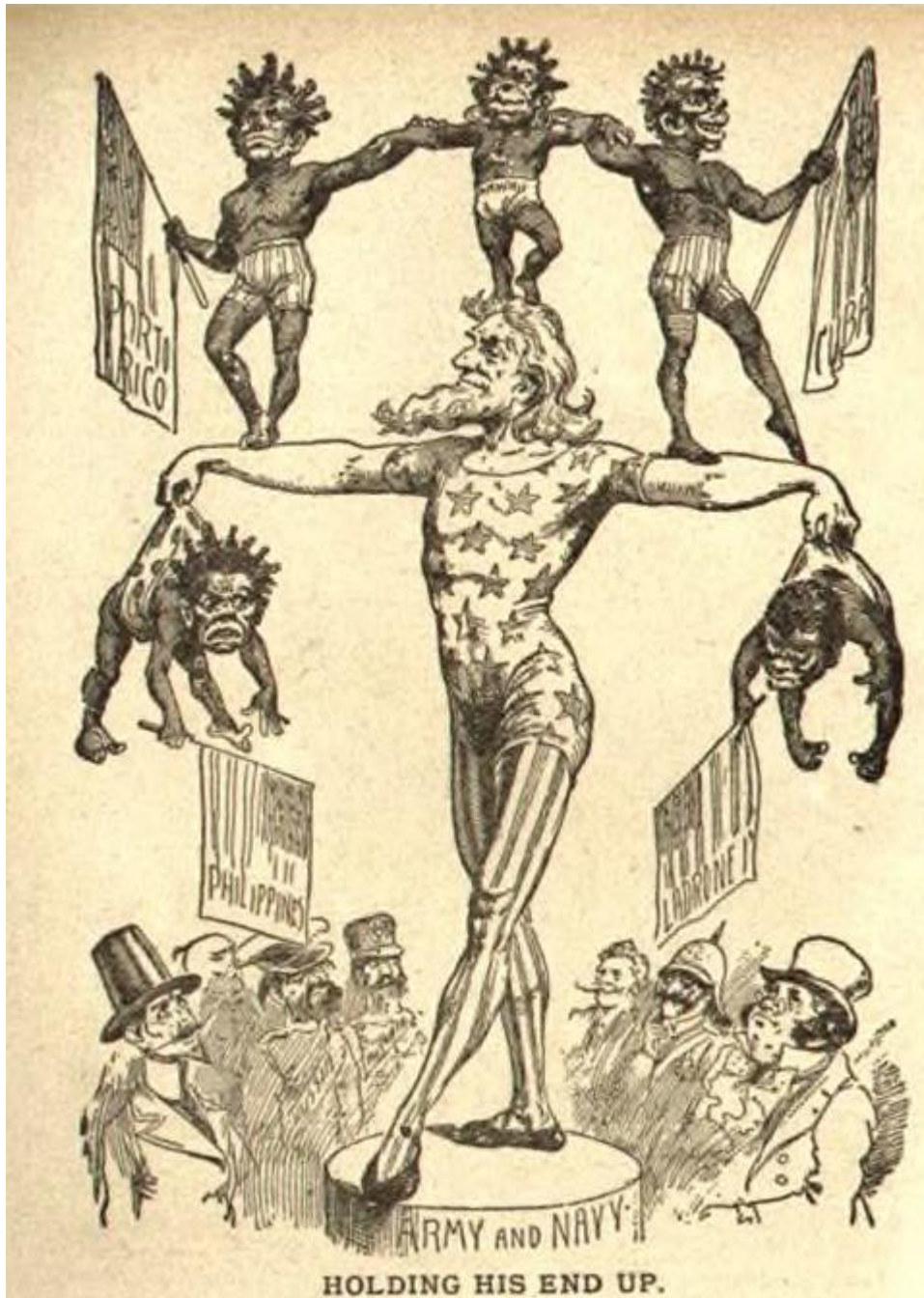
I infer from these facts, drawn from my observation and experience as well as from a variety of facts which have occurred in our history recently, **that these people [people of the negro race] are not by any means a valuable assistant or adjunct to the governing power of the United States; and when they had the ballot put in their hands the ballot was not strengthened** in its real, essential value so far as concerns the people of the United States by that political movement. ²⁷

It must be borne in mind that U.S. Congressional and Presidential authorities since 1898 held the belief that since most of many Insular peoples inhabiting the newly conquered Islands (Cuba, Puerto Rico, Guam, American Samoa, etc.) were non white almost classed as "negroes"—See

²⁷ U.S. Senator Mr. John T. Morgan (Dem-Alabama), **21 Congressional Record 7734, 51 st Congress, 1st Session**, July 26th 1890

cartoon included in the page below, and were seen "as inferior" or even "more inferior than American blacks."²⁸

(See Cartoon below of Uncle Sam with 4 negro looking pickanninies (black children. This was shown in the Philidelphia Enquirer about 1898)²⁹



A picture of those times is very revealing. The U.S. Army photographers for example, went to Puerto Rico. They took photographs of the Island people

²⁸ The statement that the Puerto Ricans were far inferior than the American Negroes was made by U.S. Representative from Washington, Mr. Wesley L. Jones, on Wednesday February 28th 1900, at page 86, Appendix, **33 Congressional Record, 56th Congress, 1st Session**. He had said that Puerto Ricans had all the putative or supposed defects of the American Indians but had none of their virtues.

²⁹ Quoted from J.B. Russell Pate, Esq., from his Demand against the U.S. Government in the U.S. Virgin Islands, alleging that the U.S. Federal Government had subjected the Virgin Islanders to gross racial discrimination under a special colonial regime: the "Unincorporated Territory" regime. See pag ____ of said Demand, hereby attached to this Complaint.

and displayed those portraying them as "negroes": the Puertoricans, the Cubans, the Philippine people, the Guamese and the Samoans.

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(18 Oct 1898
to
30 April 1898)

PART 13.

REPORT OF THE
MILITARY GOVERNOR OF PORTO RICO ON CIVIL AFFAIRS.

DIVISION OF INSULAR AFFAIRS,
WAR DEPARTMENT.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1902.



"THE PEOPLE OF PORTO RICO"

THE U.S. MILITARY OCCUPATION GOVERNOR'S REPORT ON CIVIL AFFAIRS BY BRIGADIER GENERAL GEORGE W. DAVIS IN REFERENCE TO THE PUERTO RICAN PEOPLE

Complainants allege that once the U.S. Federal Government in Washington obtained a clear idea about who the People of Puerto Rico were racially and ethnically speaking, **it developed and applied white Anglo-Saxon racist administration policies towards the newly conquered Territory. It invented the racist concept of "Unincorporated Territories"**. Such concept or conception came to be applied to the new Insular Spanish colonial territories acquired from the Hispanic American War of 1898: the Splendid Little War as was referred to by Secretary of State John Hay.

What came to trigger a racist response from the U.S. Government was, among other less important and vital factors, **the perception that the People from the Insular Territory of Puerto Rico were composed of "negroes, mulattoes, racially mixed people, in any case, "inferior peoples" who had to be dealt with in accordance with U.S. racially discriminatory criteria in vogue within U.S. society.**

Thus, Brig. General George W. Davis reported to the U.S. War Department, to the U.S. Presidency and to the U.S. Congress that:

It is suggested, however, that as the complexion of nearly all Porto Ricans is quite dark, it is difficult for the enumerator to discriminate:

It seems to be a warrantable presumption that a very considerable number of those who rate themselves, or are rated, as whites are actually mulattoes, and would be classed as colored in the United States. In 1887 the pure negroes numbered 77,000, while in 1899 the number was 59,000.

On the same dates the mulattoes numbered 257,000 and 304,000, respectively, **showing plainly that the pure negroes are marrying with the mixed bloods and whites, the progeny being classed as colored.**³⁰

The Puerto Ricans are what they are [negroes, mixed, mulattos and Indians] and cannot be metamorphosed into Anglo-Saxons.³¹

U.S. REPRESENTATIVE FROM INDIANA, MR. WILLIAM (BILL) UNDERWOOD JOHNSON

What was the reaction in Congress when they learned who they had conquered in war? It was swift and fast. For example, Congressman William Underwood Johnson, from Indiana, delivered a speech which could fairly be deemed as typical of its times in Congress.

³⁰ Brigadier General George W. Davis, **U.S. Military Governor of Porto Rico, Report on Civil Affairs, Part 13**, U.S. War Department, Washington, D.C., 1902, p.94

³¹ **Report of the Military Governor, General George W. Davis**, p. 35

It brought about all the U.S. national prejudices against the Insular inhabitants of Cuba, Puerto Rico, the Philippines, Guam and American Samoa. See the attached cartoon. It indeed shows U.S. public opinion and perceptions about the newly conquered colonial territorial peoples. Senator Johnson explained:

Are we going to erect these islands into States, admit them to, the Union, and confer the right of suffrage upon their inhabitants.? Why, sir, these mongrel denizens of the 'Tropics are utterly incapable of self-control, to say nothing of self-government.³² "What, pray, do they know about free institutions, and What **can** they be taught concerning them, for that matter?

Confer Statehood and suffrage upon them, and they will not only be in confusion themselves, but they will also work irreparable injury into the whole Union. "The Senators and Representatives which they will elect to Congress under the machinations of-the designing knaves the Union, who will control them will be men who are both unscrupulous and incapable, and whose only mission will **be** evil and confer the right of suffrage upon their inhabitants?

³² In the racist outlooks and perceptions of American white Anglo-Saxons, negroes were perceived as incapable of self government and also a threat to social safety. American white racist supremacists, whether in Congress or in general U.S. society, had the prejudiced perception that negroes or blacks whether from the U.S. or any other country suffered from an unavoidable handicap: all of them were utterly incapable of self-government in any possible way and either were criminals or potential criminals that had to be kept under some form of colonial subjection or un democratic domination. They also thought that the conquered Spanish colonial Insular Territories of 1898, the Puerto Ricans, the Cubans, the peoples from the Philippines, the Guamese and the Samoans were all similar to the American negroes if not even more inferior than the former. Thus, for American White Racist Supremacists, the Insular colonial peoples mentioned were never destined nor programmed to be accepted nor viewed in any possible way as future candidates to be launched into statehood. These Insular peoples nonetheless were seen and destined as to become and remain forever unincorporated colonial territories of the United States without hope to attain eventual statehood. Such policy came to be U.S. colonial public policy towards the Insular Territories colonized and occupied after the 1898 Hispanic American War.

Have we not enough ignorant voters now within our borders that we need to increase their number? Is not a more general diffusion of knowledge and an elevation of the standard 'for citizenship 'the imperative demand of the hour? Shall great public issues affecting the vital interests of all our people be submitted for determination to the Senators and Representatives from Hawaii, Cuba, Puerto Rico, and the Philippines?

Shall they, by holding the 'balance of power and casting the decisive votes where the questions are close, shape thereby the civil policy and direct the destiny of 70,000,000 of free people?³³

U.S. SENATORS BENJAMIN RYAN TILLMAN AND U.S. SENATOR, HENRY MOORE TELLER'S RACISM: DEBATING ON RACIALLY MIXED PEOPLE FROM SPANISH COLONIAL TERRITORIES, 30 JUNE 1898, 55 th CONGRESS, 2 nd Session, p. 6531-6533

The U.S. Congress has shown great prejudice, based upon racial and ethnic discrimination against the Insular colonial peoples it acquired as war booty in the Hispanic American War conquests of 1898.

The dialogues of the members of Congress, both Republicans and Democrats is truly revealing. It showed that its members were convinced that the Puerto Ricans, the Filipinos, the Cubans, the Guameese, and the Samoans were all allegedly "inferior races to the white Anglo-Saxons that populated the U.S.

Said congressmen harbored the belief that the Insular colonial and the unincorporated territorial peoples were so racially and ethnically debased

³³ U.S. Representative, Congressman Henry Underwood Johnson (Indiana), **31 Congressional Record 5998-5999, 55th Congress, 2nd Session**, June 15th 1898 p. 5998-5999

that could not set up and enjoy self government in any conceivable or rational way.

That therefore, these "backward tropical and colonial peoples could not deserve non colonial political status such as Statehood or Independence, the top forms of self government.

These congressmen were also convinced in their extreme white Anglo-Saxon racist supremacist thinking, that those peoples who were a mixture of white Spaniards and Negroes brought from Africa, and their mixture with the indigenous Taíno Indians from the Caribbean Islands, and their subsequent mixtures among themselves, produced a racially inferior people to the American Anglo-Saxons who did not deserve either equality nor statehood or independence.

Said congressmen also held the belief that such mixed race people were even more inferior than the original races which got mixed together in these tropical Islands now turned into U.S. colonial and territorial possessions. Another widely and staunchly held belief among these congressional icons was that that these Insular colonial peoples only deserved a permanent subordinate and inferior colonial status: the Unincorporated Territorial Status.

The reason and motive to adopt such a despised and humiliating status was based on the racism of the times and the alleged physical, mental and cultural inferiority and allegedly uncivilized condition of said subject peoples.

13. Complainants allege that in the United States of 1865 to 1965, there were widespread racist and white Anglo-Saxon supremacist views among the U.S. population. And as was quoted before, none other than the Vicepresident of the United States, the erstwhile U.S. Senator from Minnesota, Mr. Hubert H. Humphrey, the highest U.S. Government Official in openly acknowledging that in the United States of America, white Anglo-Saxon racist white supremacist views were tenaciously held and widely

supported throughout the United States. Vicepresident Humphrey alerted his country in March 30th 1964 warning that:

Unfortunately, the doctrine and practices of racial supremacy are too widely and tenaciously held [in the United States].³⁴

p. 6531

U.S SENATOR HENRY M. TELLER (DEM-COLORADO):

If those people [the colonial territorial peoples: Puerto Ricans, Cubans, Philipinos, Guamese, Samoans] are capable of maintaining a government, that is what I want [to know]

Mr. TILLMAN. Will the Senator permit me right there? Why does he put in a condition that we know to be impossible?

Mr: TELLER. Does the Senator say that they are not capable of self-government?

Mr. TILLMAN. I say they are not, because I believe the race of Spaniards and negroes mixed that is capable of self-government does not exist to-day on the face of the earth.

p. 6532

³⁴ [2] Hubert H. Humphrey (Dem-Minn.), Vicepresident of the U.S., **110 Congressional Record, pag. 6532, 88th congress, 2nd session, March 30th 1964**, U.S. Govt. Printing Office, Washington, 1964

I do not hesitate to say that if that specific declaration had been made, no declaration of war would have been had, for I, and I believe many others, would not have voted to embroil this country in war with any country to have brought under our flag the islands inhabited **by the heterogeneous mass of ignorant and debased specimens of mankind [Puerto Ricans, Filipinos, Guamese, Samoans and Malaysians] who are now being absorbed and embraced in the imaginations of men as a future part of the American Republic**

Mr. President, my objection to the annexation of Hawaii at this time is that it is the entering wedge, as some have said, the beginning, the first step downward. We all know after we start downhill how hard it is to stop. It is like the first step in crime of any kind; it is the step that counts and that can not be retraced.

We are to annex under this resolution one group of these islands with only 6,700 white men, women, and children on them and 103,000-**well, I do not know what they are properly called; I will just simply say colored people.**

They are aliens in blood, aliens in language, aliens in thought and feeling. They have had the virus of Spanish misgovernment injected into their blood and bones, and we are to become the pacificators, the civilizers, to take in this kind of people and make good citizens of them.

Some Senators want to make that a stepping-stone to the annexation of the Philippines afterwards, the fulcrum by which they will move public opinion later on. Give a little morsel to the imagination of our people in the way of

territorial expansion and then the appetite, like that of the opium eater, will never be satisfied.

Mr. BACON. Will the Senator from South Carolina indulge me a moment?

Mr. TILLMAN. Certainly.

Mr. BACON. I am very much gratified by the statement made today by the Senator from Colorado [Mr. TELLER], because we, in common with the Senator from South Carolina, had misunderstood him. I desire to read from the Senator's speech made in this Chamber on last Saturday the clause which misled me; and I desire to say that in reading it I simply do it for my justification, because I had understood the Senator to be in favor of appropriating as colonies territory which we might conquer in the course of the war. This is the paragraph to which I allude.

As can readily be seen, by the turn of the century, there were many Congressmen who unabashedly displayed their sense of white racist supremacist thoughts, their feelings and perceptions that the American people were racially superior to any of the conquered insular peoples, some of which came into the American federal system, as war spoils or as "war prizes" like Puerto Rico.³⁵

P.6533

SENATOR BENJAMIN RYAN TILLMAN, (DEM SOUTH CAROLINA)

The imperial manhood of the Anglo-Saxon and the Teutonic races. **A small handful of white men, who**

³⁵ These words are not ours. These are utterances made by the U.S. Department of State in "The Ultimate Solution to the Puerto Rican Political Status Problem, Washington, D.C., 1947, p.3

went there first as missionaries, and those who have gone there since for other purposes, or 6,700 of them all told, are the owners and rulers of those islands simply because they are a superior race, possessing the superiority of manhood and intellect which distinguishes one people from another. God made the difference, and human laws can not change it.

As can immediately be seen, these feelings and visions of racial white Anglos-Saxon supremacist views widely spread throughout the United States as revealed by the U.S. Vicepresident Hubert H. Humphrey in 1964, had nothing to envy to the Nazi Germany claims of racial superiority over the entire human family.

These ultra racist congressmen expressing such extreme racist views were part of a political community who schemed a territorial and colonial policy to oppress and subject as political inferiors or slaves the population of Puerto Rico, the U.S. Virgin Islands and other Insular jurisdictions under the U.S. flag.

It is just about time that those peoples be released from the colonial territorial joke heaped upon their backs by the racist discriminatory policies of many congressmen perpetuating institutional racism against the people of Puerto Rico and other U.S. Insular colonial Territories. Just to show an example of how a colonial territorial people under U.S. jurisdiction have been made the victim of American colonialism, we include attached to this Complaint, a Demand from people in the U.S. Virgin Islands as filed by the distinguished jurist, J.B. Russell Pate, Esq., charging the U.S. Federal Government with practicing institutional racism against the People of the U.S. Virgin Islands through U.S. colonial territorial policies, one of which is to keep them under unincorporated territorial status, in

the same manner, as Puerto Rico which is another unincorporated territory.³⁶

14. As can be seen, the U.S. First Circuit Court of Appeals in Boston, acknowledged that the existence of racist motives, intentions and outlook of the U.S. political culture and society, determined and configured the immediate political status and civil rights of the insular people of the territorial colonies wrested from the Spanish Empire in 1898.

15. Complainants charge the U.S. Federal Government **with violating human rights from the U.S. citizens of Puerto Rico as those set forth in five human rights treaties** by not complying with said Human Rights Instruments in its racist practice and in its illegal efforts to maintain and keep the present racist regime of the Unincorporated Territorial Status imposed on the people of Puerto Rico by Congress and the Federal Courts including the First Circuit Court of Appeals and the U.S. Supreme Court from 1901 to the very same present (year 2013).

16. Complainants are also charging the Federal Government of the United States with **denying fundamental and vital civil and human rights to the U.S. citizens of Puerto Rico when said government, through the Federal Courts and through Congressional action and inaction, do prevent and oppose the right to the territorial U.S. citizens from voting in federal elections to elect federal government officials who pretend to make laws and regulations which affect and/or impact U.S. citizens living in the Territories,** without these citizens being able to offer or deny their consent of the governed to those elected federal government officials.

U.S. SENATOR JOHN TYLER MORGAN (DEM-ALABAMA)

³⁶ it must be noted that the distinguished U.S. District Court Federal Judge, the Hon. Gustavo A. Gelpí has ruled in a federal case, Centro de Salud Playa Ponce vs. Johnny Rullan, Secretary of Health of the Commonwealth of Puerto Rico, that Puerto Rico is already incorporated to the U.S. See **586 F.Supp 22, (2008)**. However, all Congressional reports from the CRS and Congressional Committees such as the Natural Resources Committee and Subcommittees have ruled otherwise. All other Federal Government agencies have also ruled likewise.

One of the best historical witnesses to prove intentional racial and ethnic discrimination from Congress behalf towards Puerto Rico and other Insular Territories as well, was the case of U.S. Senator John Tyler Morgan from Alabama. He also helps us to provide an approximation to what the Germans refer to "Zeitgeist" or the spirit of the times. Senator Morgan epitomized the widely spread racist attitudes of the times, in the United States, from the Nineteenth Century to deep in the Twentieth. His case was one of the very typical white racist supremacist who dwelt in Congress and in U.S. society in general.

We are quoting Senator Morgan because he frankly confessed that in those times of the end of the Nineteenth Century to the Twentieth, there was a generalized political practice throughout the United States in disenfranchising Negroes, Japanese, Chinese and peoples of other ethnic or racial minorities. (See **U.S. v. Louisiana, 380 U.S. 145 (1965)** and **Giles vs. Harris, 189 U.S. 145 (1903)**).

It must be stated that the quote of Senator Morgan also helps us in constructing the real congressional discriminatory attitudes towards peoples in the Insular Territories who were seen as negroes, mulattoes, mixed, half breeds,³⁷ in sum, "Inferior Races". As was stated before, the racism which relegated U.S. negroes to second or third class citizenship, was also applied to the Insular Inhabitants of the new colonial insular territories conquered in 1898.

In addition to what has already been revealed, it must also be said that Congress as well as the U.S. Supreme Court and the White House condoned such discriminatory racist practices. In accordance with such practices, on January 8th 1900, Senator Morgan openly confessed in Congress that:

Chinamen, Japanese, and Indians, who are citizens of the United States, **may be lawfully excluded from the right to vote for any reason, even for their race or color, simply because the States prefer to refuse them that privilege; yet in all other**

³⁷ ,[President Obama is seen by American white racist supremacists as "half breed" because of his black father and white mother]

respects they may have the qualifications prescribed by law.³⁸

U.S. REPRESENTATIVE STANYARNE WILSON, (DEM-SOUTH CAROLINA)

In full agreement with U.S. Senator John Tyler Morgan, in the House of Representatives, there was another Congressman on February 22nd 1900 which harbored identical racist white Anglo-Saxon supremacist feelings and points of view. We refer to the U.S. Representative, Mr. Stanyarne Wilson, Democrat from South Carolina.

He also warned Congress that the new colonial and territorial inhabitants from the Spanish Insular Territories conquered in the Hispanic American War were condemnable human material (racially inferior beings) unworthy to be integrated or incorporated as future U.S. citizens with full equal rights within what Chief Justice Roger Brooke Taney in **Dred Scott v. Sandford, 60 U.S. 393** referred to as the sovereign American political society. In fact, Congressman Stanyarne Wilson apocalyptically warned everyone in Congress that:

But why should they be incorporated into the body politic of the Union? Surely not upon the plea of necessity, and yet any other plea is scarcely imaginable.

We do not need them in our citizenship. They are not fit for it. By blood and centuries of racial inferiority they are not worthy or qualified to assist in the government of this nation.

³⁸ U.S. Senator John Tyler Morgan, **33 Congressional Record 671, 56th Congress, 1st Session**, January 8th, 1900, p.671

Their incorporation with our Republic would be to weaken and corrupt it.

The experiment of ingrafting [sic] the negro upon our citizenship presents a lesson so recent, instructive, and ever present that no one seriously contends that the Filipino [and the Puerto Rican] should become an American citizen with the rights and immunities pertaining to that high station.³⁹

17. Complainants also charge the U.S. Federal Government of the United States with denying federal presidential and vice-presidential voting rights to the People of Puerto Rico, as well as the People of the U.S. Virgin Islands and other U.S. Insular and colonial Territories, based upon intentional racial and ethnic discriminatory motives.

18. It is also alleged that these discriminatory practices violate Human Rights Treaties signed by the United States Government.

19. Complainants as well are charging the U.S. Federal Government of the United States with denying federal congressional voting rights to the People of Puerto Rico, the People of the U.S. Virgin Islands and other U.S. colonial possessions or Territories based upon intentional ethnic and racial discrimination. .

20. It is also alleged that these discriminatory practices violate Human Rights Treaties signed by the United States Government.

21. Complainants are also in accord with the U.S. Commission on Civil Rights that for a period of over 100 years, the right to vote has been denied to millions of U.S. minorities, particularly the U.S. black or negro minority.

³⁹ **U.S. Representative Stanyarne Wilson, (Dem-South Carolina), 33 Congressional Record 2103**, February 22nd 1900, 56th Congress, 1st Session, p. 2103

We quote from the 1963 U.S. Commission on Civil Rights Report which disclosed the latter truth. (See 1963 USCCR Report at page 13). ⁴⁰

22. Complainants charge the U.S. Federal Government, during 1901-1922, the “Insular Cases” were decided by Federal Courts (in a racist era) that supported a biased Federal Government discriminating contention that Puerto Rico was an “un-incorporated” US Territory (more foreign than domestic...); was a possession or property that belonged to the US. Thus, Congress surmised that it had the un-democratic power to not fully apply the US Constitution to Puerto Rico! Till today, this unequal and un-democratic application of our Constitution results in institutional discrimination, and Voter segregation of US Citizens, depending on where the US Citizen resides under our noble US Flag.

23. Complainants charge the Federal Government (of that racist era) in making up the “unincorporated” term (not found in our Constitution)- as a basis to discriminate. It is a historic fact that some Congressmen and Federal Judges (of the time) as they coined this term--made outrageous racist and biased discriminatory comments, e.g., “Because of different origin and language... Puerto Ricans were inferior mestizos; that could not govern themselves...”-- which incorrectly is still the basis of the Federal discriminatory governance of the US Citizens residing in the US Territory of Puerto Rico.

24. Complainants charge, that in 1898, the U.S invaded Puerto Rico (PR), as an incident of the Spanish American War, and forcefully took it as a spoil of war...made it a US Territory (Colony)which for 115+ years, felled under the absolute undemocratic control of the U.S. Federal Government with the avowed intention to permanently keep these Insular Unincorporated colonial Territories, as mere colonies without any recourse or options to change their status under U.S. colonial tutelage to present. It must be borne in mind that even a U.S. Supreme Court Chief Judge in Dred Scott vs. Sandford (1857) had stated, that to keep or maintain U.S. citizens under

⁴⁰ **United States Commission on Civil Rights, 1963 Report**, Government Printing Office, Washington, D.C. 1963, p.13

permanent and indefinite territorial status meant or implied a violation of those citizens constitutional rights under the U.S. Constitution. (See Dred Scott vs. Sandford, 60 U.S. 393 at pages 446-451).

25. Complainants charge, In 1917, Congress erred in imposing on Puerto Rico- a statutory “2d Class US Citizenship” (without all rights responsibilities, and benefits) that doesn't permit loyal US Citizens (including fighting US Veterans) to vote in Federal elections (to include voting for their US President-Head of State) nor have just representation in the Congress that determines their destiny nor permanent US Citizenship, under our noble USA Flag--actions that conflicts with the spirit of our democracy; constitutional civil rights equality amendments.

26. Complainants charge that all those born in Puerto Rico have a discriminatory statutory un-permanent US Citizenship created by the laws of the Federal Government not protected by the 14th amendment to the US Constitution by virtue of the racists “Insular Cases” that coined the Un-incorporated Territory term (not found in the US Constitution).

Presidential Task Force Reports on Puerto Rican Status have reviewed faulty (based on the Insular Cases) legal jurisprudence for years and have stated: *“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, President GW Bush; President Obama’s Task Force Report didn’t refute this, but, promised to defend this discriminatory statutory US Citizenship created by the Federal Government in 1917; not overturn it.) *“Congress may continue the current system, but it also may revise or revoke it at any time.”*

27. Complainants charge that US Citizens residing in Puerto Rico are also treated disparately by virtue that they have no vote or just representation in their Congress nor l consent of the governed (which runs against the essence or grain of our democracy). The PR Resident Commissioner represents about 4 million US Citizens (that proportionally is equal to six US Representatives and two US Senators) -- with no vote in Congress.

28. Complainants charge that because of all the above, the Federal Government is discriminating; and has created a de-facto discriminatory statutory (un-permanent) 2d Class US Citizenship (with limited rights, responsibilities and benefits), as called by former US Attorney General Thornburg, Puerto Rico Governors: Luis Ferre (deceased), Carlos Romero Barceló, Pedro Rosselló and Luis Fortuño, the current Puerto Rico Resident Commissioner in Congress Pedro Pierluisi, many Puerto Rico Speakers of the House and Presidents of the Senate and many Other Elected Officials-- that is dissimilar to the other Constitutional US Citizenship conflicting with equal human individual civil rights for all under our American Flag and up to now-- perpetuates discrimination and the sense that US Citizens from Puerto Rico-are still seen to be less worthy than other US Citizens.

29. Complainants charge in summary: today, we have 2d Class US Citizens that are being incongruently treated with blatant discrimination leftover from America's racist era which the Federal Government today (to include the US Justice Department) has, for over 115 years, never tried to completely repeal the discriminatory "Insular Cases" or allow the 2d Class US Citizens (those residing in Puerto Rico, and others with a statutory US Citizenship) to ratify their vote for Statehood (Yes or No) or conduct a free democratic Plebiscite Vote with defined Constitutional non-territorial Options (that don't fool Voters-Statehood or Independence) to achieve equality; break Puerto Rico's trite un-democratic shackles; end discrimination; ensure a non-discriminatory and equal US Citizenship.

We respectfully ask for your prompt and strong intervention to advance American Democracy; ensure an equal US Citizenship by ending this institutional un-fair segregation and discrimination against 2d Class US Citizens, no matter where they reside, under our USA Flag.

SUMMARY OF ALLEGATIONS AND AVERMENTS
AGAINST THE U.S. FEDERAL GOVERNMENT IN ITS DISCRIMINATORY
RACIALLY MOTIVATED COLONIAL POLICIES AGAINST THE U.S.
TERRITORIES PARTICULARLY, THE COMMONWEALTH OF PUERTO
RICO AND OTHER TERRITORIES AS WELL

1. Complainants are charging the U.S. Federal Government with intentional racial and ethnic discrimination by creating and imposing over the People of Puerto Rico and the U.S. Virgin Islands, the anomalous political status of the "Unincorporated Territory" in 1900 according to the U.S. Congress and in 1901 through *Downes v. Bidwell*, 182 U.S. 244, pages 282 and 341-342. This charge is based upon the judicial rulings of the Hon. Gustavo A. Gelpí, U.S. Federal District Judge of the District of Puerto Rico, and also, U.S. Appeals Judge the Hon. Juan R. Torruella, First Circuit Court of Appeals in Boston. Additionally, this specific charge is also based upon all the historical characters quoted in this complaint: each and everyone of the individual congressmen mentioned here, in strict accordance with their officially expressed declarations in Congress as well as other historically significant officials on the U.S. Federal Government.

2. That according to the U.S. Census of 1899 taken by orders of the U.S. Military Occupation Government in the U.S. colonial territory of Puerto Rico, Puerto Ricans were classified as "negroes, mulattoes, racially mixed people which could not be metamorphosed into Anglo-Saxons.

3. That after the U.S. Federal Government issued such racial classifications about the People of Puerto Rico, the anomalous, discriminatory colonial and territorial status of "Unincorporated Territory" was thrust upon not only Puerto Rico, then miscalled "Porto Rico" but to all the Insular possessions acquired by the United States in the Atlantic as well as in the Pacific Ocean such as the Philippines, Guam and American Samoa whose peoples were likewise discriminated.

4. That the discriminatory policies as applied to Puerto Rico and the U.S. Virgin Islands by the U.S. Federal Government, inasmuch are based upon racist white Anglo-Saxon supremacist views, must be deemed not only immoral, but also, illegal, unconstitutional under the Vth and XIV Amendments, and in complete violation of U.S. Human Rights Observance Policies as announced by the U.S. Department of State, the U.S. Presidency and other U.S. Federal Agencies .

5. That the present discriminatory treatment applied by the U.S. Federal Government to its colonial territories, Puerto Rico, the U.S. Virgin Islands and other territories, do violate several, almost 5 Human Rights Treaties signed by the U.S. Government.

6. That the present challenged U.S. Government discriminatory conduct from the U.S. Government's behalf is clearly seen when it continues to uphold and maintain the present colonial regime, the so called "Commonwealth of Puerto Rico" also wrongly called "Estado Libre Asociado".⁴¹ Last November 6th 2012, the People of Puerto Rico denied consent in a locally held plebiscite to such colonial regime with 54% of its people voting "No" against it. Neither the U.S. Congress, nor the Obama White House have done anything to respect or honor its results. This conduct of the Federal Government in refusing to practice "democracy" in its colonial territories like Puerto Rico, is another piece of evidence disclosing institutional racism against its territorial citizens. It is a way to deny equality to those deemed "inferior". As a matter of fact, the U.S. Government has refused to conduct a plebiscite in Puerto Rico in the last 115 years of territorial colonial relations. It shows also the U.S. Government's total lack of respect for the People of Puerto Rico's sacred right to enjoy democracy and self determination, by themselves, collective human rights already violated in the U.S. Government's practice of maintaining and upholding Puerto Rico as a colonial territory under its discriminatory racist policies.

COMPLAINANTS PRAY AND REQUEST TO THE UNITED STATES CIVIL RIGHTS COMMISSION:

1. That based upon the historical evidence here brought forward and presented as quoted in this complaint, that this Commission issue a special report acknowledging and incorporating the historical evidence here cited and that such report be forwarded to the U.S. Presidential Office as well as to the entire body of U.S. Senators and Representatives of the U.S. Congress.

⁴¹ It is worth noting that the present colonial territorial regime does not comply with United Nations criteria as a decolonizing or Full Self Government status. It therefore does not comply U.N. Resolutions 648 (VII) , 742 (VIII) and 1541 (XV).

2. That a finding of racial and ethnic discrimination be made as to the official conduct of the U.S. Federal Government in reference to upholding and maintaining the present colonial and territorial and Insular Governments as a discriminatory conduct that took place continuously, from 1898 to the present, given the fact that the present territorial and racially discriminatory status endured by the Peoples of Puerto Rico and the U.S. Virgin Islands has existed without discontinuance, from 1898 to the present.

In Washington, D.C., on June 14th 2013

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ATTACHMENT: **AMENDED COMPLAINT** by Attorney al Law, Mr.

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