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1300 Pennsylvania Avenue, N.W. 190-413, Washington, DC 20004

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June 3, 2020

The Honorable Raúl Grijalva  
Chairman  
House Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

The Honorable Rob Bishop  
Ranking Member  
House Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

The Honorable Jerrold Nadler  
Chairman  
House Committee on the Judiciary  
2138 Rayburn House Office Building  
Washington, DC 20515

The Honorable Jim Jordan  
Ranking Member  
House Committee on the Judiciary  
2138 Rayburn House Office Building  
Washington, DC 20515

Dear Chairmen Grijalva and Nadler and Ranking Members Bishop and Jordan:

Equally American strongly supports H.Res. 641, which acknowledges that the decisions rendered by the United States Supreme Court in the so-called *Insular Cases* rest on the same racist and ethnocentric assumptions leading to *Plessy v. Ferguson*'s infamous "separate but equal" doctrine, that the legal doctrine emanating from the *Insular Cases* has no place in United States Constitutional law, and that the *Insular Cases* must be rejected in their entirety. Earlier this week the Supreme Court passed on the opportunity to finally turn the page on the *Insular Cases*, making H.Res. 641 all the more important.

Equally American is a non-partisan civil rights organization that fights to advance equality for the nearly 4 million Americans living in U.S. territories. Our values are centered on the basic principle that all Americans should have equal rights and representation, wherever they live.

The *Insular Cases* are some of the most unrepentantly racist and doctrinally dubious decisions ever handed down by our Nation's highest court. They effectively stripped the residents of Puerto Rico, Guam, American Samoa, the U.S. Virgin Islands, and the Northern Mariana Islands of their constitutional rights in ways that are fundamentally incompatible with the immutable guiding principles that the United States was founded upon. That they endure is both a regrettable legacy of racial injustice and an example of judicial inertia in spite of evolving standards of decency and fairness.

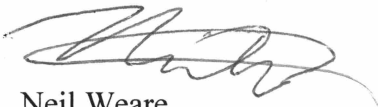
The *Insular Cases* have harmed Americans living in the territories as long as they have been on the books and will continue to do so until they are invalidated. But that injustice need

not continue. America's founders wisely empowered Congress to act where our Nation's courts have failed to, and it is both a moral and a constitutional imperative that Congress do so forthwith. Congress has already acted to recognize the extension of many constitutional rights to citizens living in the territories. It should now also act to recognize that those rights are grounded in the Constitution, not, as the *Insular Cases* suggest, simply based on the legislative prerogatives of Congress.

Enclosed is an Op-Ed I co-authored for Slate.com entitled "The Supreme Court Just Passed Up a Chance to Overrule Appallingly Racist Precedents" that discusses the Supreme Court's inaction on the Insular Cases and the ongoing consequences this has for the continued denial of constitutional rights in U.S. territories.

Americans living in the territories should have equal rights to those living elsewhere in the United States. We therefore ask that the Committee on Natural Resources and Committee on the Judiciary adopt H.Res. 641 at their earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Weare", written in a cursive style.

Neil Weare  
President and Founder  
Equally American