U.S. COMMISSION ON CIVIL RIGHTS

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IMPLICATIONS OF DISASTER RELIEF:
HURRICANE MARÍA

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FRIDAY, DECEMBER 10, 2021

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The Commission convened via teleconference at 9:00 a.m. ADT, Norma Cantú, Chair, presiding.
CHAIRWOMAN CANTÚ: Welcome and good morning to the Commissioners, Commission staff, our panelists, and the public. We are live in San Juan, Puerto Rico at the Interamerican University of Puerto Rico Law School, and watching and listening virtually. This briefing will come to order. This is a briefing of the U.S. Commission on Civil Rights on Civil Rights Implications of Disaster Relief: Hurricane María in Puerto Rico. It is 9:08 AM Atlantic Standard Time on December 10, 2021.

Commissioners present at this briefing are present virtually and in person. And they are Commissioner Adams, Commissioner Adegbile, Commissioner Gilchrist, Commissioner Heriot, Commissioner Kirsanow, Commissioner Kladney, and Commissioner Yaki. A quorum of the U.S. Commission on Civil Rights is present. I note for the record that the staff director and the court reporter are present.

I wish to welcome everyone to our briefing on Civil Rights Implications of Disaster
Relief: Hurricane María in Puerto Rico. The field briefing has three goals. First, to review the Federal Emergency Management Agency, FEMA, and their role in disaster preparedness and response. Secondly, evaluate efforts by FEMA to comply with the Robert T. Stafford Disaster Relief and Emergency Act along with other federal civil rights laws and policies. And three, compare the response of FEMA to significant hurricane systems, including but not limited to Hurricanes Harvey and Maria.

Today's briefing will focus on the civil rights implications of the federal response and impact of Hurricane Maria in Puerto Rico by receiving testimony from subject matter experts such as government officials, academics, advocates, and during today's briefing, in person public comments from those people who were impacted by the hurricanes.

Before we begin our briefing, I'd like to address a few housekeeping matters. I share deep thanks to Commission staff who researched and brought today's briefing into being, including the expert team we have who worked on the logistics for which organizing a field briefing is compounded by the
global pandemic environment, and it presents a whole 
host of additional challenges.

I'd also like to thank our partners, 
Puerto Rico, the Interamerican University of Puerto 
Rico Law School; its Associate Dean of Academic 
Affairs, César Alvarado; and professor and 
commissioner of the Civil Rights Commission in Puerto 
Rico, Andrés Córdova; the Civil Rights Commission in 
Puerto Rico, its executive director, Edward Padilla 
Ruiz, and their staff. Their partnership made the 
commission's trip and today's briefing possible.

A special thank you to the community 
leaders in El Caño and Loíza for meeting with us 
yesterday and sharing their collective ongoing 
efforts to rebuild their communities after Hurricane 
María. And finally, I thank Staff Director of the 
U.S. Commission on Civil Rights, Manuel Morales, for 
his leadership. And I thank my colleagues on the 
Commission for their leadership.

A note on the resources available today. 
For anyone in need of language translation services, 
please see our staff and volunteers at the 
registration desk for translation equipment. If 
during the briefing anyone requires emotional
support, please see one of our volunteers who will
direct you to the therapists we have on site. This is
very serious, and some people may be triggered, and
so we will be there for you. If you wish to sign up
for the public comments, please see one of our
volunteers who will direct you to the sign-up room
for further information.

And finally, the COVID cleaning protocol.
Due to the ongoing pandemic, the university is taking
extra precautions for this event. The briefing will
break for one hour at lunch because the time is
limited to complete this cleaning. Please be sure to
leave as soon as possible when we announce the break
for lunch, and please be sure to take all your
belongings with you as we cannot guarantee they'll
still be there, or maybe they will be so sanitized
you won't recognize them.

During the course of the testimony and
the question-and-answer period, I caution all
speakers, including our commissioners, to refrain
from speaking over each other for the ease of
transcription. Additionally, I will need to queue our
staff behind the scenes for the appropriate video and
audio support. So please wait to speak until I have
called upon you.

Panelists, you each have seven minutes to speak. Please note that to ensure that we have sufficient time for our discussion this morning, I will enforce the seven-minute rule. Please monitor your time so you do not risk my cutting you off mid-sentence, and I will do it. I will strictly enforce the time allotment given to each panelist to present his or her statement. And if we didn't receive your testimony, that's all right, because we could supplement the record. But when you sent your testimony, that means that we have it and we've read it. So you can summarize it, and we will appreciate that so that you can use your seven minutes best. Focus your remarks on the topic, and we will all be happy and smiling when this is over.

After the panel presentation, commissioners will have the opportunity to ask questions within the allotted period of time. It varies from panel, the larger panels have an hour, the smaller panels have 45 minutes, and I will recognize the commissioners who wish to speak. I ask my fellow commissioners to do our part and keep our questions and comments concise, and to be cognizant
of the interests of having each commissioner be allowed to ask questions. So please be brief so we can move quickly and efficiently.

Today's briefing features 13 distinguished speakers who will provide us with a diverse array of viewpoints. Panel 1 would consist of speakers who will discuss the role and responsibilities in the execution of federal aid and response to natural disasters. Panel 2 will consist of advocacy nonprofit relief groups and academics who will discuss the impact of the federal government response on these communities.

So with those bits of housekeeping out of the way, we're going to proceed and I turn now to Commissioner Adegbile for opening remarks.

COMMISSIONER ADEGBILE: Good morning. It's good to be with you. I'd like to thank all of you for coming today and the U.S. Commission on Civil Rights is very pleased to be here with you and to be here with you in person. Today's briefing continues what is a 60-year tradition of having this body, the United States Civil Rights Commission, come into the field to be proximate to the civil rights issues that face the people of the United States. We're very
pleased to be here, and this is the third in a series of three briefings that we have had on hurricane response topics and FEMA's role.

With this in-person briefing we're also going to reintroduce a public comment session. In our prior briefings -- two that I will describe in a moment -- we did them virtually because of the pandemic. And in that virtual format, the public comment was difficult to accomplish. Today, due to the courtesy of our hosts here at Interamerican, we're going to be able to hear from public members that want to share their comments as well.

As the Chair noted, during our trip we've already had the opportunity to travel a bit around the island and to see and hear, importantly, from members of the community. Yesterday, we spent some powerful hours with the people at El Caño and then at Loíza, as you've heard. Those meetings added layers to the continuing difficulties that people face on the other side of the hurricane and animated for us in a very powerful way what the continuing needs are to recover. Hearing from those members was an integral part of this trip.

The purpose of our study, as the Chair
has noted, is to gather this information about hurricane response to put it in a report that will ultimately be available to both The President and Congress so that we can improve. In particular, we're looking at the responses to Hurricane Harvey in Texas and Hurricane Maria here, that we understand there have been several hurricanes that have impacted these parts of the country.

During the June virtual briefing, we heard from, among others, the acting associate administrator of Response and Recovery at FEMA, the Region 6 administrator from FEMA, the deputy inspector general from DHS OIG, the deputy inspector general from HUD OIG, the director of Homeland Security and Justice, and the director of the Office of Equal Rights at FEMA.

In October of this year, we held a virtual briefing where the focus was on the people of Houston, Texas. And there we heard from state and local governments as well as impacted members of the community and local advocates. Today, of course, we are with you here in San Juan, Puerto Rico to hear from state and local government officials, non-governmental organizations, and community
organizations, as well as the impacted community.

We very much look forward to your testimony, and it's our hope that our work together will help improve the United States' ability to respond to these disasters, which unfortunately we will continue to face. Thank you very much.

CHAIRWOMAN CANTÚ: Thank you, Commissioner Adegbile. I turn now to Commissioner Yaki for opening remarks.

COMMISSIONER YAKI: Thank you very much, Madam Chair.

This is an intensely personal hearing for me for a number of reasons. First, you are our first in-person briefing since COVID, and we are honored that you are our first in-person briefing because we could not -- I could not fathom having this investigation without coming here, meeting you, going out into the communities, going to Caño Martín Peña, going to Loíza. These are the things that make to me the Civil Rights Commission come alive.

But it's intensely personal to me because I have lived through a natural disaster. I went through an earthquake in San Francisco some years back. I've lived overseas, where the Pacific
equivalent of typhoons came and just ravaged the islands in which I lived. And when I saw what was happening to Puerto Rico from María, and I was watching what wasn't happening it did not strike me as a good thing. It did not strike me as a just thing. It did not strike me that we were doing what we should do for citizens of our country.

And so that's why we are here today, because we want to know what happened, how it happened. And in particular, as we have looked at the comparisons between Harvey and María, and frankly it wasn't that hard of a comparison to do in many respects, except for one, and one that we keep on hearing time and time again, whether it's from a virtual hearing in Houston, whether it's in El Caño, whether it's in Loiza, whether it's going to be from here today, and that is FEMA's ability or lack thereof to deal with Spanish language people and culture.

But there's more to that when it comes to Puerto Rico. I mean that's one of the great things about going out and talking to people out in the communities, understanding the bigger challenges that are here, where we know that cookie cutter responses do not and cannot and never have really worked, they
must be tailored to the individual communities in which we work, in which you live. But having a federal government that doesn't understand that, that doesn't address that, and in some ways, in so doing, discriminates against you for doing that, that's what we want to hear from you today. So I want to thank all of you for coming forward and talking to us today. I want to thank the staff for their great work here today. I really want to thank Ever and Ariadna, and the others who all pulled together people whose stories we heard firsthand yesterday and we'll hear again today from you.

So thank you all very much. We are honored to be here. I am honored to be here in our first in-person briefing in almost two years. So thank you very much.

CHAIRWOMAN CANTÚ: Thank you, Commissioner Yaki. Let me now introduce the panelists, and it will be a brief introduction so I can yield the time back to you all. You have many fascinating aspects of your careers, and I'm going to abbreviate it. So I apologize in advance.

Our first speaker this morning is Omar Marrero, Secretary of State, Puerto Rico. Our second
speaker is the Honorable Carmen Yulín Cruz Soto, former mayor of San Juan and Weissman Center Fellow in Leadership, Mount Holyoke College. Our third speaker is Charlotte Gossett Navarro, chief director Puerto Rico Operations Hispanic Federation. Our fourth speaker is Sergio Marxuach, policy director and general counsel Centro Para la Nueva Economía, Center for the New Economy.

Our fifth speaker is Cristina Miranda, executive director Liga de Ciudades Puerto Rico, The League of Cities Puerto Rico. Our sixth speaker is Ever Padilla Ruiz, executive director Comisión de Derechos Civiles, Commission on Civil Rights. Our seventh and final speaker for our panel 1, is Diane Yentel, president CEO the National Low Income Housing Coalition.

Secretary Marrero, welcome. Please proceed.

MR. MARRERO: Good morning. Thank you very much, Chairwoman Cantú and members of the U.S. Commission on Civil Rights. For me it's a pleasure and honor to be in front of you to talk about the issue that we have in front of us. For me it's also an honor to be the first -- to be part of the first
in-person meetings since COVID-19. Thank you for the opportunity to appear before you to discuss the Federal Emergency Management Agency, FEMA's role in disaster preparedness and response to Hurricane Maria in Puerto Rico.

Over the last four years, the government and FEMA have engaged in extensive collaboration to address one of the most complicated and largest disaster relief in U.S. history. Since day one, the people of Puerto Rico and the government of Puerto Rico has essentially asked to be treated as any other U.S. jurisdiction within the U.S. flag.

As FEMA has always said, every disaster has to be federally supported, state managed, and locally executed. So, if we do that in every single corner of the U.S. nation, we will not necessarily have to tailor disaster aid. It's just to support the government of the people to execute and be able to address disaster response.

I think that one of the most complex aspects of the disaster response and disaster recovery in Puerto Rico is the fact that before Hurricanes Irma and María, Puerto Rico was already facing a manmade disaster, which was the fiscal and
economic crisis that started in 2006. And this is very important to have in mind because it was in 2016 that Congress approved the law known as PROMESA, which is essentially a law that allowed Puerto Rico or provided the government of Puerto Rico to have a very similar -- or two ways to restructure our debt, our 70 billion dollar debt.

But also, not only provide that restructuring tools, one, as a bankruptcy-like process, and the second one in a process very similar to how sovereign nations restructure their debt, but in addition to that restructuring process, restructuring tool, they also imposed an Oversight Board, a Control Board. And this is very important because since it was imposed, the Control Board, which is not elected by the people of Puerto Rico, we have not been in control of our finances.

And why is this important? Because when Irma and María both hit, Puerto Rico did not have enough cash in hand to be able to respond to that disaster. In addition to that, we didn't have a rainy-day fund like Texas to be able to respond to Harvey, or we didn't have access to the market as Louisiana and other jurisdictions, that they were able to
borrow money and respond as they waited for the reimbursement process of FEMA. We didn't have those tools.

And this is very important because unfortunately the federal administration did not take that into consideration when they were responding to the disaster. The government of Puerto Rico had to depend on the federal response essentially and also on the Oversight Board and the Department of Treasury for the access of funds.

To give you an example, during that time we were required -- we were imposed many requirements to access the federal funds. For example, we were required to establish a Centralized Oversight Authority, which is COR3. Not because we wanted additional bureaucracy, but because it was required by the government of the federal government to have that entity. We established that entity. We were also required to have third party experts to help us manage those funds because we didn't have the internal capacity. We did that as well. We were also required to impose internal controls, transparency measures, and we did all that.

But it was not until April 2019 that for
the first time after María the government of Puerto Rico had the opportunity to take control of the reimbursement process. I don't know how many of you are familiar with the reimbursement process of FEMA, but every single state and every single territory in the U.S. nation takes control of the reimbursement process and they certify to the FEMA agency that they comply and obviously they have to be responsible for the records, the compliance, the internal controls, and all of that.

Unfortunately, in November 2017, the federal administration and FEMA imposed what was called the 270 manual drawdown process. And this is all very important because every single time, as we were approaching or we were trying to comply with these more stringent requirements, the goal post was essentially moved. And this happened. That's why when you look at the process of obligations and disbursements, it was really stringent for the government of Puerto Rico and its recipients to access the funds in a quick manner.

Not only that, but as I said, we were every single time trying to reach or trying to come up with solutions to expedite the recovery process,
and it was not until April 2019 that we were able to control the reimbursement process for the first time. Not only that, with the change in administration, we saw how many restrictions that were imposed upon the government of Puerto Rico, they were released. And with that, the pace of federal funds have accelerated in a very visible way, not only in obligations but also in disbursement. And this is not only on the FEMA side, but also on the CDBG and HUD side.

So again, we all know about the destruction that was caused by Hurricanes Irma and María. It was the worst-case scenario. The government itself was a casualty to this disaster that obviously was the most complex and the most destructive in 100 years for the people of Puerto Rico. And even though we were just demanding to be treated as any other U.S. citizen in the nation, that was not the case.

Since day one, after the hurricane, we were required, and we were imposed many stringent requirements that any other U.S. jurisdiction did not face. However, that did not stop the government of Puerto Rico, its municipalities, and many government agencies to try to comply as fast as we could in order to access the funds. But unfortunately, it was until
the end of 2020 that we were seeing the first permanent work to being obligated by FEMA.

And also, we have to bear in mind, in the last minutes that I have, that FEMA also used Puerto Rico as a laboratory for new policies. We were required to use Section 428, which was a section added to the Stafford Act with approval of the Sandy Recovery Improvement Act of 2013. It was added in order to provide a more flexible way to address a disaster, but that was not the case in Puerto Rico. FEMA was essentially designing the plane while we were flying it.

And with that, essentially many American citizens of Puerto Rico were not -- did not have the ability to have their needs appropriately addressed in a swift manner, even though the government of Puerto Rico, its municipalities, and many agencies did whatever they could in order to comply with the requirements and more stringent conditions imposed by the federal administration.

Again, I yield my time, and I'm willing and able to answer any question that this Honorable Commission may have. Thank you.

CHAIRWOMAN CANTÚ: Thank you, Secretary
Marrero. You set a wonderful example of being heavy in content and brief in time. So gracias.

MR. MARRERO: Thank you. Probably the mayor will improve that.

CHAIRWOMAN CANTÚ: Thank you. We will now hear from the Honorable Cruz Soto. Please proceed.

MS. CRUZ: Distinguished members of the Commission and fellow panelists, thank you for the opportunity to shine a light on the negligent acts perpetrated by FEMA under the Trump Administration in the aftermath of Hurricanes Irma and María.

Approximately 3,000 Puerto Ricans died after a botched relief effort denied us lifesaving support. These deaths could have been prevented if our suffering had been met with urgency and efficiency. Earlier this year, two reports from the Inspector General's Office concluded what we knew, FEMA was unprepared and mismanaged relief efforts. One of the reports stated it took an average of 69 days, more than two months, for aid to arrive. On its executive summary, it said, and I quote, "FEMA cannot ensure it provided commodities to Puerto Rico disaster victims as needed to sustain life and alleviate suffering."
Under the veil of political neutrality, FEMA's highest managerial levels turned a blind eye to the unequal treatment that cost so many lives. Two data points paint a clear picture of neglect. Nine days after Hurricane Harvey, there were 30,000 FEMA personnel in Texas. In Puerto Rico, nine days after María, 10,000. It took FEMA 10 days to approve disaster work after Harvey, it took them 43 days to approve the same work in Puerto Rico.

FEMA was unable to adapt its standard operating procedures to get their relief operations off the ground on a timely fashion. They kept asking us for reports to be filled out on the Internet when they knew we had no electrical power and thus no Internet. The results show no consistency in the instructions provided to us. One day we were told to use one form or one system, and a few days later we were told to use another form and input the same data on another system. A new FEMA employee arrived, and we had to start again, for there was no handoff, no knowledge of what had happened before, only new instructions.

Language was another barrier. Not only was the information initially in English,
disregarding our first language is Spanish, but FEMA’s personnel were incapable of servicing the deaf community and did not take into consideration that people have different levels of Internet proficiency and access.

And when relief finally arrived, it added insult to injury. I gave you a picture of the food distributed by FEMA about three weeks after the crisis. It’s a beef jerky, chocolate pudding, a Baby Ruth, Pringles, and apple sauce. Shameful. Not only was this food not suitable, but FEMA was incapable of setting up or help us set up a robust consistent and adequate supply chain of aid.

In the municipality of San Juan at the time, we were prepared to make breakfast, lunch, and dinner for employees for four months. In the end, we provided meals for them, food for 26 community soup kitchens, food, water and emergency managed health for approximately 65 elderly homes and elderly care type organizations.

New York City Emergency Management, which arrived just a week after María, established for us a robust distribution system built on the strengths of our relationships with religious communities and
recreational leaders. Thus, we were able to provide food and water consistently to 34 San Juan communities. With the help of Goya, Hispanic Federation, Chobani, Suiza Dairy, Tres Monjitas, Chocolate Cortés, and food and water purchased at the municipal level, we were able to meet local nutritional needs.

And I showed you the difference between the photo that we provided and the photo of the food that FEMA said that was food and was provided. We also focused our aid distribution on those living with HIV/AIDS, immigrants, elderly, homeless, those with children or adults with physical and emotional challenges. Where FEMA was incapable, we stepped in. We figured it out. FEMA should have had a road map, a blueprint for how to do this, and precious time would have been saved.

Our first aid came from Chicago, from the diaspora. I remember thinking how they could do it when FEMA couldn’t do it. The violation of our civil rights had an immediate and lasting effect. Today you’ll hear testimony from organizations who have dealt with FEMA’s fallout and still are dealing with it. In my written testimony I’ve included
recommendations on what can be done so FEMA is always prepared to respond. No doubt, treatment was different and devastating.

Think about this. Hurricane Harvey impacted 13 million people and 88 people died. Maria affected 3.5 million, and 3,000 people died. One life is not more important than another, but negligence no doubt took a toll. Why the inequity? For those then in power, we're less important because we are colonial subjects, black and brown people, 60 percent below the poverty line.

Today, December 10th, the world commemorates Human Rights Day. We have the duality of being United States citizens and Puerto Rican nationals. Two nations where one colonized another. And in 1917 gave us American citizenship by birth. Yes, our civil rights were violated after María, but our human rights as a nation, invaded, colonized, and exploited, have been long violated.

They were violated while the island of Vieques was used by the U.S. Navy as target practice. Violated while the effects of contraceptives 20 times more potent than those finally approved were tried in Puerto Rican women. Violated today when a Fiscal
Control Board reduces the hopes of our current and future generations by decreasing pensions and increasing the cost of education at the university level.

While the violation of our human rights is addressed in other forms, we can move forward and together to ensure what happened in Puerto Rico in 2017 does not ever happen again. Never must lives be lost because FEMA or any other agency is incapable of putting action plans into place treating people with urgency, dignity, and respect. Never again must the price of incompetence be the lives of so many.

I am hopeful and confident we can move forward in this common endeavor. Thank you very much.

CHAIRWOMAN CANTÚ: Thank you, Honorable Cruz Soto. And I am at a loss for words. Already I have heard two of the best speakers I have in my life, so thank you very much.

Now we will turn to hear from Ms. Navarro. So please proceed.

MS. NAVARRO: Thank you for the opportunity to speak today. I'm particularly humbled at the other panelists, both from the panel I'm on now and the speakers who I know are coming on the
second panel, many of whom are cited in the written version of our comments that we'll be submitting. For the purposes of time, I'm just going to be reading some excerpts from that, and I'll try to skip over things that have already been mentioned by the previous two panelists.

It has been more than four years since Hurricane María impacted Puerto Rico. It was an unprecedented emergency that left unimaginable death and destruction in its wake from which we have still not recovered today. The more than 3,000 lives taken too soon, the forced displacement of hundreds of thousands of residents, the ongoing plague of blue tarps on rooftops, the months of schooling the children lost, the long anxious wait for promise help to arrive, and the darkness, the never-ending darkness; there is no doubt that both U.S. federal and Puerto Rico’s central governments failed to manage the crisis and protect the people.

The federal government response was inefficient, ineffective, and unequitable. This especially when compared to the significant rapid assistance offered by the Trump Administration to Texas after Hurricane Harvey, and Florida after
Hurricane Irma, which hit those states just weeks before Hurricane María. Their Puerto Rico response was hampered from the outset by a lack of familiarity and sensitivity to cultural norms, structures of local government and institutions, the unique legal framework here, language barriers, and geography.

This lack of familiarity and sensitivity coupled with their opaque bureaucratic and rigid processes, their centralization, discriminatory political interference by the previous administration, and unique administrative barriers imposed on Puerto Rico undermined recovery efforts by FEMA and other federal agencies. Hurricane María was neither the first nor last disaster in Puerto Rico.

Just since 2017, Puerto Rico has experienced two hurricanes, Irma and María, devastating earthquakes, tropical storms, more flooding, suffocating austerity, and the ongoing global pandemic among other challenges. These disasters have laid bare the archipelago's complex economic, social, political, and environmental vulnerabilities. Over the last decade, Puerto Rico has experienced a consistent poverty rate of over 40 percent, an average unemployment rate over 11
percent, the lowest median income of any U.S. state or territory, tightening austerity measures, and a dramatic 11.8 percent decline in population.

However, this situation was unsurprising as it is firmly rooted in more than 100 years of discriminatory policies and an unjust balance of power between the federal government and the people of Puerto Rico. This historic context and precarious conditions must be fully accounted for when evaluating what a just equitable and sustainable emergency response and recovery to Hurricane María should have been.

Hispanic Federation is a 30-year-old nonprofit organization. And immediately after Hurricane María, we began one of the largest private emergency relief and sustainable recovery efforts in Puerto Rico. To date, HF has raised and invested more than $42 million in private funding into the recovery of the archipelago and with those funds we have provided grants to more than 130 local nonprofit organizations and executed multiple large-scale initiatives.

This included chartering the first -- that we know, the first humanitarian private relief
flight on September 23rd, which brought the emergency personnel from New York City that the mayor is mentioning. That was the first of 25 humanitarian flights chartered by Hispanic Federation. We reached all 78 municipalities with an estimated 7.4 million pounds of food, water, and other emergency supplies. Simultaneous to our response here in Puerto Rico, we were also working with our networks to support the displaced community in this state and the various states across the U.S. where they were resettling. In particular, the ongoing relationships that we have built with a diverse network of Puerto Rico based nonprofits has been foundational to our impact. It has long been clear to us that the unsung heroes and first responders of the hurricane relief and recovery efforts are Puerto Rico’s nonprofit organizations, grassroots community leaders, and mutual aid networks. We witnessed this firsthand after the hurricane, again after the earthquakes, and most recently during the COVID-19 pandemic. However, neither FEMA nor the Puerto Rico government has fully acknowledged and integrated these groups into emergency relief efforts, nor have they been fully
remunerated for the work they completed that was the responsibility of the government. FEMA and the Puerto Rico government have at times shrugged responsibility and suggested it's the households' responsibility, not theirs, to adequately prepare for and recover from a disaster, including evacuating, fortifying homes, storing food and water reserves to last multiple days, and then looking to home insurance savings and loans to get back on their feet.

And that may be a reasonable expectation for the average U.S. household, however for families who live in poverty, rely on public food benefits, or live on limited fixed incomes, as so many in Puerto Rico do, there's no money left over to buy extra food reserves, to easily evacuate a community or an island before or after disaster, or to obtain that insurance, those savings, or those loans to help finance a quick recovery.

The mayor has already gone into the problems with the emergency supply distribution. We question why it took so long to bring supplies when airports were open just days after. We know because we were sending airplanes to Puerto Rico with food, the food that's been investigated, how nutritiously
deficient the food was, and how it promoted dangerous levels of salt and sugar intake. Again, when considering equity and a disaster relief, you have to consider the health of people. We know that there is a deep connection between poverty and health outcomes, and yet they were sending candy and calling it meals.

In addition, if we look to our individual assistance for housing, there we see the language access issues that were mentioned when you have inspectors who spoke no Spanish and knew nothing about Puerto Rico. Another major issue that I'm sure will be discussed later was how many families were denied on the basis of home ownership when it's not even a requirement that they provide a title in the Stafford Act. And yet, FEMA did nothing to communicate with the families who had been unjustly denied despite being asked by advocates repeatedly to do so.

When we think about, again, comparisons, we can also look to the fact that in Harvey, families got an average of $6,980 in Texas, and in Puerto Rico less than $3,000. The Transitional Sheltering Assistance Program in the United States for families
staying in hotels also lacked language access and appropriate services. When we look at public assistance, when we look at mitigation, all of those programs also require the applicants to speak English and apply in English.

But egregiously for us is the lack of data transparency. And in one example I want to share before I close, the fact that one of our nonprofit agencies that we work with requested data from FEMA to be able to provide support to individuals with disabilities, it took nine months to receive that data. And we know that those were the communities that were most vulnerable here and who lost their lives. Had they been provided that data and that collaboration, many lives may have been saved. Thank you.


I now call on Mr. Marxuach. We will hear from you. Please proceed.

MR. MARXUACH: Good morning, distinguished members of the U.S. Commission of Civil Rights, fellow witnesses, and all those who are following these proceedings. We at the Center for a
New Economy believe it is important to bear witness about the way Hurricane María victims were mistreated by some agencies of the federal government. It is a moral obligation we owe to those who suffered in the immediate aftermath of the 2017 storms, to those who are still living with the consequences, and to people who unfortunately in the future will become victims of natural disasters.

I have submitted the full version of my statement for the record, so this morning I will use my allotted time briefly to highlight some of the ways both FEMA and the Department of Housing and Urban Development have treated Puerto Rico unfairly in the reconstruction process. With respect to FEMA, I would like to underscore a point made by Secretary Marrero. An amendment to the presidential disaster declaration for Hurricane María dated November 2, 2017, required FEMA to obligate all large-scale project funding for public assistant permanent work for Puerto Rico through alternative procedures.

Under these procedures, FEMA and Puerto Rico had to agree to a fixed cost estimate for each project related to permanent works. We're talking about thousands of projects prior to the obligation
of funds. According to the GAO, no state or territory had ever been required to use these alternative procedures for 100 percent of their permanent work projects after a natural disaster.

Given the magnitude of the damage caused by Hurricane María, it was foreseeable that the use of these alternative procedures will present implementation challenges and delays in developing fixed cost estimates basically because Puerto Rico was responsible for any cost that exceeded those fixed cost estimates.

Under the alternative procedures, FEMA and Puerto Rico had to agree on the appropriate guidance to develop those estimates. It was not until February 2020 that the GAO reported that FEMA had developed guidance for developing those fixed costs. However, it also found that the guidance did not meet all of the GAOs best practices for estimating costs and the GAO recommended that FEMA revise the guidance to adhere more closely to best practices.

To be fair to FEMA, since 2017 it has implemented -- since 2019, I'm sorry, it has implemented several changes to its public assistance program in Puerto Rico. We have expedited the
obligation of funds according to the GAO. As of
January 15, 2021, FEMA has obligated 17.5 billion for
4,793 public assistant permanent work projects. However, the actual expenditure of funds remains
painfully slow. According to this same GAO report, of
the 17.5 billion obligated for permanent work
projects, only 157.7 million, or less than 1 percent,
had been spent as of January 15, 2021.

Finally, we note that as of January 2021, more
than three years after Hurricane María, FEMA was
still developing cost estimates for 5,279 projects
related to the 2017 hurricanes. With respect to HUD, betweent September 20, 2017, and June 2019, Congress appropriated approximately $20.3 billion in community
development block grant disaster recovery funds and
mitigation funds for disaster reconstruction and
mitigation activities related to Hurricanes Irma and
María in Puerto Rico.

The usual process for disbursing these funds is somewhat cumbersome. As shown in Exhibit C
to my written statement, after Congress appropriated
the money, OMB issues an apportionment document to
HUD and then HUD has to publish a notification in the
Federal Register. The intended beneficiary then
proceeds to draft an action plan for the use of funds in accordance with the published regulations. If and when the action plan is approved by HUD, then the parties need to execute a grant agreement to allow the expenditure of funds. However, as shown in Exhibit D to my statement, this process has been particularly, some would say suspiciously slow in the case of funds allocated for mitigation activities in Puerto Rico.

Indeed, a report issued by HUD's Office of Inspector General on April 20, 2021, found that the Trump Administration set up several bureaucratic obstacles that substantially slowed down the process for disbursing these funds. With respect to the Federal Register notice for the use of $8.3 billion for mitigation activities, the OIG report described months of negotiations between HUD and OMB which resulted in several revisions to the notice text, mostly at the request of OMB.

Several HUD officials found some of these OMB requests to be unreasonable or outside the scope of normal administrative procedure. For example, Deputy Secretary Montgomery, during his OIG interview, characterized OMB's revisions as
containing "poison pills" because they would impose unworkable criteria, and he was not sure it was even "legal" to insist upon meeting these conditions.

Furthermore, OMB requested the Office of Information and Regulatory Affairs to review the proposed Federal Register notice, which a HUD attorney described as "unheard of" for a disaster related notice. Another HUD official described OIRA's comments as "kind of like Groundhog Day," it just keeps coming back.

The net result of loading the Federal Register notice with poison pills and submitting it into unnecessary administrative review was that the mitigation notice for Puerto Rico was not filed until January 27, 2020, 23 months and 19 days after the corresponding appropriation and 146 days after the statutory deadline. In contrast, HUD published a notice for the other 14 CDBG-MIT grantees 150 days earlier on August 30, 2019, and a notice for USVI 139 earlier.

While all the circumstantial evidence points to undue OMB interference as the principal cause of the delays regarding the disbursement of CDBG funds for Puerto Rico, the OIG reports fell short
of doing so, perhaps because formal OMB officials refused to cooperate with the investigation while OMB itself denied requests for information made by Office of Inspector General.

Nonetheless, former OMB head and then acting chief of staff, Mick Mulvaney, said the prior part aloud, when on an October 17, 2019 press conference regarding the Trump Administration's withholding of military aid to the Ukraine, he stated that we needed to put this in context. This is on the heels of what happened in Puerto Rico, when we took a lot of heat for not wanting to give a bunch of aid to Puerto Rico because we thought that place was corrupt.

This statement is problematic in several ways, but I would just like to highlight that no Puerto Rican official, no Puerto Rican government official has been indicted, much less convicted of any malfeasance regarding the expenditure of federal disaster assistance funds with relation to Hurricane María.

Nearly four years and three months after Hurricane María, the totality of the circumstances surrounding the federal government's response to the
natural disaster strongly suggests that it was arbitrary and capricious, and that Puerto Rico was unreasonably treated in a different way relative to other jurisdictions affected by the 2017 disasters. Thank you very much for your time.

CHAIRWOMAN CANTÚ: Thank you, Mr. Marxuach. Very, very good. We will now hear from Ms. Miranda.

MS. MIRANDA: Buenos días. I'm honored to be here today, and I will read a short version of my statement, a longer version has been filed on record.

While over four years have passed since María, our reconstruction and recovery process seem to be stagnant. Hurricane María's force was extremely destructive and so has been the response. It sometimes feels as if we are still under the heavy winds of María and only have paper towels thrown to us as support.

I want to start by establishing the context that led to the disaster caused by Hurricane María. Disasters are caused or amplified by our existing social context, vulnerability, poverty, and inequality affect our adaptive capacity and our ability to deal with this phenomenon. María was a
socioeconomic and a natural disaster. The lack of understanding that there are communities that are more vulnerable, poorer, and therefore with less capacity to react, recover, and adapt is in part what has perpetuated the inequity in the recovery process in Puerto Rico.

Let’s look at some important points about the recovery process. Hurricane María, or the lack of preparation for it, and the state of our infrastructure killed more than 4,600 people in Puerto Rico, 70 times the official toll according to estimates in a Harvard University study. Neither the federal government nor the Puerto Rico government were prepared for the magnitude of the disaster.

As an example of this, the Harvard study found that a third of deaths after the hurricane were due to interruptions in medical care caused by power cuts and broken road lanes. As the mayor stated, a report published on September 25, 2020 by the Office of the Inspector General of the Department of Homeland Security confirmed what we all knew -- that the federal government was unprepared for the management of the disaster. Let that sink in.

When it comes to spending, and aware that
we prefer in La Liga is investing, the reality is not better. Recent reports established that only 1 percent of the funds have been disbursed for permanent work projects. Other reports state that only 18 percent of the overall approved FEMA funds have been disbursed. How, one may wonder, with so much need and with the available resources can we be so behind in our reconstruction process?

FEMA’s delay in damage inspections, too many changes, or a lack of staff from COR3 and FEMA, and confusion over federal processes, have caused this unforgivable man-made delay. To this we must add of course the impact that the unilateral and ill-informed measures imposed by the Fiscal Control Board has caused municipalities. Further complicating the reconstruction process is the fact that FEMA funds must be reimbursed.

As stated before, municipalities are facing a multiplicity of constraints imposed unilaterally by the Fiscal Control Board as well as the central government. Municipal budgets are facing drastic reductions while the need of their constituents increase. As an example, from 2015 to 2018, municipal budgets reported a reduction of
almost 15 percent. It is expected that by fiscal year 2023-2024, 43 municipalities in Puerto Rico will be fiscally unviable.

If funds must be spent to be reimbursed but the available funds are extremely limited, municipalities must be strategic in how to invest their reduced resources -- a task that would be easier to manage if the reimbursement process was not as slow as it is. It is important to note that funds that were directly allocated to local government, funds A and B, were promptly disbursed and used. That evidence that local units of government can be more agile than the central government. We all know that there is widespread discomfort with the management of the FEMA funds by the central government, specifically with the company contracted by COR3 ICF Incorporated.

As an example, the mayor of Jayuya, the municipality with the most FEMA funds allocated, recently stated, and I quote, "These people, ICF Incorporated, do not work. And if they work, they change their minds and instructions every day." While we are here to talk about Puerto Rico, it is important to share that companies such as ICF have had previous
allegations of breach of contracts at the federal level, and that should be studied.

In the case of Puerto Rico, it is important to note that since 2018, ICF has signed contracts with COR3 that surpassed the sum of $406 million, in part to advise and give administrative consultancy to the municipalities and government agencies to obtain funds. The complaints expressed by the mayor of Jayuya are shared and amplified by other mayors that have stated that they face similar obstacles with ICF and with the burdensome and bureaucratic process established by the COR3.

It almost feels as if there were remaining winds from María impeding the recovery. To these obstacles we must add the dramatic increase in material costs, the absence of labor, the losses related to the lack of compliance from insurance companies, the compounding effects of other disasters, and of course the pandemic. All of this is further complicated by the delays caused by the COR3 in the approval of documentation previously approved by FEMA.

It is also important to note that Section 428 of the Stafford Act establishes that if costs
increase after estimates are approved, municipal
governments are responsible for the extra expenses.
It does not mention anything about assigning
responsibilities for the delays that lead to
increases in construction costs.

But there is more impeding the recovery
process, and this is an incapacity to understand the
consequences of decisions made at the central
government. An example of this is the adoption by the
central government of the advisory maps completed by
FEMA. These maps, these advisory maps, are incorrect,
misleading, and dangerous. They do not consider
previous mitigation projects funded with federal
funds, and they also exclude many potential
beneficiaries by identifying many communities as
being in a flood plain. This is particularly
impactful for many disadvantaged and economically
disenfranchised communities who will not be able to
receive the required funding, thus ending in
displacement.

We have a set of recommendations to deter
the violation of our civil rights, they're in our
reading statements, but I will read three of them
that I think are instrumental. The first one is to
communicate to the central government that FEMA's advisory maps are precisely that, advisory, and that this should not be adopted without the proper confirmation of their correctness. The second one is to complete an assessment about disparity in regulations to access funds imposed by our own government and that have a negative impact on the most disadvantaged and at need communities. And the third one that I'm going to be sharing here is to complete an assessment on the impact of the federal impositions that are focused on formalized communities and that do not adapt to the legal framework or the reality of Puerto Rico.

Time constraints do not allow me to delve into the topics that I have brought up here in a general way, but we are hopeful about this public briefing, hopeful that it will result not only in the identification of all the things that have gone wrong, but in actions to correct them and to prevent them from ever happening again. Thank you.

CHAIRWOMAN CANTÚ: Thank you, Ms. Miranda. Mr. Padilla Ruiz, we will now hear from you. Please proceed.

MR. PADILLA: Ms. Chair and distinguished
Commissioners, I'm going to be presenting in Spanish, so you can put on your equipment. 

Testimony available on page 173.

Thank you so much.

CHAIRWOMAN CANTÚ: Thank you, Mr. Padilla Ruiz. And now we will hear from our final panelist for panel 1, Ms. Yentel.

MS. YENTEL: Thank you for the opportunity to testify. At the National Low Income Housing Coalition, we have been working on disaster housing recovery for over 15 years, and from those experiences have come to a simple conclusion: America's disaster housing recovery system is fundamentally broken and in need of major repair and reform. The system fails to address the unique needs of the lowest income and most marginalized people, consistently leaves them behind in disasters, and often worsens many of the challenges that low-income people faced prior to the storm.

This inequitable disaster recovery was exemplified by the response to Hurricane María. FEMA's response in Puerto Rico was flawed in many ways. My focus and the focus of the National Income Housing Coalition is on the response to housing
needs. A primary challenge was FEMA's refusal to utilize proven programs to address housing needs.

After Hurricane María, FEMA relied heavily on the Temporary Shelter Assistance program, TSA, which temporarily puts people up in hotels. Low-income families are often unable to access TSA motels due to financial and other barriers, including the practice of motels charging daily resort fees and requiring security deposits or credit cards at check-in. Because TSA must be renewed every 14 days, disaster survivors who do access the program face regular arbitrary deadlines that require them to resubmit paperwork or leave the motel before finding a permanent housing solution.

The Trump Administration abruptly terminated the TSA program for nearly 2,000 Puerto Rican families displaced to the continental U.S. and refused to activate the Disaster Housing Assistance Program, which would have provided them with longer term direct rental assistance and case management services. Many disaster survivors became homeless as a result.

In states with large numbers of displaced Puerto Rican survivors, homelessness increased by 14
percent in Massachusetts, by 17 percent in Connecticut. This is a pattern seen again and again after disasters in recent years, including after Hurricane Harvey, where one year after the storm, homelessness had increased by 18 percent with 20 percent of those newly homeless attributing their housing loss to the disaster, a clear example of FEMA's extraordinary failure to meet the housing needs of disaster survivors.

FEMA has a systemic lack of transparency and a convoluted application process. FEMA consistently refuses to clarify or make public important information about its aid application process, making it difficult to determine who is eligible to receive assistance and why assistance is denied. This leads to higher denial rates for low-income disaster survivors. A full 60 percent of applicants were denied individual assistance after Hurricane María, and many disaster survivors with the lowest incomes don't apply for assistance at all despite their need.

FEMA failed to address title documentation issues and denied survivors assistance to which they were entitled. After Hurricane María,
FEMA denied assistance to at least 77,000 survivors due to a lack of property title. This followed a similar pattern after disasters in the continental U.S. for decades. FEMA has been aware, since at least 1995, of this challenge and the harm it does to low-income and marginalized communities, but until very recently has done nothing to address it.

After María, NLIHC and partners like Ayuda Legal and El Fondo engaged with FEMA to create a sworn statement allowing those without title documents to prove ownership. And still FEMA refused to notify survivors of the new form or make the statement available online. The Biden Administration's FEMA recently made substantial and long overdue improvements to this process, but more action is needed. FEMA must now allow survivors in Puerto Rico and across the nation who were previously denied by FEMA the opportunity to reopen their cases to access the assistance to which they are entitled.

After FEMA's inadequate response to Hurricane Maria, HUD delayed assistance to Puerto Rico and failed to provide oversight to ensure that funds were being distributed equitably. It took six months for Congress to approve money for Puerto
Rico's recovery and more than two years for HUD to fully allocate disaster mitigation funds. When HUD resources do arrive after disasters, recovery and mitigation efforts consistently favor higher income communities at the expense of low-income communities and communities of color, which are often located in areas at higher risk of disaster with less resilient infrastructure.

In Puerto Rico, long term recovery funds are provided only to those able to ensure their homes will comply with flood protection standards. But the recovery program doesn't help lower income disaster survivors to implement any mitigation measures, nor does it ensure that low-income residents are served by mitigation projects.

As we work towards a complete overhaul of disaster housing recovery to center the housing needs of the lowest income and most marginalized survivors, including people of color, people experiencing homelessness, people with disabilities, and others, there are immediate steps that Congress should take to improve the process, including permanently authorizing the Disaster Housing Assistance Program and automatically activating it after major disasters.
to provide longer term housing assistance and wrap around services to low-income survivors; permanently authorizing the CDBG-DR program and including essential protections and assurances of equitable distribution and public participation; enacting the Housing Survivors of Major Disasters Act to allow Puerto Ricans to reopen their denied cases and receive the FEMA assistance they are entitled to; requiring that FEMA provide basic essential information about federal disaster response and recovery efforts, including eligibility, the application process, and reasons for denial; and requiring FEMA to provide categorical eligibility, simplify the application and appeals process, and track and report on outcomes and demographics to ensure recovery aid reaches those in need.

Thank you again for the opportunity to testify. I look forward to your questions.

MADAM CHAIRWOMAN CANTÚ: Thank you, Ms. Yentel. Everyone was wonderful, on time, and now we are turning to the place in this agenda where we will accept questions from the Commissioners. We'll start with the people in person. Would a Commissioner in person like to ask any questions directed to the
COMMISSIONER YAKI: Thank you so much, Madam Chair. In every disaster there's the: response and the recovery. I want to focus on that response right now because -- I think the response is related to this. From your experience, I'm going ask -- start with Madam Cruz Soto first and then everyone else can chip in.

But from your experience on the ground at the time, why was aid so late and the forms of aid that you received so inappropriate to what you believed your needs really were?

MS. CRUZ: I've been asked this question many times in the past years. And it took me a long time to even utter the response, and I think the Secretary of State and Mr. Padilla referred to it. We are a colony of the United States, black and brown people, poor; 60 percent of our people are poor. And simply our lives did not matter to the people that headed the U.S. at the time.

The problem is that this shouldn't matter on who is the president and whether they know Puerto Rico, they like Puerto Rico or not. You don't -- a
slave is a slave. It doesn't stop being a slave because his or her master gives her three meals a day and doesn't beat them on a daily basis. So, what really happened is -- we have to remember; the Trump administration was -- this was very early on. And there was a narrative from the Pentagon, from the White House, from FEMA federal officials to position Puerto Rico -- and this was the "el titular," the headline, as a good news story. But the world was here. I denounced it.

I have to say that I was politically bashed by the opposition, here in Puerto Rico and in the United States, because they said I was making this up. But really what happened is that Puerto Rico's response became a blemish in the Trump administration worldwide. And then rather than making it better they made it worse. There have been reports saying that -- not only in the Inspector General reports and OMB report that not only did the federal government did not give us the aid but they covered it up.

COMMISSIONER YAKI: We heard about the water bottles that never made it to Puerto Rico, that were sitting on the tarmac somewhere else, and --
MS. CRUZ: There was that. There was that FEMA admitted paying a company in Florida about $50 million for food that never got to Puerto Rico and then they rescinded the contract. I also remember, and the Hispanic Federation has to remember this, that there were no tarps in Puerto Rico. It took them, again, a long time, 69 days, says the Inspector General. But this is the truth. When you have several crises, that is, at the same time, Harvey, Florida, and Puerto Rico, you choose to treat faster and quicker those that you consider your own. And I have to say this, and I say this -- look, every day I wake up and we wake up and we think 3,000 Puerto Ricans or more did not open their eyes. We saw them. I saw them gasping for air, people without dialysis, people without chemotherapy, children that looked up at a bottle of water and just wanted to reach out to you because you had a bottle of water six months old. So, we saw this and I think mayors of all parties in Puerto Rico saw this.

But it is, and I don't want to politicize this, but it has to do with our colonial -- we are colonial subjects. So, our lives matter less. And on top of that, we're black and brown. And on top of
that, we're poor.

And we have to thank the diaspora, Chicago, Holyoke, Massachusetts, New York City. I remember going into New York City and seeing this entire place filled with different services. And the one that struck me the most, Mr. Yaki, was the place that contained the little coats for little children, six months old. So, I am convinced -- and believe me, it took me a very long time to be convinced of this, because you don't ever want to be convinced that your life does not matter just because you're politically a subject of another country that has colonized you.

And I've great respect for the American people, because where the American government failed us, the American people and the diaspora, "los puertorriqueños," and the diaspora really took care of us. They fed us. They gave us water. They took care of our wounds. They held us in their arms and said, "We care." AFL-CIO workers, 324 AFL-CIO workers took vacation and were brought to San Juan to help, not only San Juan, but some 37 other towns around Puerto Rico.

So, I am convinced that it had to do with
the disdain that the then president had. The problem
is that this is systematic and structured. So, we
cannot depend on another president being amiable to
Puerto Rico. The systematic oppression and racism
that being a colony gives us has to end. Whether the
people of Puerto Rico want statehood, whether they
want independence, whether they want an enhanced
Commonwealth, or whether they want free association.
We must be allowed as a nation that we are -- because
we are a nation, we're not colonial subjects that --
"Puerto Rico es una nación." We are a nation, and we
must be allowed to decide the next chapter of our
lives with the United States. I have my preference,
but I've always spoken more about a process of self-
determination than about the end of that process.

COMMISSIONER YAKI: Thank you.

MR. PADILLA: Commissioner Yaki?

COMMISSIONER YAKI: Yes.

MR. PADILLA: This is an issue about
political representation. This is about an issue
about power. This is about -- this is an issue about
the situation that has been managed by Congress and
doing nothing for the last 120 years. That's why we
urge Congress to address the political issue of
Puerto Rico in order to let us fulfill our civil and human rights.

COMMISSIONER YAKI: Anybody else? I see lots of you.

MS. GOSSETT: So, I want to echo what's been said for sure. And actually, The New York Times recently had an article talking about not just the biases in wealth that are part of FEMA but also the racial biases that the data is clearly showing across FEMA services. So, there's reports and evidence to back up what's being said.

There are also major logistical challenges in terms of -- I mentioned earlier, they claimed, "Oh, we shipped everything. Everything took too long. We shipped it". Airports were open. The very week afterwards, regional airports were open. And if there was a will to get stuff here and if they had taken into account our geography instead of just shipping things and waiting for it to get here, working with contractors as they mentioned -- that same OIG report shows they lost site. They didn't use their GPS tracking, and so there were major problems in the logistics of what they sent.

You mentioned the water bottles. It
wasn't just water bottles; it was 20,000 pallets of water bottles that were delivered in March and then not found until September. In March they were calling it a surplus. In March we were still distributing water filters to people who had no potable water in their communities, so the need was still there. Why was it sitting on that tarmac? I don't know.

There are major problems in their contracting. I mentioned it was actually 156-million-dollar contract that went to a woman in Florida who had already canceled contracts with the government, multiple cancelled contracts. Yet they gave her that contract to provide food. Meanwhile, again, if you look at the comparison in the amount of food that arrived to Puerto Rico nine days later, versus Harvey, I think it was 5 million meals delivered to Texas a little over 1 million to Puerto Rico in the same time period. And they're hiring failed contractors. The same could be said if you look at contracting, you want to look at discrimination. Actually, we've cited in our report, and I didn't get to it, in our summary, we have done an excellent job of tracking those contracts. And although the Stafford Act requires that there be
preference given to contractors from the impacted area, that is the law, it's in the Code of Regulations, FEMA, one year after, had only contracted -- 8 percent of their contracts had gone to local companies.

The reason we were able to distribute food to all 78 municipalities -- we reached 60 in less than two months despite the fact that at the time we had no on the ground office here. That didn't happen until January. Small nonprofit able to reach all 60 municipalities, 78 within a few months after that, was because we contracted with local distributors after we saw the backlog of containers and shipping containers and saw that that strategy wasn't going to work.

Unlike FEMA, who is incredibly bureaucratic in making decisions, we immediately switched strategies and discovered that the distributors here in Puerto Rico had -- their warehouses actually were full of food, and they had trucks full of gas that could do deliveries. So, we made calls, made payments, and one to two days later were able to send pallets of food to all of the municipalities as soon as we found a mayor or a
Had they, instead of giving preference and looking to these contracts in the U.S. and making these quick and rash decisions for failed contractors, which also happened with the tarps — that was a 30 million contract given to a tiny company in Florida run by two brothers who had never dealt with tarps ever, or even managed a federal contract, got a contract to provide tarps that they never provided to Puerto Rico.

If instead FEMA had focused on, one, some of the strengths that are here in Puerto Rico, focused on supporting the local economy, here in Puerto Rico, and finding those here who could help, we could have moved things a lot faster as well. So, I think there were a multitude echoing what was already said, adding to that these types of issues.

MR. MARXUACH: Just a brief comment. I don't know why this came to mind listening to Mayor Cruz Soto. I really want to highlight what I think is the fundamental issue here. And what came to mind was a quote from President Kennedy, that he gave a speech on June 1963 when George Wallace was standing at the door of the University of Alabama to prevent
African American students from registering to study at the University of Alabama.

And President Kennedy, if I remember correctly, said in that speech that the issue that was facing the nation back then, and I think it's appropriate here in Puerto Rico right now, "Is as old as the Scriptures and is as clear as the U.S. Constitution," it's whether we are willing to treat our fellow citizens with the same rights and the same equal protection under the law.

It's whether we're willing to treat our fellow human beings as we would like to be treated. In the case of Hurricane María, as a Puerto Rican, as a U.S. citizen, as a human being, I certainly will not like anybody to be treated the way we were treated.

MS. MIRANDA: If I may add, I agree with everything that's been said. I do want to add that we are a colony. It's something that we know, but it's important to also understand that if Puerto Rico is a colony, municipalities are the colony within the colonies. So, that's very important to also take into consideration. I think there's a lot of causes to what happened.
I think the first one is a lot of political will. There's a lack of political will at the federal government. There's a lack of knowledge in terms of who we are, what we mean as a country, our distance, etcetera. There's also a metrocentric approach to distribution of resources. It's sort of like Puerto Rico is only the metropolitan area. As an example, our central government invests 70 percent of our budget in five municipalities, where only 25 percent of our population resides. So, that's something to take into consideration. And there's also a narrative -- I mean, competence and corruption that does not take into consideration the role of the federal government. That report from FEMA that says that FEMA lost 38 percent of the goods that were coming to Puerto Rico at a cost of $257 million, if that had happened in Puerto Rico, we would have not stopped hearing about it, right?

So, anything that happens over there is sort of like, you know, hidden under the rug, and anything that happens here is magnified, but without the analysis of the context of how it happens. So, I think that my response is shorter, they just don't care about Puerto Rico. It's as simple as that. We
don't have to give a lot of introductions. Everybody knows we're a colony. The Supreme Court has said it firmly and it's just a reality that we're just here. We're an island. We were occupied. We were invaded and that's it. There's just -- they don't care. That's it.

CHAIRWOMAN CANTÚ: Commissioner Adegbile?

COMMISSIONER ADEGBILE: Madam Chair, I believe the Secretary of State had a response.

CHAIRWOMAN CANTÚ: Thank you.

MR. MARRERO: Thank you, Commissioner.

Just a brief remark.

As I said in my intervention, what we requested in every single stage during the response was just equal treatment. We requested that we were just given a chance as every other jurisdiction in order to manage the process and respond our people in a swift manner. As many of the panelists said, yes, I believe that the biases that they had against the people of Puerto Rico had an effect, also the bureaucracy of FEMA, and from a science of delivery perspective, also the lack of internal capacity of FEMA to manage several disasters across the nation.
But obviously the political status was the main issue. The fact that we have -- we don't have representation in Congress, the fact that we don't vote for the president, and the fact that we all know that this will not happen in the great state of New York or any other great state, makes quite clear that our political status and the fact that we are subject to the powers of Congress, we did not have the same treatment as any other jurisdiction.

Also, that allowed for some of the administration at that time to get away with the narrative, that people in Puerto Rico were just incompetent, they were not able to manage federal funds in a swift manner. And not only we have seen what happened during the response with the municipalities, but also, we took into consideration how the municipalities were so effective in managing the federal disaster funds that we received during the pandemic. This is a real example that you can use as a benchmark.

In the case of the pandemic, the government of Puerto Rico received as any other jurisdiction direct funding from the federal government, and we were able to effectively deploy
those funds in order to address the people of Puerto Rico with no -- in comparison with other jurisdictions, we have done a phenomenal job in doing so. And this is very important to see because, as opposed to the FEMA process, you know that you have to go through an obligation and then request for reimbursement, so the process takes longer. But when we have the ability, when we have the opportunity, I should say, to manage the process, we can do it in a very professional way as done in many other states.

But also, I have to reemphasize what other panelists said, that the fact that we are considered or that the fact that we are not seen as American citizens as any other American citizens in the nation definitely allows some in the federal administration to take that approach with the people of Puerto Rico. But also, I have to highlight, as Sergio Marxuach said, we also have to be fair with the federal administration.

We had some friends in many areas of the -- that were trying really hard to expedite the process, but unfortunately, we saw that atmosphere percolating across the federal government, just putting off -- for the people of Puerto Rico. And
this is not just me saying it, it's because I was there in many meetings in Congress, many meetings with FEMA, HUD, DOH, Treasury and even the White House. And unfortunately, every single time that we complied, as I said, the goal post was just moved.

MS. YENTEL: If I could just briefly add one more -- fully agree with all of my colleagues here. And defer to them on the primary reasons.

But just to add briefly one more piece of the puzzle. It's that FEMA is, as an agency, extraordinarily rigid and unable or unwilling to adapt to unique needs. So, they follow a script and a playbook, which is already flawed and doesn't meet the needs of low income and marginalized people. And then they fail to adapt that playbook to clearly unique circumstances.

COMMISSIONER ABEGDILE: Madam Chair, may I?

Thank you for all of your thorough responses and the very substantive details you've been providing to us. I want to pick up from this last statement that you made, Ms. Yentel, and focus everybody for a second on the idea that, because we are a U.S. Civil rights Commission, we are
particularly focused on the civil rights dimension, which many of you have spoken to. And I wanted just sharpen some of the dialogue on these issues so that we can be clear for purposes of our report.

Some of what I've heard is that the federal response was inefficient, bureaucratic, slow. Some of what I've heard is that there's a sense that the federal response was motivated by treating Puerto Rico differently because of perceptions of race, language, status, and other protected characteristics. And what I'm asking those of you who can respond to this is to try, and put in light for us, is to share the best direct or circumstantial evidence that the flawed response was in fact due to these civil rights issues and not just inefficiency and bureaucracy.

Both contribute, I'm quite sure, based on what you've shared with us, but I just want to make sure that we're not missing the best evidence that you can marshal, that what we have here are actual civil rights violations. Thank you.

CHAIRWOMAN CANTÚ: And let me add, the rest of the list is age, religion, disability status, and violations of the Constitution. Sex. Any other
categories? Those are all of the lists that we want
to hear from. Yes.

COMMISSIONER YAKI: And national origin,
which I think a lot of you touched on.

MS. CRUZ: Yes. If I may, I talked about
the deaf population, as an example. FEMA has the
capacity, and it offered it in Harvey, to have
personnel that have American Sign Language as part of
the way that they communicate. That would even have
been a prob -- they never offered that in Puerto Rico,
but that would have been a problem because Americans
Sign language and Puerto Rican sing language are
totally different. The structure of the way that
information is communicated in the Puerto Rican deaf
community is quite different.

But I want to point out, and I think it
was Ms. Yentel that mentioned it, a lot of Puerto
Ricans don't have property titles, "título de
propiedad." That is especially true, and I'm sure
you've heard it, Ms. Cantú, from the people at Loíza
and El Caño Martín Peña. It took FEMA about three
months to be able to tell the municipalities and the
central government, "Listen, let us go with just an
affidavit that states that your neighbor knows that
you've been living there for X number of years."

It is a clear violation of civil rights.

Why? Because, first of all, you don't have equal access to the way that you are being treated or to the services that you have a right to be provided.

Also, we have in San Juan and in other areas of Puerto Rico, but mostly in San Juan, a very large Dominican population, people that came from the Dominican Republic with or without the appropriate papers to be in Puerto Rico. I don't like to call anyone illegal. They just don't have the appropriate papers, undocumented.

Just this morning we woke up to the news that New York passed a legislation stating that anyone can vote in their election. So, it's moving forward. But it made it a lot more difficult for people that were undocumented to come forward because when they see somebody dressed with the federal seal they think of ICE. So, they don't come forward and at a time like that, people have to come forward.

But also, the people that were -- and I'll give you an example. There was the ship, I forget the name of the ship that was brought -- the U.S. Comfort. The U.S. Comfort was brought to Puerto
Rico and we thought, "Oh, that's great. It really is going to help." And then there were no guidelines and people were denied treatment. People were denied, they were not allowed. If we sent them to the U.S. Comfort, they were not allowed to go in because the U.S. Comfort would only deal with certain types of ailments. So, time after time there are specific examples.

And I just want to finish with this, with something that Ms. Miranda mentioned, and Ms. Navarro, in the U.S. the state of Texas receives money from FEMA, but also the cities directly receive money from FEMA. Especially if the cities are above 500,000 or 350,000 people that are populated. No one in Puerto Rico, no city -- San Juan at the time had 375,000 population. If there is a way -- and where there is a will, there is a way to not only leave that money at the state level in Puerto Rico but to also treat us like other jurisdictions where they put the money in the hands of the municipalities and also have a plan for the municipalities to put into the hands and the money of the nongovernmental organizations, it is a lot faster.

What we learn from New York City is to
look -- get religious leaders, recreational leaders, our community leaders, and put the aid in their hands. I never went around giving boxes of food for political reasons. I gave it all to organizations that then gave the food for humanitarian reasons. And I think that looking at protecting the civil rights from the standpoint of the municipal government and the nongovernmental organizations also helps to minimize some of those inefficiencies in the distribution.

MR. PADILLA: Mr. Commissioner, as I told earlier, we do have people, trans people that was denied because the system says -- a gender mark was different than they would assume. And that's a clear messing with civil rights. That's a clear way to discriminate those people because they have to go through an appeal process in order to get -- and they were devastated because of the hurricane impact. And they were lost in the middle of nowhere trying to fight with this agency because of those gender marks.

COMMISSIONER YAKI: Can I do a quick follow up on the U.S. Comfort? One of the things that -- I'm sorry, Commissioner, I just want to get this.

One of the things that boggles my mind
about what happened with María is in most disasters, 
daths occur at the event and not after the event. 
This was flipped in Puerto Rico because of issues of 
people who have dialysis, people who have diabetes - 
- there are any number of people who were -- who would 
fit in the definition of disabled under the Americans 
with Disabilities Act. Why were they -- did they 
attempt to get access to the U.S. Comfort? Was there 
any sort of recognition of this by the federal 
government in getting appropriate dialysis machines 
or supplies of insulin to the island? Because this 
information is available to the federal government. 
They have it all, whether it's through the census, 
the American Community Survey, whether it's their 
Medicaid stats, they know what the population's 
health is like here and who's got what or more than 
likely whatever. Did any of that occur?

MS. CRUZ: Mr. Yaki, the Hospital El 
Maestro, which is very close by, needed generators. 
They did the forms, and they did the forms, the 
generator never came. The Municipality of San Juan, 
at the time, we put the generators in there after 
their ICU collapsed. And why after? Because that's 
when we could get there.
Ever since -- while I was mayor, the Hospital El Maestro, which is a hospital for the teachers that have worked in our public system, every time there was a blackout, which in Puerto Rico occurs every day -- I'm living now in Massachusetts, but my parents, my brother, and my daughter live in Puerto Rico and it's like it's a joke, you know. And it's not a joke because people -- we don't want electricity to take warm showers. We wanted electricity at the time, so our doctors did not have to operate with the light on their cell phones.

So, no. FEMA, you put out a form and you asked for it and you asked for it and nothing came. Because I screamed and I complained a lot, they put an entire battalion of people from FEMA to work at the Coliseo Roberto Clemente, which was the largest shelter in Puerto Rico. And what they did was handle and handled the paperwork. I don't know if Ms. Miranda has gotten this information from other mayors, but we input the information in one system and then they literally would tell us, "No, no. That's not good. Now you have to input the same information in another system."

This is why I have proposed that we
should come up at the U.S. national level and at the Puerto Rican national level with an Emergency Management System that includes all of the information previously. We know what a category 1 hurricane is going to reflect in terms of -- maybe El Centro for Nueva Economia can tell us, "Category 1, this is usually how much we are going to lose." So, we shouldn't be waiting for the administration, whichever administration it is, to decide what they're going to approve from now on. So, the answer is no. These hospitals that -- and I went to various hospitals in San Juan, they did not receive what they had asked from FEMA because simply FEMA did not have generators all in hand.

COMMISSIONER YAKI: And the Comfort wasn't --

MS. CRUZ: The Comfort, you would ask for people to be in an intake in the Comfort and they would tell us no, it's not for that type of -- women that wanted to give birth, it's not like you decide when you want to give birth. So, I want to give birth in a place where I know that my child will be taken care of.

COMMISSIONER YAKI: Tell me what were the
criteria? You had to be maimed or something like that? I mean, if you're in a medical emergency, wasn't that the whole purpose that they trumpeted the Comfort --

MS. CRUZ: Trauma. If you had trauma, severe trauma, then. But not for --

COMMISSIONER YAKI: Diabetic shock, no?

MS. CRUZ: No. No.

COMMISSIONER YAKI: Renal failure from dialysis?

MS. CRUZ: No.

And I'll finish by saying this, at the municipality of San Juan, with the University of Sagrado Corazón -- and I know what I'm going to say is going to be controversial, they had about 30 Cuban doctors that were studying to become nurses in the United States and the president of the University of Sagrado Corazón brought them to San Juan.

And we went through communities just scouting for people and gave out about 736 -- of course, you know it might be 700 and more than that, but medication, that we identified people. And we would go back and give them the medication again and again and again. So, there is no national Puerto
Rico's stockpile of things like diabetic insulin and so forth, high blood pressure, asthma medications.

We established things called Centers for Citizen Transformation where they would have access run by the communities, and Comerio, is doing one next week ran by the communities to deal with basic health issues at the Community level.

MS. GOSSETT: If I can add to your question. I'm going to find for you, I recall quite a few articles coming out around the time around the problems with the Comfort and how they were turning people away. So, I'm going to search those and share them.

And I'd also like to put you in touch with MAVI, which is an organization that I referred to earlier, not by name. But when I was speaking in my report. Immediately after Hurricane Maria, they requested that data from FEMA because they're an organization that their expertise is advocating for and providing services to people with disabilities all across Puerto Rico and they knew that those people were going to have special needs and that needed to be immediately attended to. They did not receive that data.
First, they were denied because they were told there were confidentiality issues and there is no way around that. After their insistence, suddenly FEMA found a way around it. And yes, with an MOU they could get that data they needed -- they provided that MOU. It still took them nine months to give that data to MAVI. As a reminder, those 3,000 people -- more than 3,000 people who died in that aftermath, many from those chronic health issues and disabilities, died in the first six months.

And had that data been provided to that organization, they may have been able to pull their resources together to provide their support for those folks. But as mentioned, and mind you just mentioned it, FEMA was not working with the nonprofit organizations here on the ground who know their communities best, who were the first responders. And we have seen this in each of the disasters since.

There is for some reason a resistance from both FEMA and the central government in Puerto Rico to partner with the network of community based and grassroots organizations to capitalize on their expertise and the trust that they have in communities. And the result of that was lives lost,
and in particular our disability community.

COMMISSIONER ADEGBILE: Great, I think that there may be a couple that just wanted to come back to my question about.

MS. MIRANDA: Yeah.

COMMISSIONER: Okay. Thank you.

MS. MIRANDA: I wanted to add, I agree with everything that Stephanie said, but I think -- and I understand your question in terms of the specific -- I can't even say it in Spanish, but I can understand the question. But I think it's more systemic than just an example. In the case of the League of Puerto Rican Cities, and I agree with what Charlotte is saying and the mayor are saying, that nonprofit organizations, community organizations were first responders, but so were municipalities.

So, in the League of Cities, what we're advocating is for to move from resilience to systemic change. Because the focus on resiliency, what it means is that we have to keep on being prepared to survive whatever comes our way. I'm tired and exhausted of being resilient. I can understand resiliency from a climate change perspective. But when it comes to recovery, for you to ask me and my
communities to be resilient, it's really a slap on the face.

So, I think the conversation has to be more about the system that we have and how there has to be real systemic change to impede the violation of civil rights.

We can give you a list of concrete examples if you want, if we have more time, we can send it your way. But I think, overall, the conversation has to be about the system that we have and how there has to be real systemic change that moves us from resiliency to real equitable development and recovery. So, I think that's something that should be included.

MS. GOSSETT: To add to that question, specifically, I think we can look to the fact that President Trump wanted to sell Puerto Rico as a response, right? If we want to see what the attitude was towards Puerto Rico in particular, I think that gives a clear example. And also in language access.

Language access is protected under the Civil Rights Law for national origin. Puerto Rico is clearly an example of that. In 2000, President Clinton put out an executive order that required
federal agencies to provide meaningful language access. I do not believe FEMA is complying with that. There is guidance, specific guidance on when that meaningful access has to be provided. I'm going to read it and you determine whether Puerto Rico meets the standards, the four factors that are supposed to be considered.

It's one, the number or proportion of LEP, limited English proficient persons, who are eligible to be served or likely to be encountered by the program or grantee. In Puerto Rico, that's everybody. The frequency with which LEP individuals come in contact with the program. In a disaster relief program, understood. The nature and importance of the program, activity or service provided by the program to people's lives. What is more important than your disaster relief and recovery? And their resources available to the grantee, recipient, or cost.

In the case of FEMA, with Puerto Rico alone, has over $38 billion at its disposal. That's only Puerto Rico. I believe Puerto Rico meets all of those standards, and FEMA should be in compliance with language access, and they absolutely were not in
their response to Hurricane María.

COMMISSIONER ADEGBILE: I just want to check to see if Ms. Yentel wanted to weigh in on this topic and then there may be others.

MS. YENTEL: Thank you. And I would agree with everything that has been said and especially the last comments, which I was going to touch on and won't.

But I would just come back to the title documentation issues as what I think is one of the clearest patterns of discrimination by FEMA for decades. After Hurricane Katrina, there were thousands of people in Alabama and Louisiana, predominantly, disproportionately black households in predominantly black communities that hand down home ownership more informally that were denied assistance.

After Hurricane Michael in the Panhandle, 50 percent of families, households, were denied assistance due to title documentation. Again, it was in the region of the state that is disproportionately people of color, and disproportionately poor. After the hurricane -- after the wildfires in California, 70 percent of applicants were denied assistance due
Again, these were predominantly Latino, farm workers who, again, had informal documentation and were denied. In all cases, FEMA was aware that the issue was as simple as having alternative documentation but chose instead to deny households. And again, in Puerto Rico, 77,000 households were denied for that reason. FEMA has made improvements very recently and they're important improvements. They do nothing to help all those households that have already been denied. And especially in the case of Puerto Rico and the more recent disasters, FEMA should be required to reopen those cases, allow those applicants to reapply, and receive the assistance they're entitled to.

COMMISSIONER ADEGBILE: One clarification on that point. Does the requirement of showing title exist in the law?

MS. YENTEL: Actually, by FEMA's own rules, FEMA is allowed to use alternate documentation, but they refuse to do so again and again.

COMMISSIONER ADEGBILE: So, it's a practice. In a sense, it's a practice that's being
used that is having discriminatory impact over and
over again in a disaster region after disaster region
is what you're telling us.

MS. YENTEL: Exactly. Right.

COMMISSIONER ADEGBILE: Thank you.

MS. CRUZ: One very specific example.

Once they got over FEMA calling beef jerky an entrée,
if you look at the box, it said entrée and it was a
beef jerky. Then they went to military ration food.
The instructions to that were in English. And in a
lot of cases people would burn themselves because if
you didn't know what you were doing, you could burn
yourself.

So, one of the things that I've said in
my recommendations is that I suggested to FEMA many
times, with no avail, that we can deputize municipal
employees. We can train municipal employees and all
78 municipalities. Not all of them are going to be
able to work in a disaster like this, which I hope in
my lifetime I never get to see again, but FEMA can
deputize them and then they would have access
immediately to thousands of people that speak
Spanish, that know the culture and that can help them
navigate within.
That would be a very easy way to ensure that we have the appropriate amount of people and make sure that the intellectual property of those processes stays in Puerto Rico.

COMMISSIONER YAKI: I yield to Commissioner Kladney.

CHAIRWOMAN CANTÚ: Commissioner?

COMMISSIONER Kladney: Thank you, Madam Chair. We've talked about a lot of different problems. Is there one location where you can talk about the solutions in preparation for the next type of disaster? In other words, is there a list of solutions that you propose to assist the Puerto Ricans in the face of another disaster?

MS. MIRANDA: Yes. A resounding absolute yes, bold, underscore. There's a lot of things that can be done.

COMMISSIONER Kladney: Were you provided the tools?

MS. MIRANDA: Yes. I can -- do you want me to read them now?

COMMISSIONER Kladney: We only have a few more minutes for questions.

MS. MIRANDA: I'm going to give you
three. But I think that the first one would be to decentralize recovery funds to ensure a more expeditious, equitable, and just recovery. Puerto Rico is heavily centralized and there's some metrocentric approach that impedes access to those. So, I think that would be one.

I think that the other one that I will highlight would be to reduce the risk of disaster recovery spending at the local level through the allocation of funding to increase the capacity of municipalities. I agree with what the mayor is saying that municipalities should be seen as a great resource that we have. They are the first responders. So, we can submit our -- you have our written statements. So, our recommendations are there. But I think decentralization would be the central thing that should be done.

COMMISSIONER Kladney: I'm quite interested in the response to disabled people. And yesterday we went to a couple of communities, just maybe half an hour away, which could be very far away if the roads are blocked. And I think director Padilla Ruiz spoke about a list of disabled people. Is there any inventory taken as to how you can assist
disabled people in these communities outside of San Juan and were they assisted in San Juan at the one shelter? Was there any actual assistance provided that could save their lives?

MS. CRUZ: Yes, Commissioner. The Municipality of San Juan ran seven shelters, the largest shelter in Puerto Rico was Coliseo Roberto Clemente. We had about 850 people, 200 employees that remained there to sustain all of the other operations. We produced between 5,500 and 6,000 meals a day to provide to everybody. But every shelter had an emergency unit, as emergency as it could be, we could deal with everything except "sutura" -- suturing, major suture. We had our ambulances and then we could send them to the municipal hospital which is very close by.

But one of one of the things that we did is we relied a lot in the community, organizations, nongovernmental organizations. And you can go to Clarita right now, they have the first Center for Citizenship Transformation. And they had, which was done after Hurricane María, but we had already been working with her leadership of all political parties, I don't even know which party they belong to, and
they had a list, row by row, street by street of the
health conditions of each one of the people.

COMMISSIONER KLADNEY: And that was in
San Juan.

MS. CRUZ: That was in San Juan.

But I know the same thing happened in
communities in Comerío, in communities in Loíza, in
Río Grande, San Sebastián, where the mayor was very
active and in fact San Sebastián was the first
municipality that with their volunteers and municipal
employees, put their electrical grid to work, not
waiting for PREPA at the time or the central
government.

So, there were some efforts at the
municipal level and by nongovernmental organizations.
It depends on the municipality, how tight you are
with them, and how the information is. We knew at
the Municipality of San Juan of four people that on
any situation we called because they needed oxygen
and machinery to keep.

COMMISSIONER KLADNEY: Right.

MS. CRUZ: So, we would call them up,
pick them up, take them to the hospital and keep them
there to make sure that they were taken care of. But
that could be done at a national Puerto Rican level in a more structured way. But I would put the weight on the nongovernmental organizations and the municipalities to support whatever the central government can provide.

MS. MIRANDA: Can I add? And we got connected through Hispanic Federation. But there is -- La Liga is partnering with Three Plus Connect to develop an app that will allow us not only to close the gap between the disaster and the needs that the community needs. And what we ask the team, and I don't know if anybody is going to talk about this, but one of the things that we asked was let's not only think about how do we disburse the goods that are coming, the commodities, but how can we have an assessment -- like a community census per community, per municipality, where we could have the data and we can have like a continuous community survey that would be done every year to identify the need.

So, that's something that we're working on right now with this organization. But as you know that takes money, so there has to be political will from the central government to understand that a tool like this that is managed by an organization in
collaboration with other nonprofit groups and in collaboration with municipalities is something that should be an investment. Recovery is more than buildings, is systemic change. So, we're advocating for that as well.

COMMISSIONER KLADNEY: Do you believe that there were any extraordinary delays in receiving funding that you've mentioned because of discrimination? Do you have any evidence of that?

MS. GOSSETT: We can provide some from some of the investigations that have been looked at into, again, how the Trump administration particularly put some -- many of the things that were mentioned that were barriers, we can look to those and assume that those unique barriers that were forced on Puerto Rico were probably done intentionally with an effort to prevent funding from getting to Puerto Rico that created delays. And whether there was an explicit line that says, "We're doing this to delay it"? No. Was that something that can be understood by many of the decisions that were made that you could assume that they were going to cost delays? I think so.

And so, if we collect a lot of what has
been said here today, we'll see that those decisions that were made and applied uniquely to Puerto Rico, those administrative barriers, that moving of the goalpost constantly seemed to have been intentional interference. And we've seen along the way, not just with FEMA, but with other funding that has come to Puerto Rico, through the Department of Education, through HUD, and others.

MR. MARXUACH: I have looked at the HUD funding specifically. And if you read the report from the office of the Inspector General that came out in April, it's very clear that they were playing some sort of game with Puerto Rico. I mean, it is very hard to pinpoint a specific individual and say, "This person specifically wanted to discriminate against Puerto Rico." But the language that was used by former HUD officials that agreed to be interviewed by the Inspector General I think is very clear.

I mean, they mentioned things like poison pills. They were concerned about whether some of the things OMB was requiring were even legal inside HUD, they were questioning that. Also, the submission to review by OIRA is unheard of in the case of disaster relief and those funds were subjected to that
additional review. So, if you look at the totality of the circumstances, at least to that 8.3-billion-dollar tranche for mitigation activities, I think it's very clear that the intent was to delay as much as possible, the disbursements of those funds to Puerto Rico.

COMMISSIONER KLADNEY: Thank you very much.

COMMISSIONER YAKI: Can I just follow up really quickly?

Has anyone done any look -- you talked earlier a lot about how all these contracts are going to the mainland and not going locally? FEMA doesn't look to see were those contracts going to white majority firms versus the fact that -- if they were to do local contracts here, they would, just by sheer numbers, be going to black and brown owned firms.

MR. MARXUACH: We put out a dashboard of some of my colleagues at the Center for New Economy, which Ms. Gossett Navarro mentioned, but unfortunately, we couldn't get that level of detail. We did identify though that over 90 percent of the contracting money was going to mainland firms, but we really couldn't get the granularity that you are
asking for. And perhaps that's something that could be changed in the system going to the future, to request that that data be produced so the analysis can be done by independent observers.

MS. MIRANDA: I do want to add this report that was published by Sembrando Sentido. It's included in our statement. But what they studied was CDBD-DR. And what's important to understand is that there's also a narrative in Puerto Rico by our central government that says that there's no capacity in Puerto Rico. We were really not ready to manage what happened with Maria. That's the reality.

But the fact that we kept on signing contracts with outside consulting companies that have no cultural competence, that they don't manage the language, and then they will come to Puerto Rico, and they hire Puerto Ricans to do the job, is something that's really concerning for us. And one of the things that's concerning for us is that there is no knowledge transfer.

This is resiliency as an example, if we want systemic change, we have to hire companies in Puerto Rico and build the workforce development and we have to make sure that we have the capacity to
withstand whatever comes our way. So, that report is included and mentioned. But it's not for FEMA, it's CDBG-DR.

COMMISSIONER YAKI: And just one little thing. I wonder if you would agree with what I think I've been hearing, which is that decentralizing aid, using more the municipalities or community-based organizations, could have the impact of addressing issues of language, cultural competency, knowledge of the disability community, persons in the different communities, an immediate response, do you agree or disagree?

MS. CRUZ: Definitely agree. That is the way it should go, and that is the way that it happens in some U.S. jurisdictions.

And if I may, Mr. Kladney, just one quote.

When asked why it took so long for FEMA to get things to Puerto Rico, this is a direct quote from the then president of the United States. "Because they're an island surrounded by water. Lots and lots of water, ocean water." So, when the head is not screwed on right, the rest of the body doesn't work.
CHAIRWOMAN CANTÚ: I'm going to check in with Commissioner Gilchrist before we close today's first panel. If there's any additional information or an additional comment, please.

COMMISSIONER GILCHRIST: Just want to thank the panelists for their remarks today. They were interesting remarks and I appreciate their time today. I also appreciate the Commission having a way for those that were unable to be with you today to chime in. So, again, thank you for your comments today and thank you, Madam Chair, for allowing me to make those remarks.

CHAIRWOMAN CANTÚ: Thank you, Commissioner.

With that, I do appreciate that everybody got started, almost exactly perfectly on time. And I also want to let you know we're going to be taking a 10-minute break. Do not go far away because we will start on time. Thank you.
CHAIRWOMAN CANTÚ: Welcome back. I will now briefly introduce the panelists in the order in which they will speak for our second panel. Our first speaker is Ariadna Michelle Godreau Aubert, executive director, Ayuda Legal Puerto Rico. Our second speaker is Tania Rosario Méndez, executive director, Taller Salud. Our third speaker is Ruth Santiago, Esq., Comité Diálogo Ambiental, Committee Dialogue on the Environment.

Our fourth speaker is Carla Minet, executive director, Centro de Periodismo Investigativo, the Center for Investigative Journalism. Our fifth speaker is Yarimar Bonilla, director, Center for Puerto Rican studies. Our sixth and final speaker for panel two is Amaris Torres Rivera, executive director, Fundación Fondo de Acceso a la Justicia, Access to Justice Foundation. Ms. Godreau Aubert, you are first up. Please proceed.

MS. GODREAU: Distinguished member of the Commission, thank you for your invitation to present this testimony.

Civil rights in Puerto Rico have been in peril for long, a situation worsened by austerity,
inequality, unsustainable public debt, and colonialism. Disasters have brought us closer to a social and economic crisis that threatens the possibility of a future in Puerto Rico. Eleven percent of the population has left in a decade. Reliving Hurricane María and its impact is a conscious attempt to transform neglected collective pain into an actual just recovery.

Because we are a colony, federal and local governments share the responsibility to guarantee civil and human rights and to lead survivors to resiliency. We need disaster assistance to arrive quickly, ensuring accessibility to shelters and aid, compliance with civil rights standards. We need coherent planning, equitable access to funds, displacement minimization guarantees, and real and effective participation. Recovery programs should never be a blind bet on random and possible outcomes, but a strategized road towards a long-term sustainable recovery. Crisis do not affect all people equally. Unattended emergencies have accumulative effect on the rights of historically marginalized groups.

Inexistent and flood recovery statistics
and systemic racism allow discrimination against women, black, and elders through their recovery process in Puerto Rico to remain unaccounted for. Our experience at Ayuda Legal Puerto Rico, leading disaster legal aid and advocacy post-María, and accompanying thousands of families throughout the island, signaled to an unequivocal disparate impact on these groups. Nearly 58 percent of FEMA applications and 75 percent of the appeals were denied. Two-thirds of the families that received assistance to repair their homes received awards of less than $3,000, according to the Puerto Rico Comptroller. Between 43 percent and 80 percent of the works commissioned by the FEMA STEP program, Tu Hogar Renace, were left unfinished.

On February 2018, the Government of Puerto Rico was allocated $20 billion in CDBG-DR funds. Families who were not able to access FEMA, who were turned down or neglected by Tu Hogar Renace, applied to DR Housing programs. Between July 2019 and January 2020, 27,000 families applied. As of today, only 1,500 hundred homes have been repaired and less than 300 houses have been rebuilt. In February 2020, it was estimated that between 15,000
and 18,000 families were still living under blue tarps.

First response was characterized by abuse of force, deficient nutritional boxes, a delay in the establishment of disaster relief centers, officials who spoke only in English, and the militarization of response. The local government, otherwise absent, implemented a curfew that was senseless, considering that it was people who assumed the first response.

A few days into the curfew, a black man was killed by the police in a clear show of force. Despite the major power outage that lasted for long months and its impact in communications, FEMA insisted on having disaster applications filed through hotlines or internet platforms. Lack of transportation and access to justice increased the vulnerability of low income of elders, of families with kids, and survivors with mobility challenges who could not reach the DRC to present their applications.

Ayuda Legal Puerto Rico went to communities, interviewed affected individuals, traveled back to areas with internet access, uploaded thousands of applications, and later returned to the
communities to hand down registration numbers so that
those people could have a chance. Half of the
population of Puerto Rico lacks a formal title.
Nothing in Puerto Rico laws or FEMA's regulations
require owners to register their properties, yet
FEMA's incorrect interpretation of "owner" excluded
countless of families from receiving housing
assistance.

At Ayuda Legal, we researched, we
created, we drafted a sworn statement to serve as the
alternative proof of title, and, with other
advocates, we fought FEMA to stop them from barring
assistance to families with informal titles. In the
end, in June 2018, we won, but it was already too
late. FEMA's reluctance to notify applicants about
their right to appeal and to use this form, placed on
the backs of non-profits the responsibility to let
applicants know about this chance.

Thousands of families lost the
possibility of receiving assistance. This form
recently became part of the new FEMA guidelines.
While we celebrate the impact that this will have on
other survivors in other jurisdictions of the U.S.,
we condemn that this will not have a retroactive
effect for Puerto Rico, so that applicants that were unfairly denied assistance could have the possibility of finally repairing their homes.

Moreover, and recently, FEMA's recoupment processes has become an actual concern for survivors who are still awaiting a safe dwelling. Lack of formal documentation responds to social economic elements such as lack of access to justice, insecurity of tenure, and land rescues grounded on unmet housing needs. Moreover, informal titles respond to a system grounded on racial oppression, slavery, redlining, predatory lending practices, which historically forbade black people from owning land. Lack of clear ownership eligibility criteria has also been an obstacle for black and people of color in the U.S.

FEMA and other disaster recovery funds should abide by policies that promote access. It is our position that individual legal strategies are not a real solution for the title issue nor is the federal imposition of real property regulatory system amidst disasters. Addressing informal titles in Puerto Rico requires a structural policy change at a local level that cannot be discussed and/or solved in an
emergency situation.

Although I don't have more time for this brief initial comment, I wanted to stress that first response application processes and eligibility criteria sets the ground for equitable and just recovery. Addressing civil rights protection requires revising how these instances comply with principles of nondiscrimination, accountability, and participation.

And also the fact that we are here before this Commission because we truly believe that we are in a moment where we can elaborate clear cross cutting guidelines and with practices to respect, protect, and promote the civil rights of people amidst disasters even of those people who are still living in a colony. Thank you very much.

CHAIRWOMAN CANTÚ: Even though we had a malfunction on our timing, you were 10 seconds early, so "te lo felicito." That's wonderful.

Our next speaker is Ms. Santiago. No. It's Méndez. Please bear with me, I'm malfunctioning. Please proceed, thank you.

MS. MÉNDEZ: Thank you, chairwoman -- and all members of the Commission for this opportunity to
speak about FEMA's role in disaster preparedness and response to Hurricane María in Puerto Rico.

For more than 40 years, Taller Salud has addressed health disparities that often are rooted in social, racial, and economic inequalities. The following statement is based on expertise, first-hand experience, and data driven insights. "In the aftermath of Hurricane María, Puerto Rico was on its own with limited capacity and resources to guarantee subsistence needs and social protection."

It should be recalled that a major disaster declaration was signed by former president Donald Trump, but a sense of urgency and commitment to robust actions was missing. After days without assistance, it became evident that the emergency situation was evolving into a major humanitarian crisis. There was no electricity, no food, no water, no cell phone service or internet. Our entire infrastructure had collapsed, and our most vulnerable people were left to die in their homes. I want to be very clear, federal preparedness and response to Hurricane María was at best mediocre, and at worst genocidal.

Before this body, Taller Salud would like
to denounce FEMA's lack of planning and coordination coupled with discriminatory practices that cost thousands of lives in Puerto Rico. In Loíza, a town that is majority black and majority women, 53 percent of people live under the poverty line. Gender inequality manifests itself in a variety of ways, including poverty and lack of economic access, lack of housing, underemployment, lack of support system, and a high rate of gender-based violence. When emergency strikes, women are always at the forefront of recovery and rebuilding, but they also bear the brunt of calamity and are the most vulnerable at the hands of austerity, physical abuse, institutional violence, and lack of access to proper health care, and safe housing.

After the storm, five of the seven domestic violence shelters in Puerto Rico had to close due to infrastructure damage, lack of electricity, and absence of support by the central government. Because police officers were acting mostly as traffic and supply guards, women were unable to denounce violent situations and were forced to stay in dangerous environments. Local news reports have counted seven women murdered by partners...
or ex-partners during the aftermath of the catastrophe. But to this day, the Puerto Rico Women's Advocate Office has not assessed nor published validated data regarding violence against women after Hurricane María. All of this constitutes a violation of women's rights.

The decisions made by FEMA in the first 30 days after the hurricane had consequences we are still dealing with four years after the storm made landfall. According to 2020 census data, Loíza has experienced a 21 percent reduction in its population. That's a 13 percent increase from the American Community Service 2017 estimate. This displacement has in part happened as a direct result of FEMA's inability or unwillingness to expedite the relief aid process. More than 3,000 homes in Loíza were left without roofs or so severely damaged that were rendered unsafe to live in. Yet FEMA has repeatedly rejected federal assistance requests from residents because of regulatory requirements that aren't tailored to the geographic and social realities of Puerto Rico.

In 2018, FEMA published flood mapping declaring 95 percent of Loíza in a flood zone, making
it impossible for our communities to rebuild post-
emergency as FEMA requires flood insurance in order
to reimburse for damages. Yet those same lands can
be swiftly picked up by private capital contributing
to gentrification, resource depletion, and even more
displacement down the line. This bureaucratic chain
is not only deficient, but it is downright cruel and
discriminatory.

However, the immediate needs in Loíza
were met with an immediate response from the
community. Women specifically organized themselves,
surveyed the destruction and quickly got to work to
ensure the safety and well-being of those around
them. They rolled up their sleeves and set up
community kitchens across Loíza to cook for hundreds
of people.

Our approach to human rights and the
facilitation of participatory processes within and
outside of our community allowed us to promptly
address the magnitude of the needs and to evaluate
the necessary adjustments to the best of our
abilities. We did community censuses around town to
better understand the urgent needs of women, men,
children, senior citizens, and people with
disabilities. After all, nobody knows communities
better than community members themselves.

The Puerto Rican diaspora was vocal about
the human rights violations occurring on the island,
and with the help of hundreds of volunteers, we got
aid where it belonged, in people's hands and homes.
Undeniably, since 2017, Puerto Rico's history has
been divided into chapters before and after María.
The atrocities witnessed after this tragedy serve as
a reminder of our colonial status and the severe
impact it has on the lives of Puerto Ricans on the
island and across the globe. One thing is crystal
clear to us. When the government doesn't do its job,
people lose their lives.

Since September 2017, inequities have
harshened, personal and professional opportunities
are now much more fleeting. Social and well-being
programs are even more deficient and lacking. Our
communities and younger generations face the choice
of leaving their hometowns at a rate much higher than
before. Without a doubt, COVID-19 has exacerbated
these circumstances, but the beatings our island took
from the hurricane winds do not compare to the
governmental abuse our people face immediately after
and to this day.

It is imperative that the government learn from Taller Salud's feminist strategy and listens to community-led coalitions as it develops disaster preparedness and recovery plans. Our work demonstrates the power of community resilience and the importance of feminism as a principal in disaster relief. Long-term recovery efforts require investing in the women leaders in the communities.

That's the way forward, alongside our communities with our women on the front lines prioritizing the collective, centering the voices of those most affected by the issues, looking for solutions and answers within our peoples, not without. The solution has always been and will always be collective. Thank you.

CHAIRWOMAN CANTÚ: Thank you, Ms. Méndez.

We will now hear from Ms. Santiago.

MS. SANTIAGO: Good morning, Chair Cantú and members of the Commission. I appreciate the opportunity to testify on the civil rights implications of the federal response to the impacts of Hurricane María in Puerto Rico. This testimony focuses on the multiple efforts that
numerous community and environmental groups have made to provide input to FEMA and other government agencies on the necessary transformation of the Puerto Rico electric system to address the disproportionate burdens that centralized fossil-fired, import-dependent energy generation exerts on poor and majority Afro-descendant communities in municipalities of Salinas, Guayama, Peñuelas, Guayanilla, and other municipalities in Puerto Rico where electric infrastructure is located. And the purpose of the testimony also is to highlight civil society proposals to achieve environmental and climate justice. There's more detail in the written testimony.

More than four years after Hurricane Maria, a cursory view of the electric system casts a disappointing and potentially lethal tally. After the hurricane, the centralized grid with its poles, towers, wires, and substations largely running from the big fossil-fired plants in southern Puerto Rico through the central mountain range to the north -- especially to the San Juan metropolitan area -- was stood up amid scandals of companies like Whitefish and Cobra profiting handsomely from dubious work.
Another company, New Fortress Energy, built an LNG terminal to import highly volatile methane gas that is frequently inoperable and was constructed without the necessary authorization from the Federal Regulatory Energy Commission — I'm sorry, from the Federal Energy Regulatory Commission or an environmental justice analysis of how nearby communities would be impacted by this new threat.

The Punta Lima Wind Farm was blown away by the hurricane as was a utility scale land-based solar array near where the storm made landfall. The AES coal-fired power plant in Guayama continues to spew toxins, contaminate the South Coast aquifer, and adversely impact the largely Afro-descendant population. The new grid operator, a joint venture created by Quanta Services and ATCO Canadian Utilities called LUMA Energy is lobbying to rebuild the existing centralized fossil enabling energy grid with a historic amount of FEMA and other federal funds that perpetuates disproportionate impacts and environmental injustice.

The Governor of Puerto Rico, while paying lip service to renewable energy, continues to push for the reconstruction of the 20th century system...
that overburdens nearby communities and has failed after each hurricane in the past 30 years. Governor Pierluisi, who took power with barely 32 percent of the vote, is asking FEMA to hand over 9.6 billion to rebuild the centralized transmission and distribution grid and add new methane gas fired power plants, and not one penny for renewables. In 2005, Congress determined that rebuilding these lines over and over was not a cost-effective strategy, and I cite, "Electric power transmission and distribution lines in insular areas, including Puerto Rico, are inadequate to withstand damage caused by the hurricanes and typhoons."

In contrast, civil society proposals put forward by community, environmental, labor, and professional organizations, academia and religious congregations are calling on FEMA and PREPA -- the Puerto Rico Electric Power Authority -- to invest the historic amount of funds to provide lifesaving distributed renewable energy -- primarily on-site or rooftop solar and battery energy storage systems -- to enable Puerto Rican residents, businesses, and institutions access to resilient power as set out in the We Want Sun, "Queremos Sol," proposal.
The proposed transformation of the electric system would alleviate the load on poor and largely Afro-descendant communities that are overburdened by the centralized fossil-fired electric system in Salinas, Guayama, Peñuelas, Guayanilla, and parts of the San Juan metro area.

But Puerto Rico civil society proposals, thus far, have fallen on deaf ears. The EPA Title 6 implementing regulations barred disproportionate impact in addition to intentional discrimination. In the administration of environmental programs such as siting and enforcement, we ask this Commission to urge the federal government to earmark the historic amount of FEMA funds for on-site and rooftop solar and battery energy systems and similar alternatives to alleviate the burden of poor and largely Afro-descendant communities close to the fossil-fired plants.

We urge the Commission to investigate the LUMA contract and the role of the Fiscal Oversight and Management Board in its imposition of the LUMA contract and in the electric crisis that we are experiencing. The use of the historic amount of FEMA funds allocated for the electric system will...
determine the viability of Puerto Rico for
generations to come and could be instrumental in
achieving environmental and climate justice in the
archipelago.

And so, you see, in terms of the electric
system, the request here is prospective. It's
because the FEMA funding is still pending, there has
not been a decision by the federal government, there
is still time for this Commission and others to weigh
in and influence the decision and have the
Biden/Harris administration fulfill its promises and
its commitments in, for example, Executive Order
14008, that require tackling the climate crisis and
also centering environmental justice so that the
communities near the plants that, as I mentioned,
are largely Afro-descendant communities, are not
overburdened by or continue to be overburdened by
fossil fuel generation. Thank you.

CHAIRWOMAN CANTÚ: Thank you very much,
Ms. Santiago.

We're now going to hear from Ms. Minet.

Please proceed.

MS. MINET: Good morning. I value the
opportunity to talk in this public briefing for the
U.S. Commission on Civil Rights on the Civil Rights Implications of Disaster Relief: Hurricane María in Puerto Rico. I hope that this becomes a productive forum in which we are not only heard, but that can be linked to solutions to the problems and injustices that are brought to your attention.

My name is Carla Minet. I am the executive director of Centro de Periodismo Investigativo, the Center for Investigative Journalism, or CPI in Spanish. The CPI is a non-profit organization celebrating 15 years of doing incisive investigative journalism, training journalists in Puerto Rico and the Caribbean, and doing litigation for access to public records. We have a team of five members, five journalists that have been devoted permanently for the past four years to investigating the recovery process after Hurricanes Irma and María.

Given the time limits and that our reporting for the past four years is available on the internet and accounts for many civil rights violations, I will focus today on very specific backstage events that may give you an insight of the challenges we have faced as journalists while
investigating the recovery process that show systemic problems we face given our colonial relationship with the U.S.

In June 2020, the Health Department of Puerto Rico said to the CPI that it handed over to the local Emergency Management Agency information about the number of electricity dependent persons in each municipality that comes from the federal database called Empower Map, so that it was given to the mayors of these municipalities. But the information shared did not include the names of the patients or their addresses because, allegedly, this information should be handed after the disaster because of an MOA to protect private information, Health Department said to CPI.

This is a huge contradiction with the logic of preparedness and anticipating tragedies and deaths, and like all protocols suggest moving people that are dependent from electricity before a category five hurricane hits.

CHAIRWOMAN CANTÚ: Ms. Minet, could you pull the mask up a little bit?

MS. MINET: Up --- oh, I'm sorry.

In trying to understand how this
information was gathered by the Federal Empowerment Program, CPI journalist Eleva Martínez submitted a Freedom of Information request to HHS on June 2, 2021, including emails and letters in which the Empower Program communicated to officials of the government of Puerto Rico regarding the Empower Map platform; dates of training events, and the names of Puerto Rican public official participants; dates in which the Empower Map team supported the Puerto Rico Department of Health with situational awareness and IT tools to identify electricity dependent populations; and action reports and the corrective action improvement plans for the program in Puerto Rico and the U.S. Virgin Islands since January 2017 up to the production date.

HHS has denied our request for expedited processing even though we are a press entity and qualified and we were in the middle of the hurricane season, which established the urgency. And until now, HHS has not handed the information we requested, violating all due process that is supposedly guaranteed by FOIA.

In a separate effort, we filed another FOIA request to the Department of Homeland Security,
FEMA, dated February 26, 2021. We had interviewed several FEMA employees at the Puerto Rico Recovery office that had presented complaints regarding work harassment and had said that nothing happened with their superiors. In the FOIA, we were seeking all the available disaggregated data presented in the quarterly public report on complaints, notifications about labor discrimination in FEMA for years 2015 to 2021, including the data on the origin of these complaints broken down by FEMA region, state, and territory. The information request was denied because no responsive data was located. OER does not track complaints this way, therefore does not maintain such records.

A few months later, an audit by the Department of Homeland Security Office of the Inspector General analyzed 305 complaints about sexual harassment. By evaluating 7,000 internal FEMA documents dated 2012 through 2018, it found that FEMA did not always adequately report and investigate internal allegations of sexual misconduct, including sexual assault, unwelcome sexual advances, and sexual comments in its operation in the United States and its territory. This information they used for this
audit is exactly the kind of information we asked for with the FOIA.

We persisted and filed another FOIA in October 2021 requesting a breakdown of the places of origin of the 3,005 complaints identified in the OIG audit. Still, no response. In Puerto Rico we have a constitutional right of access to information. Even though it is far from being perfect, CPI goes to court to file these kinds of petitions I just described, and we usually get the information within weeks or months.

In my view and experience, the problems of getting information through FOIA are a real and constant obstacle to our accountability reporting regarding the recovery process. I've been to conferences and workshops about FOIA in the U.S. and I don't hear these stories from U.S. mainland journalists. I have --- I will jump in.

Last but not least important, as you might know, for the first time FEMA has applied to an entire jurisdiction, Puerto Rico, a provision of the Stafford Act on disaster and emergency assistance that was included as an amendment after Hurricane Sandy in 2013. Since then, it had only been applied
It was imposed on Puerto Rico government officials by the Trump administration as our reporter, Cristina del Mar Quiles, revealed a few months ago. Section 428 allows for reconstruction in a stronger and more resilient manner, but Section 428 states that if the cost increase after estimates are approved, municipal governments are responsible for the extra expenses incurred. In those cases, FEMA will not disburse additional funds. This has become a huge bump in the road, as some mayors have confirmed to CPI.

Our request for interviews to agencies like FEMA and HHS take weeks or more to be granted, when granted, or we get generic and unclear responses. We inquire about this issue. This is not a wailing wall. It is a brief selection of the challenges we have faced during accountability reporting in the past years and shows, in my view, the lack of empathy, the absence of urgency, and in many cases, an absolute disregard by federal agencies for Puerto Rican issues. Thank you.

CHAIRWOMAN CANTÚ: Thank you very much, Ms. Santiago -- Ms. Minet.
Next, we will hear from Dr. Bonilla. Please proceed.

DR. BONILLA: Hello. On behalf of Centro, the Center for Puerto Rican Studies at Hunter College, I thank you for the opportunity to present oral testimony at today's hearing. We will be submitting our written statement digitally following today's procedures.

Centro is a research institute solely dedicated to the study and interpretation of the Puerto Rican experience. We did not work directly with federal agencies in the management of disaster aid, but we have been closely tracking the impact of the storm and the challenges of recovery.

Since 2017, Centro has produced 13 data reports and four annual assessments. We've documented displacement after the storm, the housing crisis provoked, and the impact of school closures. We also organized major events in Puerto Rico and New York and online oriented towards capacity building and the formation of alliances across sectors.

Based on these activities, our main recommendation is that it is imperative for FEMA to adopt an intersectional approach to emergency
management in Puerto Rico and beyond. This entails paying closer attention to how various social and demographic variables such as race, gender, age, disability, and geographic location impact and combine in ways that hamper both individual and collective abilities to respond to disasters and access federal aid. This also includes a necessary recognition that inhabitants of U.S. territories face particular barriers which require FEMA to develop customized practices through local information gathering such as the hearings today.

We would like to particularly highlight the challenges faced by senior age populations and disabled populations as well as those living in particular geographic regions. In regards to seniors, it is important to recognize that seniors face unique vulnerability risk within Puerto Rico, including a lack of family support networks due to adult children not living in the same home or having migrated away from Puerto Rico. They also have lower probability to respond to disaster warnings due to lack of internet access. There are also particular socioeconomic characteristics regarding Puerto Rico's senior population that are important to note.
Please allow me to provide you with some figures. In Puerto Rico, 22 percent of the population is elderly, this is much higher than the U.S. average of 16.5 percent. Forty percent of Puerto Rico seniors live at or below the poverty line. This is again disproportionately high, where in the 50 states the poverty rate for seniors is only 9.4 percent overall and 7.9 percent among Latinos. After Hurricane María, at least one third of the senior age population applied for aid.

By analyzing the data from FEMA applications, we found that senior applicants had disproportionately lower gross income levels relative to the overall population. More than half of senior age aid applicants reported less than $15,000 as their gross annual income. It should be noted that since Hurricane María, the senior age population has grown across municipalities. In other words, Puerto Rico's population is becoming disproportionately elderly, partly as a result of post-María displacement.

Similar to seniors, people with disabilities experience particular obstacles and challenges in both the lead up and the aftermath of
disasters and emergencies. Again, let me provide some
data points specific to Puerto Rico. Twenty-one
percent of our population is disabled. This is
significantly higher than the average for the 50
states, which is 12.7 percent. Half of Puerto Rico's
disabled population lives below the poverty line.
This is again statistically higher than the 50 states
where it is only 20 percent.

And these numbers have been increasing.
Since 2017, poverty rates for the disabled have
increased by 4.8 percent. Lastly, it is important to
note that Puerto Rico's disabled population is not
equally distributed geographically. Instead, there
are various pockets of disabled communities, mostly
in rural areas.

In our analysis of U.S. census data, we
found that there are areas where as much as 100
percent of the population reported a disability in
Puerto Rico. This is notably in the municipalities of
Yauco, Jayuya, and Orocovis, all of which are rural
areas.

Thus, I would like to end by calling
attention to the importance of geography. The impact
of Hurricane Maria was seen across the entirety of
Puerto Rico. And yet, in our analysis, we found that it was only in the San Juan area where the number of aid applicants was proportionate to the population. Numerous studies have attributed this to FEMA's unfamiliarity with Puerto Rico's terrain beyond urban centers.

It is worth noting that this is particularly concerning given the spatial concentrations of vulnerable communities in rural areas, as noted above. By creating barriers to access in rural areas, FEMA is also creating barriers for the elderly, the disabled, and other socially vulnerable populations.

Lastly, I want to call attention to how living in a U.S. territory as opposed to a U.S. state inherently creates disproportionate access to aid. As numerous studies and previous panelists have argued, the federal response in Puerto Rico was overall slower and smaller in scale to what was seen after Hurricanes Harvey and Irma in Texas and Florida during the same period.

It places under the category of geography because in previous legal proceedings other branches of the federal government have argued that Puerto
Ricans are not the victims of discrimination based on race or ethnicity, given that when they migrate to the 50 states, they have full access to the rights and entitlements of U.S. citizens. However, it is obvious that the residents of this U.S. territory are disproportionately of Puerto Rican descent. And thus, the lack of access to adequate aid in this particular geography must be understood as a form of ethnic discrimination rooted in the United States' colonial history and imperial presence.

In closing, I urge federal, state, and local agencies to adopt an intersectional approach to questions of accessibility and to pay greater attention to how residing in a U.S. territory predisposes populations to experience barriers to federal aid.

Indeed, I ask if this federal commission gave enough attention to the particular challenges involved in preparing testimony in English and in educating the public about their right to testify and attend these hearings in a context where civil society is overtasked with filling the gaps of ineffective government response to our ongoing disasters, including not just hurricanes and
earthquakes, but also the fiscal crisis and our ongoing pandemic. Thank you.

CHAIRWOMAN CANTÚ: Thank you, Dr. Bonilla.

We will now hear from Ms. Torres Rivera.

Please proceed.

MS. TORRES: Good afternoon, thank you all the Commission for the invitation to participate on this public briefing, and I also want to recognize the all-women panel that is right now at this public briefing.

I am the executive director of the Fundación Fondo de Acceso a la Justicia, or Access to Justice Fund Foundation. It's a non-profit foundation in Puerto Rico that provides funding to diverse non-profit organizations to offer free legal services on civil matters to low-income and vulnerable communities. After Hurricanes Irma and María, our foundation created a legal emergency fund with the purpose of providing free legal assistance to disaster survivors, particularly low-income families, that were in imminent need of housing assistance.

Currently, we have impacted 15,000 families in Puerto Rico. We subsidized over 20 non-
profit organizations and employed over 65 attorneys and notaries at law that worked in legal brigades throughout the 78 municipalities of Puerto Rico helping, specifically, with FEMA applications, affidavits, and eventually, letters of appeal. What we saw was that 65 percent of our participants were women, 78 percent were elders, specifically over 60 years old.

But we wanted to highlight, because of — because we are a foundation that has to do with legal services, we wanted to highlight specifically what we encountered through our experience with our legal projects. One of the significant discriminatory practices that we saw from FEMA was the denial of specifically 85,000 individual assistance applications because of the alleged lack of home ownership. To this day, we -- it is unclear why and how so many cases were denied because of the reason people were not able to prove ownership. And after some legal evaluation from our projects, our attorneys concluded that it was an arbitrary and discriminatory decision-making process from FEMA.

During that time, our foundation collaborated with attorneys from Texas, from Texas
Access to Justice Foundation and other attorneys from New Jersey, both having the experience of Hurricane Harvey in Texas and Sandy in New Jersey, and I always remember them telling me that in Puerto Rico they were -- FEMA was requesting people so many documents, and it was such a different process from Texas and New Jersey, from what it is supposed to be the process of requesting documents. Specifically, because the Individual and Household Program Unified Guidance at that time had a definition of ownership and exceptions to document presentation that never obligated for people to have a formal property title.

And I also wanted to highlight this meeting in 2018 at the University of Puerto Rico Law School where there were high level FEMA officials. When I presented this issue about denials of land tenure or property title, I remember they were telling me that they don't know why it was an issue in Puerto Rico because they had previous experience from other U.S. territories or jurisdictions with indigenous and tribal lands, and they made exceptions, and they applied correctly their guidance.

So, they didn't -- they expressed that
they didn't understand why it was such a big issue in Puerto Rico. But it was, and a lot of people were denied their right to have that assistance to repair their homes. So, we had a very disproportionate denial rate in that sense. And I wanted also to highlight something that Ariadna Godreau mentioned at the beginning, since she also was dealing with the legal brigades. When the Office of the Chief Counsel and FEMA approved that the sworn statement -- that it was basically this very simple 1-2 page document that included different legal scenarios, specifically about ownership, land tenure, it wanted to accommodate the social and legal context of the people in Puerto Rico. So, we thought it was the right thing to do, so we were so happy when FEMA approved that. But I just wanted to reiterate, like Ariadna was mentioning, they didn't have -- they didn't make that document available at the Centers for Disaster Recovery. They didn't notify any of the 85,000 people that were denied because of ownership that there was a new possibility to appeal with that document, and it was a real possibility for that. So, we encountered constant obstacles and challenges from FEMA to -- we thought that it was sort of like this active action
and discriminatory action so that people wouldn't actually appeal because of the ownership.

So, what we did was a new campaign across the island, helping people, again, with legal brigades. We had to include psychological professionals in our legal brigades because the anxiety and the emotional distress that these FEMA denials were causing on people were very real. We had participants that expressed constantly suicidal thoughts, and we even had a participant that committed suicide. And I wanted to say this because when FEMA denies an assistance, it impacts people, but it also has the effect of killing people. It's something real. We saw it in our legal projects. It's not something that -- it's invented, right, it has a consequence.

I'm running out of time. I want to respect the time. But we continue to see the discriminatory practices after the earthquakes on January 2020. We have all the details of what we saw on our written statement. But I wanted to also highlight that one of the biggest obstacles that we confronted as well with FEMA is the lack of transparency and access to information.
We wanted to have information from all the 78 municipalities of the denial rate so we would target our legal aid and be more effective. It was really, really hard to get that information. They don't have a dashboard, it's not accessible. So I wanted also to highlight that as a part of the civil rights discussion. And thank you.

CHAIRWOMAN CANTÚ: Thank you, Ms. Torres Rivera.

-END OF PANEL 2-
CHAIRWOMAN CANTÚ: So, at this point in our panel, it's the most fun part. It's the question and answer. So, I'm looking to our commissioners to see which types of questions or what kind of information they would like to go over. Okay, Commissioner Adams, please.

COMMISSIONER ADAMS: Thank you all very much for your time.

My question, first one is to Ms. Aubert, Ms. Rivera, I think, could you help me understand -- you talked about the property issues. Is there a procedure here where you have a local property tax some way where homeowners or people on the land are paying taxes, and did FEMA not accept any evidence of that as evidence of ownership?
MS. GODREAU: As per the guidelines that were already in place for the individuals and household program, as Diane Yentel was saying, there was already like a way to prove ownership that included what you’re just mentioning, like payment of taxes or receipts. But when FEMA came on the ground, even though the CFR stresses like a very broad definition of owner, they were asking precisely for deeds, title deeds.

And, as I said before, nothing in Puerto Rican law requires that and nothing in federal law requires that. And I must say that this is an awful precedent because since FEMA did this in practice, the Puerto Rican Housing Department implemented the same restriction, a self-imposition, for the CDBG-DR funding. So, we are seeing the same thing that we saw with FEMA, the same thing that took us three years to fight in the CDBG-DR program. So, you know, this is snowballing.

MS. TORRES: I completely agree with what she’s saying and I just wanted to add that we always and constantly, in our different meetings with FEMA staff, with high level representatives from FEMA, we met with them locally and even went to the United
States a couple of times because of this issue. And we constantly explained to them that Puerto Rico has a Spanish tradition, a civil Spanish tradition when it comes to law.

We wanted -- we explained to them the complexities of just that, of having those laws, it didn't work as it works in the U.S., and so it's different here because of our law tradition. But also, there's a historical context of land tenure in Puerto Rico, and our foundation even commissioned a study, a socio-legal study, to try to explain why it's so different in Puerto Rico.

For example, people are not obligated to have their titles registered in the Property Registry. It's not an obligation. So, it was very frustrating because we constantly explained this. And what blew our minds was that not only the attitude was as if they didn't want to understand, they didn't want to deal with it, but the guideline had an exception anyways, they weren't supposed to ask for the title anyways. So that was very mind blowing for us, the insistence of them asking for that type of formal document here in Puerto Rico.

COMMISSIONER ADAMS: Question for Ms.
Santiago. You talked about the -- you advocated for distributive generation; I think. I mean, my question is, do you think that's more economically efficient than having an infrastructure like you have now? And secondly, what would be more likely to enjoy a capital infusion the next time that there's storm damage, would it be the status quo or would it be distributed generation?

MS. SANTIAGO: Thank you for the question. Distributed renewables, renewable energy in general, according to Lazard and other financial analysts, are now the cheapest way to generate energy. They're cheaper than new gas-fired power plants. And the specific situation in Puerto Rico and in other areas that are prone to hurricanes is that distributed renewables work better, are more resilient, and require less reconstruction, which is what Congress was saying.

The way the electric system is configured in Puerto Rico, there are lots of power plants in the southern coastal areas and there is a whole gamut of transmission and distribution lines that run from the south to the north, mostly San Juan. That happens to be right in the path of hurricanes.
Hurricanes come in through the east, cross across the island, and take down the transmission lines in the past 30 years. I mean, since Hurricane Hugo, I remember. Usually it's part of the island, not the whole thing, the way it happened after Hurricane María. But certainly, yes. Those lines, that design, is a very 20th century configuration. And the investment of federal funds should go towards something more resilient that will hold up after the next storms.

And what we're seeing, very interestingly, another equity and environmental justice issue, is that people at higher income levels here are rapidly taking up these systems. But it's such a small part of the population, with the high poverty rate here, that lower- and middle-income people -- that of course correlates with race here -- do not have access to that universal essential public service through rooftop solar or on-site solar, something nearby that is not as impacted by hurricanes and storms.

There have been studies, DOE, recently civil society organizations like Cambio, IEEFA that show the viability, the cost effectiveness of these
rooftop solar systems in comparison to rebuilding the grid. And I want to point to an analogy here, so if you order something online and have it delivered, you probably don't expect to pay more for the delivery - much more, 10 times more for the delivery -- than the content of your package.

That is what the government of Puerto Rico and FEMA are considering doing, paying to rebuild the transmission and distribution system to the tune of the already allocated 9.6 billion. And they're asking for up to 14 billion, and plus adding new gas-fired plants as opposed to providing the energy more directly. You can avoid that whole transmission cost by providing the energy on rooftops, or more locally sited. I hope that answers the question.

COMMISSIONER ADAMS: Thanks.

CHAIRWOMAN CANTÚ: Commissioner Kladney, please.

COMMISSIONER KLANDNEY: Thank you, Madam Chair.

Dr. Bonilla, I think I said it right. I am so bad. Bonilla. Anyways, has the Puerto Rican government or FEMA -- maybe this is for everybody --
ever conducted a complete inventory of projects that would mitigate damage during a catastrophe like a hurricane? And if not, would that help?

DR. BONILLA: Has the government conducted -- can you say that again? I'm sorry.

COMMISSIONER KLADNEY: An inventory of the kind of projects that are needed, like in these small towns, to mitigate damage that would occur during a storm.

DR. BONILLA: No. There's been some studies, but it's not been exhaustive. I don't know what the other panelists would say, but not that I'm aware of, no.

COMMISSIONER KLADNEY: Would that help?

DR. BONILLA: I think so, absolutely. Yes.

MS. GODREAU: That's one of the duties that COR3 had along the process, like to have an inventory of the mitigation plans available, and incoherent planning is part of unjust recovery. One of the things that happened is that planning processes, for example, within CDBG-DR, they haven't even started. So, you're already pushing people for relocations, for giving out contracts, a revolving door between the FEMA STEP program and the CBDG-DR
program. But their planning process, the millions allocated for the planning process, that program hasn't started. So, to answer your question that updated inventory, we're lacking it because of local governmental omission to do so, and also because the way that the funds are being spent locally is not coherent.

MS. TORRES: I just wanted to add that we recognize that the government of Puerto Rico and the U.S. government has a responsibility to develop these plans and mitigate, but we also wanted to recognize that those plans have to be with the communities. It's -- a planning to get--

COMMISSIONER KLABNEY: Input

Ms. Torres: Right, not only the input, an active participating process. COMMISSIONER KLABNEY: Right.

MS. TORRES: Right? So, when governments start contracting -- and we know, we recognize the responsibility, but it cannot be just an up/down initiative. It has to be --

COMMISSIONER KLABNEY: Right. Right.

MS. TORRES: Right? Just wanted to clear that, right? Okay.
COMMISSIONER KLADNEY: And another question, since the hurricane, has FEMA come here and conducted an investigation as to how it performed during the investigation? Has it gone from community to community to see what happened and to see how it could be better prepared next time?

MS. GODREAU: Not that we know of.

DR. BONILLA: There was an internal assessment of some practices, but I don't believe it involved coming to Puerto Rico and talking to local stakeholders. I think it was just an internal -- and also, in particular, looking at how during the past administration there were specific directives given to slow down certain processes, as I believe the panelists in the morning panel discussed.

COMMISSIONER KLADNEY: Have you ever seen that document?

DR. BONILLA: I've seen news reports about it. I've not personally received the document.

COMMISSIONER KLADNEY: And you don't know what it was called.

DR. BONILLA: No.

COMMISSIONER KLADNEY: I mean, I'm trying to find out because we can request a copy if it's an
internal assessment that was done regarding María.

DR. BONILLA: I don't have it at my fingertips, but I can submit news reports that discussed it.

COMMISSIONER KLASTENY: Thank you very much.

MS. TORRES: I remember that, I think two weeks ago, I received an invitation, and my emergency legal aid coordinator virtually attended, from FEMA. It was like a conference of revising internal practices. And she actually -- it's included in the written statement some of the changes they are internally making, and we applauded, and we think that those changes are good. They are coming four years later, people died and left, and that's obviously an issue. But I think it was about two weeks ago, I can search for the information as well and send it to the Commission.

COMMISSIONER KLASTENY: And perhaps a contact at FEMA that we could get ahold of. If you had a person there, they would probably know who to contact?

Ms. Torres: Yes.

COMMISSIONER KLASTENY: Thank you.
Yes, ma'am.

MS. MINET: Yes. I just wanted to say that there are many OIG audits that went out, FEMA's problems and HHS' problems, so there are lots of them. And CDBG also had audits, so they should be revised. And I hope FEMA local office is watching. I guess they should be here. But many of these concerns have been reported extensively in local press.

So it's not that they are not aware of these problems because they -- at least we at the center -- and I know many of these organizations have submitted press releases during all this time, and they should know about their failures.

COMMISSIONER KLADNEY: Right. I just wanted to know if they were looking at it themselves to make change. I mean, you could know about something, but if you don't look at it yourself.

Yes, ma'am.

DR. BONILLA: I just want to point out to the Committee, there is a 300-page report published October 2018 by FEMA called Mitigation Assessment Team Report Hurricanes Irma and María in Puerto Rico Building Performance, Observations, Recommendations, and Technical Guidance.
COMMISSIONER KLADNEY: Thank you very much.

COMMISSIONER YAKI: Thank you.

I want to spin around on the whole title issue. It was brought up in the first panel and I want to get some specificity to sort of -- well, because we'd like that for the record. A couple of things. One, when did you first bring -- this is, I guess, for both Ms. Aubert and Ms. Rivera. When did you first bring to the attention of FEMA the issue that they should not be just relying on deeds for applications for housing assistance as a result of Hurricane María?

(Pause.)

COMMISSIONER YAKI: I think the mic --- okay. Hit it. A little bit harder. There you go.

MS. GODREAU: Okay, so, I finally did it. If tech fails us amidst the pandemic, it's done, so we have to go home, right?

(Laughter.)

MS. GODREAU: So, I have, considered this on several occasions. So just like Ayuda Legal Puerto Rico brigades started literally 24 hours after the disasters, and we trained 400 lawyers and attorneys.
We trained all of the legal service entities that were out there, so we were a huge group. We started noticing this, I would say, like a week or two weeks after Hurricane María, when FEMA officials on the phone told us, "Why don't you get an instant title?" And we were like, "I don't know what's an instant title." And they said, "That's something that they had in New Orleans. Why don't you have it?" And we were like, "Okay. This is not working."

If you hung up, somebody else would tell you another and another thing. I must say that three weeks into --- after María, a FEMA official told the people in Loíza, the mayor of Loíza, "You know what? You can use this form so that people who don't have title -- it's something that we prepared. They can use it."

And we went to Loíza, and we filed 1,000 applications, literally, in a day with a lot of pro bono attorneys, and all of those forms were denied. And then FEMA denied the fact that they gave the mayor that form, so that happened over and over again. So, FEMA knew since the beginning that this was an issue.

COMMISSIONER YAKI: Okay. And how much later did it take for them to concede in that meeting
with you that they would accept the substitute verification, which was always within their discretion to do?

MS. Torres: So that document was approved on June 2018.

COMMISSIONER YAKI: Like a year later.

MS. Torres: More or less. Yes. It was. Yeah. But I have to say that we truly appreciated that the Office of the Chief Counsel designated this attorney that met with Ayuda Legal and our foundation and other nonprofits to finally approve this. And we truly appreciated it. But not only did -- it was an approval that came almost a year later, but it wasn't effective because it wasn't available. It wasn't accessible.

COMMISSIONER YAKI: Well, let me ask you this. Did FEMA ever tell you after that -- after the nine-month period and after they approved the true form -- that everyone who was denied previously could reapply?

MS. Torres: There was nothing written. Maybe that attorney could say, "Listen, tell people to appeal again." I remember some of our attorneys in our projects telling us that at the DRCs, some of the
staff at -- a low level staff in the DRCs would tell our attorneys, "they could appeal with an affidavit, with a notarized affidavit from a notary-at-law in Puerto Rico, which has to be a lawyer, different from the U.S."

COMMISSIONER YAKI: Yes.

MS. Torres: And we started -- all our legal brigades had -- one of the requisites of being on those legal brigades were that they should be notaries-at-law because the way -- the conversations led to that. But eventually, we saw that all those appeals with those affidavits were also denied.

COMMISSIONER YAKI: What?

MS. GODREAU: Yes. So, it was that then the sworn statement was approved. And also, many applications were also denied. So ---

COMMISSIONER YAKI: So, they gave you something, but it really hasn't resulted in anything. And they haven't said anything publicly about whether they would, basically, wipe out the old denials and let people reapply again? Because I'm sure they would say there's some kind of time limit or something that you -- I don't know. What's going -- so you're shaking your head, so just tell me.
MS. GODREAU: Because it never became an official guideline. It was until, I would say -- and part of my staff is here -- in October that it finally became a guideline. Because what FEMA said is that -- they sent us a letter saying, "Yes. The form is okay. But now, please, nonprofits, do go out and tell people." So, we were lacking also coordination from the local government. There was no way that we could get the names of the 1,001 million applicants. And since it wasn't a policy, there wasn't even an internal procedure. And we trained FEMA staff on the informal title form, and it was the first time that they --

COMMISSIONER YAKI: So, they have the names of everyone who got denied.

MS. GODREAU: Yes. They should.

COMMISSIONER YAKI: So, they could easily send out or give you the list.

MS. GODREAU: Sure.

COMMISSIONER YAKI: But they haven't done that.

MS. GODREAU: They should notify people because of due process.

COMMISSIONER YAKI: Can you send us where
that new guideline is finally?

MS. GODREAU: Yes.

COMMISSIONER YAKI: And then the person who you met with at FEMA about this?

MS. GODREAU: Mm-hmm.

COMMISSIONER YAKI: Okay. Thank you.

CHAIRMADAN CANTÚ: Yes.

COMMISSIONER ADEGBILE: Hi. I just want to pick up on this topic again. So, as I understand it, FEMA was implementing as a practice, not as a legal requirement, but as a practice, proof of title in a situation where it was known that many people would not have a title. Now, FEMA's own guidance does not require a title. The guidance that was in place at the time that the hurricane happened does not require a title. Is that right?

MS. TORRES: Yes. Correct.

COMMISSIONER ADEGBILE: So, at the time the hurricane happens, FEMA's own guidance does not require a title, but FEMA requires that when they're looking for eligibility; rejects a lot of people's requests, 85,000 approximately. Is that correct?

MS. TORRES: Yes.

COMMISSIONER ADEGBILE: And you engage
FEMA when you understand that this is happening, and come up with an additional alternative, the form that you talk about. But FEMA -- is that --- we have that, right?

MS. TORRES: Yes.

COMMISSIONER YAKI: Nine months later.

COMMISSIONER ADEGBILE: Nine months later? And, however, FEMA takes no responsibility for communicating the alternative paths to demonstrating eligibility, knowing that 85,000 some odd have been denied, correct?

MS. TORRES: Correct.

COMMISSIONER ADEGBILE: And requires the not-for-profit community to take onto its back the responsibility of trying to disseminate that. In effect, there is a structural process of improper denials, and there's another approach here. But because of the passage of time, many people have lost faith in -- and having heard so many different articulations of what's necessary, many people have lost faith in that any additional effort is ever going to create a possibility of them having assistance. Is that correct?

MS. TORRES: Correct. We even had some
participants in our project that had three, four, five times presented letters of appeal, and the five times were denied.

COMMISSIONER ADEGBILE: Has this degree of denial ever happened in another place that you are aware of? I understand that you are not all professional investigators of FEMA, but we have heard that there have been other contexts in which the title issue has presented itself. Are we aware that there's ever been this magnitude of denial in the wake of a natural disaster in other places?

MS. MINET: I just wanted to say that we had to go to court for a FOIA petition in 2019 for exactly the database of the FEMA denials for individual assistance. Since then, we are still in court with FEMA for this information. We -- they have been feeding us with irrelevant information, but still this database has not been produced.

COMMISSIONER ADEGBILE: So, in light of what we have described here and reviewed with you, can you think of explanations for why FEMA is proceeding in this way?

MS. GODREAU: Yes. I did it. So, yes. So, there is a piece that has been widely studied in other
jurisdictions that have been disaster stricken that has to do with disinvestment, you know, and the way that disasters promote disinvestment of low-income black communities everywhere. So, as Diane Yentel was saying, this has also happened in jurisdictions as New Orleans, post-Katrina, with people with informal titles and more recently, with people with mobile homes in Texas.

So, the things that we were listening from FEMA, from high level FEMA officials -- and we have been more recently through HUD listening sessions in civil rights too, which are like very, of course, linked -- is that there was like a perception that people in Puerto Rico were going to take the money. That idea based on the fact that we were going to spend public funds without accountability, public fraud, and whatnot. And we have been listening to the same things over and over again in the past administration and even in this administration. So, there is a reading, a racial reading of the people who are benefiting from assistance where there is this idea that these people are going to commit fraud.

Now that we are going through recoupment processes -- and that's another thing regarding FEMA,
we have people undergoing recoupment process because they were unable to prove ownership, although they did based on the existing guidelines. So, there is a dominant imagery of the way that Puerto Ricans have related that was expressed in social media widely by the former president of the U.S.

DR. BONILLA: Can I add something?

COMMISSIONER YAKI: Sure.

DR. BONILLA: First, I was looking through my phone to try to find some statistics, but I will submit them later about -- you know, at the end of the day, what percentage of Puerto Ricans actually received aid. After all, I don't know if the Commission has that, but it's in the single digit percentages. And then of that percentage, what percentage received the maximum allowable amount, and it was about 1 percent or less.

And I do think that what Ariadna is saying, this is actually a research question that we need to look into to see if this is unique to Puerto Rico. And as she's saying, we need to also look not just at different places, but at specific populations within those places and how these denials and barriers to aid are disproportionately distributed.
And this is not research that we've yet done at Centro, but we -- if the Commission wishes to commission us to do that, we would be happy to provide further -- look into this further and provide our own internal investigation upon this.

COMMISSIONER ADEGBILE: Certainly, any information --- comparative information about denials and the demographics of the populations would be valuable, I think, for purposes of our investigation and for FEMA going forward.

Just to be clear, the guidance that we've been talking about and referring to, is that an interpretation of Stafford Section 408? I'm trying to figure out -- I'm trying to trace back to what the applicable law is that FEMA is implementing with this guidance.

MS. GODREAU: It's 44 CFR 2016 -- 216. Sorry, 44 CFR 216. I am confident that if I'm mistaken, the team will scream.

(Laughter.)

COMMISSIONER ADEGBILE: Ms. Rivera, were you trying to get in on that as well?

MS. TORRES: Yes. It is that part.

COMMISSIONER ADEGBILE: And just for the
clarity of the record, as far as we understand it, the statute itself doesn't speak to a title requirement.

MS. GODREAU: What the statute does is to define who's an owner, and it goes into saying that an owner is somebody who has a proprietary interest, it's a person who makes repairs and whatnot. And what we did in the form was to mix that with local law to demonstrate what a proprietary interest would look like using the local legal framework. And we even presented several white papers to FEMA as the legal analysis for that.

COMMISSIONER ADEGBILE: Which, as I understand it, is another way of saying that the statute itself does not require title expressly.

MS. GODREAU: Never.

COMMISSIONER ADEGBILE: Okay. Thank you.

MS. ROSARIO: If I may, I just wanted to echo my fellow partners on this panel, but I just wanted to add that -- to the point of what Dr. Bonilla was saying and to the fact that Carla Minet is highlighting that we don't have the data yet. But we do have the hands-on experience on the field to know that women – particularly, Afro-descendant women and
elderly women -- were disproportionately affected by this because of how in Puerto Rico homeownership is disproportionately in the hands of men, formal homeownership. We don't have the data to prove it, but I would think that analysis with hard data from organizations in the field can provide enough data to support that.

CHAIRWOMAN CANTÚ: And every research project always has suggestions for further research, but this particular issue is also an issue of call for action. If you just differentiate both and let us know which ones you believe the research is complete and which ones you think require further research.

Commissioner Adegbile, you have any more questions?

COMMISSIONER ADEGBILE: I'm sure I do, but I'm happy to yield to others.

CHAIRWOMAN CANTÚ: Commissioner Adams, would you like to ask a question?

COMMISSIONER ADAMS: Thank you, Madam Chair. Most everyone on the last panel testified that these problems that happened are interwoven with political status, to one degree or another. In fact, Ms. Aubert, your testimony talks about the colonial
condition having something to do with this.

My question is you all must have thought about how status and different political status might have made the situation better or worse, and I'm wondering would, for example, Ms. Aubert, would independence have made the situation better or worse?

What is the interplay with status and these problems in your view?

MS. GODREAU: So, a lack of democracy is at the core of everything that Puerto Rico has gone through and is going through? At the same time, I want to say, very briefly, that as a human rights lawyer and a person that defends self-determination, I resent the fact that colonialism becomes so hyper visible, and every time that we want to speak about any other civil rights violation, we end up on the status question and playing that ball in the field of Congress.

And that being said, yes, of course, the colonial conditions are imbedded in everything that's going on. For example, what we're talking about, these economic and social rights. And when we talk about economic and social rights, I always remind myself that the Constitution that Puerto Rico has,
when we're talking about civil rights, when we're talking about that contract between the government and the people, has been denied of a clause that defends economic and social rights because the U.S. Congress decided to ban that clause as a condition to let Puerto Ricans have the political status that they have today. So, the will of the people is to defend what we do every single day, housing justice, land justice, economic justice, health, labor laws, and that has been taken away from us.

PROMESA, the imposition of an unelected board that is basically deciding over fiscal policy, and that's making the decision of who gets to stay in our land. The question that we have right now, Commissioner Adams, is the future. The possibility of staying here, and we are being taking—colonialism not only takes that away from us, but we are invisible. When we go to the InterAmerican Commission of Human Rights, and we have gone on several occasions — yesterday, one of the leaders was talking about it.

Those are the only forums, few of them, where we have representation at international levels, because the colony that is not acknowledged by the United Nations because the U.S. has denied that right
over and over on several occasions, is invisible. Invisible. So, talking about civil rights, talking about human rights is very far removed often from the policy work and the policy space that the colony lets us have. So yeah, we have to solve the colonial status. Yes, that’s an international responsibility. But yes, the U.S. and the local government that has been complicit of the colonialism status, has to repair – to provide reparations for the people that are currently asking themselves –ourselves, every single day, is future in Puerto Rico even possible.

MS. SANTIAGO: Can I add very briefly to that? And I think that if the question is would the FEMA assistance under independence, how would it be better or worse, I think that depends on the conditions on which independence would be negotiated. We all know that after the Treaty of Paris and the ceding of Puerto Rico as a territory to the United States that there are possibilities of renegotiating that status issue. And the terms of that renegotiation would determine whether the FEMA funding or any other kind of federal funding would serve as some form of reparations for the colonial status that Puerto Rico is under with respect to U.S.
I also, if I may, just address briefly
also another issue which has to do with FEMA as a responsive agency or lack of response from FEMA to FOIA requests. We've also experimented that for over a year requesting documentation from FEMA and not getting one sheet of paper. With a multiple team of lawyers, including Earth Justice, the University of Puerto Rico Law Clinic, and other attorneys that we're working with, no response to FOIA requests from FEMA. Thank you.

DR. BONILLA: First, in my statement, what I emphasized was the need for federal agencies to take an intersectional approach. And what I meant by that was echoing what my colleagues are saying, that we can't set us apart, the question of status, from these other issues. And so that's part of why I also emphasize that the discrimination that people in this geographic area face is an ethnic discrimination that needs to be understood in relationship to other ethnic discrimination and racial discrimination that occur in the United States.

I also want to emphasize that an intersectional approach also looks at how these issues are compounded, and so issues related to
gender justice, racial justice, they need to also be
thought about in terms of colonial injustice, and how
each of these deepens and strengthens each other. And
in the case of the FEMA response, if we understand
that the compounding effects of these disasters and
of these inequities only sharpen these divides, then
we have to understand how FEMA's response is not just
discriminatory, but actually leads to an increased
lack of justice for these communities. As such, it
has hardened the divisions of race, gender, class,
and colonialism in Puerto Rico. And so, all of these
things need to be thought about together.

And also, I want to echo what my
colleague, Ruth Santiago, just said about the need to
discuss what would be the terms of Puerto Rico’s
independence. And part of what is necessary is for
the federal government to begin by acknowledging that
it has colonies because this is something that the
federal government repeatedly denies. And so how can
we discuss decolonization when we are not discussing
that with an empire that recognizes its nature and
that it - why it has colonies, how it benefits from
them, and how the United States is actually the United
States and Territories? Right? And that is always
silenced and never discussed.

And so, I think that to simply ask would things be better if we were independent is a question that we cannot answer because we do not know what that independence would look like and what it would allow us to do.

COMMISSIONER ADAMS: Real quick follow-up that we can agree that if Puerto Rico chose independence, all of the colonial or decisions being made in Washington could be made locally. Right? I mean, that's one way to alleviate the --

DR. BONILLA: No. We cannot agree on that because if you look at the rest of the Caribbean and the independent nations in the Caribbean, they do not have a -- they do not determine their entire fate. They are also regulated and determined by organizations like the IMF, the World Bank, and also Washington foreign policy. So, to kind of just simply say well, we will let Puerto Rico go its own way, which is something that the previous administration had also said, and the previous president had asked can we sell Puerto Rico, that doesn't take into account what that would mean and what independence means for former colonies.
Decolonization is not just a matter of a flag and a coin and a stamp and an anthem, it's about the possibility to create new worlds on our own terms with the economic and social principles that we think are important to our communities. And that has to happen in dialogue with our empire and with the global community.

COMMISSIONER ADEGBILE: So, I want to come back to a point that Ms. Godreau Aubert, I think, was speaking to in terms of the perception, what you were discerning as a perception on some federal officials that monies were not going to be well spent, that they were going to be misspent, that there was concern about fraud. Now, we think that based on the data we have that the degree of monies that were approved in relation to the ones that were denied, particularly over this title issue, has a pretty serious disparity.

But I wanted to ask sort of a broader question because it's a legitimate interest for the federal government not to have disaster funds fraudulently used. I think we can all agree on that. Nobody wants money that is to help people that are in crisis to be misspent. But part of what I heard is
that there were a number of contractors and others who seemed, A, not qualified to discharge the duties for which they were given contracts. Some of them didn't, in fact, discharge those duties and provide the materials that they contracted to provide. And in some sense, some contracts were vitiated or withdrawn.

And are you aware of any fraud investigations that have gone into this contracting process of the people that the federal government awarded contracts to outside of Puerto Rico that didn't in fact do what they were expected to do?

MS. SANTIAGO: So, we did see the case of COBRA Energy, which involved actually fraud by FEMA in awarding a contract -- favorable terms to a particular contractor by FEMA employees. And that has been investigated. There have been convictions. People are serving jail sentences for that.

COMMISSIONER ADEGBILE: And you said that's an energy contract?

MS. SANTIAGO: Yes, COBRA Energy.

COMMISSIONER YAKI: Related to Maria.

MS. SANTIAGO: Yes.

COMMISSIONER ADEGBILE: And separately,
some people refer to a contract for a contractor in Florida or --

MS. SANTIAGO: No. The Whitefish contract was for a newly formed company in Montana that was from Whitefish, Montana, where Secretary Zinke of the Interior was from, and there's been an investigation on that. I'm not sure what the status of that is right now. But it was -- a company with no experience got a contract for, I think, initially $300 million worth of work. And so, it was very dubious.

COMMISSIONER ADEGBILE: Not a rounding error, $300 million is not a rounding error as I understand it.

MS. SANTIAGO: It was -- and I think even more, as I recall.

COMMISSIONER ADEGBILE: Okay. And then are you aware of what evidence there is and what the degree of magnitude is of fraud that has been identified of people in Puerto Rico or in Houston, for that matter, associated with the obtaining funds, recovery funds improperly?

MS. GODREAU: We have asked for that same data on multiple occasions, and they don't have it available, not even for the recoupment processes. So,
it's, as I said, a perception.

COMMISSIONER ADEGBILE: So, no one would know whether there was more or less fraud here or in Louisiana or in Houston, or even in New York City under Sandy? There's no comparison that can be had, and no one has ever been able to show statistics that more fraud would occur here than somewhere else.

MS. GODREAU: The answer is no.

DR. BONILLA: I don't think that has been shown. But what has been shown is the suspicion of fraud and the overburden that was placed on our communities to ensure that people were entitled to something that they were by law entitled to.

MS. TORRES: I don't have the specific data on that, but we started a legal aid project for recoupment letters received by FEMA, and we actually made the front page paper a couple of months ago with this issue. And there were three testimonies of three of our participants. One specifically of that supposedly fraud case was someone that was denied because of ownership, but then because of one of our appeals, they were able to have some money assigned that -- it's actually a woman and I believe her children are disabled. And she repaired her entire
home with those funds, and then months later or years later, she received a letter of recoupment. And for us that didn't make absolutely no sense. Because yet again, they approved, finally, in a process of appeal; they accept the ownership documents that our lawyers were able to present because of the appeal; and then she receives this recoupment.

So also, we have to analyze how they are interpreting fraud. Right? Because ownership is an issue; it depends how they are interpreting the documents that they are receiving for proving this ownership.

COMMISSIONER KLADNEY: But how did they - - do you know how they determined to send the recoupment letter in the first place, I mean, what information they had that led them to believe that they were entitled to recoupment?

MS. TORRES: What I saw was a letter that stated that they made an error or mistake when analyzing the documents that were presented in her case, and the specific amount that she needed to reimburse to the U.S. Treasury. I remember our attorney sending me that letter. So obviously, it gives you a term to reimburse the money.
We had another case of an elder that received a very minimum amount of Social Security, I believe it was like $600 a month, and they -- another recoupment case. FEMA approved the assistance, and then he received the letter of reimbursing the funds, while the person doesn't have a -- it's basically condemning the person to live in extreme poverty because they were also in the letter saying that they could retain from the Social Security check, which was like $600 a month.

COMMISSIONER KLANDLEY: So the recoupment -- excuse me.

MS. TORRES: It's a very unjust -- recoupment is a very unjust process as well, so I just wanted to say that.

COMMISSIONER KLANDNEY: It's an ongoing process that's an appellate process.

MS. TORRES: Yes.

COMMISSIONER KLANDNEY: And you haven't had any determinations yet? Is that correct?

MS. GODREAU: Recoupments are an ongoing process, and they have a statutory limit of three years. So, what we're seeing right now is a lot of people that have already received the letters, the
letters are coming in English, that has to do with limited English proficiency. So, they are coming in English so people don't realize that they are undergoing a recoupment process until there -- it is reported to the IRS, and it is too late in the process.

But we recently had a meeting with FEMA officials, and we requested a meeting only to discuss the issue of recoupment, and I must say that, once again, how much they don't know about that. Ayuda Legal Puerto Rico posted a blog in our website. That's not like a huge outlet of news, and a FEMA press official emailed us saying that we were lying about the recoupment process, that they were following their process. That was a very angry email, and we responded by asking for a meeting.

At the meeting that was about recoupment, the officials that came, nobody knew about the recoupment process. Nobody could say who the lawyer in charge of the recoupment process was. They couldn't say how a letter of recoupment process looks like. So what we were saying is that if people are undergoing a recoupment process, please bring the data. They don't have the data available, so we have
to present a FOIA, and we're waiting on that FOIA.

But also we were asking them for everyone that has received a recoupment to receive, for example, the guideline that has to do with ownership, so that they could have a chance to navigate through the process. Because case by case, it's never going to be possible to reach all of them.

COMMISSIONER KLADNEY: So, let me just say we went through the whole thing with forms about Spanish to English a while ago, and now they're sending out forms in English to recoup their money?

MS. GODREAU: Letters in English. Yes.

COMMISSIONER KLADNEY: Letters. Thank you.

CHAIRWOMAN CANTU: All right. I would just want to check one last time, Commissioner Gilchrist, did you have any questions? We're in overtime, but you're worth it.

COMMISSIONER GILCHRIST: Thank you, Madam Chair. No questions in the essence of time. I just want to thank the panelists again for their remarks today. Thank you.

CHAIRWOMAN CANTU: Last on this -- Commissioner Yaki, and I apologize to the panelists
for going over time, but this information is so valuable to us.

COMMISSIONER YAKI: So just one last question. It's just a very specific data, if you have it, you can send it to us, but if you can talk about it, it'd be great. One of the things I'm wondering is what was -- for the people who actually did make it through the process, how much was their average award from the federal government? Because one thing that we're trying to look at is whether or not some people get a higher reward than others based on where they live or stuff like that. So that would be very helpful to us if you actually have any of that information.

MS. GODREAU: We can share with the Commission that the Center for the New Economy recently created some maps, and also people from Texas Appleseed and other organizations abroad are working on a map to figure that out.

COMMISSIONER YAKI: Okay. Thank you.

CHAIRWOMAN CANTU: This brings us to the end of the briefing portion of our meeting.

We're going to break for lunch for one hour and return for the public comment segment of the briefing. We were going to do it at 1:45. We'll come
back at 1:51 Atlantic Standard Time. For those on the island still interested in joining us live to submit in-person comments, this is where we are. We are at the InterAmerican University of Puerto Rico Law School located at 170 Calle Federico Costas, San Juan, 00918, Puerto Rico.

As a reminder, please, we have to exit this room for the cleaning protocol for COVID. Be sure you take all your personal belongings with you and only your own personal belongings. Because I pick up bags all the time, and I go where do I get this bag, where do I get this pen? So don't be me.

Enjoy your lunch. I'm going to see everyone back here at 1:51. Thank you.

(Whereupon, the above-entitled matter went off the record.)
We all know that the effects Hurricanes Irma and María had over the island were devastating. Both the state and federal government underestimated the impact of Hurricane María. The government of Puerto Rico did not have access to the necessary quick-response resources to deal with the magnitude of the disaster. This was worsened by the lack of clarity within the roles of the federal, state and municipal governments. FEMA did not have enough resources here in the island. It did not have enough food and water to fill the needs of 3.4 million people.

The rest of the panelists have spoken about the bureaucracy and slowness in soliciting funds from FEMA. We understand the importance of documenting public expenses. However, in an emergency situation, these procedures need to be flexible enough to save the lives of
people.

The impact of Hurricane María left us in the dark, with no electric service, without potable water, without telecommunication networks and with very little food. We didn’t have enough reserve food supplies or medication.

By that time, we had already experienced a significant loss in the amount of local healthcare workers, which only added to the bigger challenges for our access to services. Immediately after the impact of Hurricane María, an important part of the population abandoned the island in search of medical attention due to different chronic health situations. Neither federal, state or municipal authorities had a registry of patients with chronic illnesses, nor with conditions requiring electronic mechanisms for their survival.

The high number of elderly people who live in vulnerable conditions, and below the radar of governmental authorities, was evidenced. Eighty-one percent of that
population’s only source of income is Social Security, and thirty-six percent of those live completely alone. The emergency operational plan of nursing homes and assisted living facilities proved to not be adapted to the magnitude of the phenomenon.

Nursing homes and assisted living facilities, in spite of having water cisterns and power generators, faced problems keeping up with the demands for water, diesel, gasoline and food. A report from Cornell University in 2016 estimated that more than 21 percent of the population of Puerto Rico had some form of disability, a rate higher then the 50 states in the nation.

However, many of these people with functional diversity lack the resources and financial assistance to cover their costs and tend to their needs. There is no way to prepare for a hurricane under these circumstances.

People deprived of their liberties, under the custody of the state, depend on the governmental machine to see that their
rights are met. This requires adequate planning, not only to ensure their lives, but also the services they require.

The structures where our country’s prisons were built have historically lacked the necessary elements to tend to emergencies. Their construction has not been adapted to the realities of a tropical climate, and the structures have been built without natural light or ventilation. For over 100 days, without electric power, without air conditioning, over 10,000 people in correctional facilities perished and suffered the onslaught of the hurricane, and no one spoke of that population.

The situation with the homeless is the gravest and most complex problem we face. Analyzing it is tricky for many reasons. This was one of the groups who was most adversely affected from the impact of the hurricane.

On the other hand, we documented the discriminatory treatment received by sexually diverse groups, particularly trans
people, who were markedly discriminated against. Many of their claims for help to FEMA were rejected because the information in their database was incompatible with the gender identity of the solicitant. The information should have been sorted out in the system before trying to access aid in the midst of an emergency.

The food supply in the country was greatly affected. Agriculture suffered a large blow, and the closing down of ports create a large supply [sic], the biggest in our history. Investigators from the Milken School of Health at George Washington University concluded that the food supply provided by FEMA after Hurricane Maria did not comply with the United State’s nutritional guidelines. A strong correlation was demonstrated among distance and the long wait-periods for the restoration of electricity, water and telecommunications.

On average, homes spent 84 days without electricity, 68 days without water and 41 days without phone service after the
passing of Hurricane Maria. The impact of
the hurricane uncovered the vulnerabilities
of our structural framework. The hurricane
exposed profound economic and social
inequalities, and in our realities, which
must be overcome in order to be able to
fully exercise human rights. We are the
poorest jurisdiction in the entire national
territory.

If everything we’ve discussed seems
harsh, even harsher was the experience of
the residents of the island municipalities
of Vieques and Culebra. In the written
document we get into some of the
recommendations to improve federal
agencies’ responses. However, without
trying to polarize this discussion, a topic
which we cannot avoid discussing, a topic
from which we cannot escape if we intend to
have an honest reflection about the
discriminatory treatment which we Puerto
Ricans who reside on the island are the
object of, is our political situation.

In order to overcome all the problems
I spoke about, and inequalities in Puerto
Rico in the face of any future event, it’s necessary for the United States Congress to deal with the issue of our political situation in order to be able to fully exercise our rights. And I am available to answer any question.
PUBLIC COMMENT SESSION

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CHAIR CANTÚ: (In English) Welcome back to the U.S. Commission on Civil Rights briefing, on the Civil Rights Implications of Disaster Relief: Hurricane María in Puerto Rico. During this time, commissioners will hear testimony from impacted communities. Each individual will have up to five minutes to speak, with spots having been allocated on a first-come, first-served basis. The public comment period will last until the last person has spoken. We are going to have a ten-minute break at 3:40 p.m., if we need one.

So, let’s proceed. Please state your name before you begin your presentation. And I hope I will pronounce it correctly, because I’m going to call you forward. So, let’s proceed with the first public comment. And I’m calling forward Raymond Capo Díaz.

MR. CAPÓ: (In English) Good afternoon. Welcome to Puerto Rico. I am Raymond Capo.
I will explain in Spanish my presentation.

(In Spanish) The aftermath that my Puerto Rican nation has suffered since 2017 after the passage of Hurricanes Irma and Maria, Category 5 hurricanes, were not the first signs of the premeditated discriminations and violations of civil and human rights against the Puerto Rican people.

Up until now, one of the few improvements we’ve seen has been the opening up of funds retained by the FEMA insurance fund, which, as property owners, we “boricuas” also contribute the same amount of money you contribute, in proportion to your states, which, due to the previous obstruction of your president, Donald Trump, against Puerto Rico, are now distributed in a better way by your current president, Biden.

Another positive point, by exception of law, since 2020, is that as of today, Puerto Rico surpasses The US by over 80 percent in vaccination rates against the deadly COVID-19 virus for the local
population, due to the timely distribution of over 5 million vaccinations which have been administered.

But the violation of rights started in 1898, when Puerto Rico was invaded and attacked militarily by the Navy War College of the academy at Annapolis, Maryland, since 1896, because of its foreign army’s espionage with plans to transform Puerto Rico into a military and coal bunker, and create a coup d’etat that would change the course of our history and civil destiny, against the autonomous will of prior democratic elections.

The Puerto Rican experience tells us that, due to the US’s imperialist intrusion, our sovereign life as a Latin American country -- the US appropriated our sovereignty and it took us and humiliated us as bounty of a war we were not part of, which led us to collective bankruptcy by squandering and eliminating our surplus goods, and eliminating our gold coin by 40 percent, the Puerto Rican “peso”, in order to make us incur in a deficit, and impede
the competitiveness of Puerto Rico in the international markets, and in doing so, completely take over our land and economy.

In consequence, Puerto Rico lived through the worst, most extreme misery during the first half-century, with unelected foreign governors, of false symbols selling us the “American Dream,” and the broken promise of the lying invader, General Nelson Miles, about having brought supposed freedom and a splendorous civilization to Puerto Rico.

In 1940, Puerto Rico became the poorest country in America, below Haiti, with an annual income of 121 dollars, an illiteracy rate of over 80 percent of the barefoot and hungry, and a deadly disease-infested population.

In 1950, a portion of the patriotic Puerto Rican citizens justified their reason, in self-defense, due to the oppression of the existing colonial slavery which existed, and carried out an armed nationalist revolution, justified by UNO’s international laws. But circumstances were
difficult, and our country continued being lied to by the forces of United States imperialism, working towards continuing to occupy Puerto Rico without a true consent of the governed.

After the Cold War, the established regiment lied, and using institutionalized violence, formalized a colonial constitution, withdrawing the collective right to the 348 sovereign decision-making powers, which were stolen. This was a false constitution, as the United States selected 20 percent of rights for total health, for an integrated educational system and for the right to dignified labor, confusing the people of Puerto Rico after they had excitedly voted.

The United States, for its personal unequal convenience, came up with a trick in order for Puerto Rico come out the loser, under any which way, under a relationship based on mistreatment, since Puerto Rico belongs to, but is not part of, the United States. Trying to understand what that means.
There would be discrimination in order to treat us as a republic, to impose taxes on our exported goods, derived from alcohol, among others. There would be discrimination to try to treat us as a province-state in order to unilaterally impose on us their disloyal and all-encompassing banking laws and interstate commerce. There would be discrimination to treat us as a territorial colony in order to impose on us their immoral laws, which misappropriated control of our import duties, maritime and air control of ships and routes which were exclusively North American.

Today Puerto Rico has a broken structure which lacks economic development due to having its hands tied in a captive market of exploitation of 88 percent of US-manufactured consumer goods under an unjust dumping and bullying of commercial incompetence.

CHAIR CANTÚ: (In Spanish)

Mr. Capo, excuse me. A little slower for me.
MR. CAPO: (In Spanish) Sure.

CHAIR CANTÚ: (In Spanish) Thank you.

MR. CAPÓ. Puerto Rico suffers by being a sick and dysfunctional colonial society going through a bad quality of life due to external and internal factors. The absolute American dominance over our air, maritime and land spaces, has transformed Puerto Rico into a narc-state filled with organized crime, which has led to the increase of social, economic, political and spiritual illnesses. Mental illness, an increase in school dropouts, in illiteracy, prostitution, in thousands of points of sale for drugs, in hundreds of thousands of alcoholics, and tens of thousands of homeless people who walk around the streets in awful conditions, have ruined our life in several historical records.

If we add the fearful corruption of institutionalized violence by colonial incumbent governments, the outlook is chaotic. Even though the United States has signed the Bill of Human Rights, it has
failed to comply in two plebiscites and requested referendums, and another nine carried out, and 39 resolutions for decolonization of Puerto Rico by the United Nations.

In response to this, national patriotic Puerto Ricans have been obligated to recur to our right of peaceful civil resistance, in self-defense, against American aggression. Because during five continuous generations, 124 years of a long wait for our freedom has transpired.

In sum, we conclude that US presence has never had legitimate authority because it has been illegal in Puerto Rico from the beginning. Protected under international law, we reject the imposition of colonial servitude on our Puerto Rican people, and we claim to the United States of America the just and quantified monetary compensation of 3 trillion dollars which, since 1898, are due to us in lieu of compensation by damages.

We aspire to have a good relationship with the United States of America, in
treaty negotiation, but no more subjugation. Our people deserve to heal and reach their collective happiness in national reconciliation, in order to focus our destiny in prosperity, with other free nations of Earth.

CHAIR CANTÚ: Mr. Capo.

MR. CAPO: (In Spanish) May a free and independent Puerto Rico live on. So help us, God.

CHAIR CANTÚ: (In Spanish) Your time expired. Could you give me your last point? And I can accept the complete paper if you give it to me.

MR. CAPÓ: (In English) Of course. Yes. Yes.

CHAIR CANTÚ: (In English) Okay. Please.

MR. CAPÓ: (In Spanish) ¿The last paragraph?

CHAIR CANTÚ: (In Spanish) Yes, please.

MR. CAPÓ: (In Spanish) Protected under international law, we reject the imposition of colonial servitude on our Puerto Rican
people and we claim to the United States of America the just and quantified monetary compensation of 3 trillion dollars which, since 1898, are due to us in lieu of compensation by damages.

We aspire to have a good relationship with the United States of America, in friendship, treaty negotiation, but no more subjugation. Our people deserve to heal and reach their collective happiness in national reconciliation, in order to focus our destiny in prosperity, with other free nations of Earth.

May a free and independent Puerto Rico live on forever. May God bless us.

CHAIR CANTÚ: (In English) Thank you.

Thank you.

MR. CAPO: (In English) Of course. God bless you.

CHAIR CANTÚ: (In English) And we do want to receive it for the record. Okay. Don’t give us the original one, but do send us one.

MR. CAPO: (In English) Yes. This is yours.
CHAIR CANTÚ: (In English) Thank you.

MR. CAPO: (In English) All right.

CHAIR CANTÚ: (In English) The next speaker is Franklin Delano López.

Are you speaking in English or Spanish?

MR. LÓPEZ: (In Spanish) In Spanish.

CHAIR CANTÚ: (In Spanish) In Spanish.

MR. LÓPEZ: (In English) But I’m going to say that I’m a former United Press International investigative reporter, as well as The Associated Press. Currently, I am semi-retired.

COMISSIONER YAKI: (In English) I’m just going to say, the same rule we have for everybody, which is, anything you wrote, you can hand in; it will be part of our record.

MR. LÓPEZ: (In English) I did already. COMISSIONER YAKI: (In English) So you can read less.

MR. LÓPEZ: (In English) I’m going to be as brief as I can be.
COMISSIONER YAKI: (In English) Yes.
CHAIR CANTÚ: (In English) Okay. MR. LÓPEZ: (In English) All right?
CHAIR CANTÚ: (In English) Right.

MR. LÓPEZ: (In Spanish) Welcome to the narco-colony of Puerto Rico, infested by a pandemic of massive corruption which denies most of the population, who lives below the national poverty levels, access to federal resources for its development and quality of life.

I don’t come here to denounce personal circumstances. Colonialism is the most productive soil for the violation of human and civil rights. The topic of this public hearing is how are American citizen’s civil rights impacted in the narco-colony, the assignment of federal funds through FEMA and other agencies in the face of natural disasters.

When allocation of federal funds is impeded by acts of corruption, it also bars the rights of citizens to get out of the poverty that ties them to silence, dependency and the social passivity in what
is supposed to be a free democratic society.

The moment when Puerto Rico was passed from Spain to the United States, was a moment in which the nation was in an expansionist politic which historians have called “imperialistic,” which began with the control of small islands in the Pacific, Atlantic and other oceans and seas, in search of guano accumulated from marine birds, to be used as fertilizer for increasing the production of food in the states of the Union due to an increase of population.

Due to time constraints, I find myself obligated to summarize my point of view.

At the beginning of the 20th century, the Supreme Court of the United Stated established a legal structure and framework for the cases known as the “Insular Cases,” which served to segregate and discriminate against the citizens of the conquered territories in 1898. Puerto Rico’s population was affected, in spite of the fact that, under the Jones Act of 1917,
American citizenship was granted to the citizens of the territory.

The Supreme Court established that the Constitution and its civil rights were not automatically extended to the citizens of territories. In other words, Congress had absolute powers under the territorial clause in order to discriminate against its population. See Insular Cases: Deannexionist Doctrine by Professor Christina Duffy Ponsa, of Columbia University.

During the first decades of colonial control, Washington used these powers to build a public infrastructure which did not exist under the rule of Spain, roads, bridges, schools, hospitals, docks and universities, et cetera.

During the 30s, Puerto Rico’s population was used as a laboratory to carry out tests on the effects of viruses, very similar to those carried out in Tuskegee, Alabama, between 1932 until 1972, with the syphilis virus. These tests were carried out by Dr. Cornelius Rhoads, a
military medic assigned by the Rockerfeller Center to carry out the tests in Puerto Rico.

During the 40s, the narco-colony was used to carry out a program to sterilize Puerto Rican women. During the first term of the incumbency of Governor Luis Muñoz Marín, a gag law was approved which made public expressions and activities which promoted and favored independence, a crime.

The colonial government contributed and participated in the fateful operative titled Cointelpro, with the appointment of billions of dollars in federal funds under the Grand Society Program under President Lyndon Johnson. Corruption cases began to sprout in all corners of society. Abuse within programs such as Social Security, Disability and Medicare, as well as labor and education, did not take long to be felt.

CHAIR CANTÚ: (In Spanish) You have one minute.

MR. LÓPEZ: During the 90s, city mayors were arrested for profiteering from
federal funds for the removal of debris. Also, arrests for corruption were carried out involving hundreds of millions of dollars from the Puerto Rico Department of Education. Puerto Rico had a student population of 630,000 students during the 70s, and today it stands under 250,000.

The health reform program, establishing a plan for universal coverage, has been -- and is being used by the two main political parties -- to raise funds for their campaigns.

Also, the biggest scandal of the last century, the use of federal funds assigned to the AIDS Institute, which was assigned cash, tens of thousands of dollars to all candidates for governor, for the San Juan mayoral race in the three parties.

CHAIR CANTÚ: (In Spanish) Your time is up.

MR. LÓPEZ: (In Spanish) One last sentence?

CHAIR CANTÚ: (In Spanish) The last paragraph?

MR. LÓPEZ: (In Spanish) The last
paragraph.

CHAIR CANTÚ: (In Spanish) Go ahead.

MR. LÓPEZ: Finally, ever since the inception of the illness named “Estado Libre Asociado” (Free Associated State) in 1952, the narco-colony has lost over 3 million of its inhabitants. And today, of the 8 million Puerto Ricans in the planet, 5.3 live in the United States, enjoying the same protections of law and political equality, and said benefits are denied to the citizens of the narco-colony.

The massive exodus in population can be considered by The Hague’s International Court to be crimes against humanity. Without people there is no nation. Thank you very much.

CHAIR CANTÚ: (In Spanish) Thank you.

(In English) I call next Carlos Pesquera, please.

MR. PEQUERA: (In English) My name is Carlos Ignacio Pesquera Morales. I’m a former Secretary of Transportation and
Public Works and I was executive director of the Puerto Rico Infrastructure Financing Authority during the 1990s. I come here -- and I will summarize my presentation because I gave it to you.

In essence, I am a person that is well versed in the issues of infrastructure. When the disaster occurred in Puerto Rico, Congress decided, through the Bipartisan Budget Act, to not only repair the damages to the level they were -- to the conditions they were just prior to the disaster, but it identified critical systems, that they should be put into the condition of industry standards. In other words, not only fix it, but improve it. So that finally happened for water infrastructure, power, schools and medical facilities.

The BBA, in section 20601, established the mandate to FEMA to replace or restore the function of a facility or system to industry standards, without regards to the pre-disaster condition of the facility or system.

The definition of critical facilities
was not part of the legislation. So FEMA went ahead and made its own interpretation of critical facilities. The only place that critical facilities are mentioned in the Stafford Act is when it relates to non -- to, basically, private nonprofit facilities: PNP. So FEMA can provide funds to PNP, private non-for profit facilities.

And the only place in the Stafford Act that mentions critical facilities is when it relates to that type of critical facilities, when it refers to that kind of recipient. And there, they don’t mention roads and bridges, because the PNP do not work on roads and bridges. Because that’s typically a condition that is handled by state governments and local governments.

So, in summary, FEMA did not recognize the Puerto Rico transportation infrastructure as a critical facility. And that completely makes no sense. In any other place in the United States that that would happen, that definition will be implemented, it would have been fought, it will be challenged and the place, the
state, the city will have prevailed.

I tried personally. I explained it to them. But I think, basically, this is a decision to save money, not to really address the congressional mandate. The congressional mandate is to not only fix to the condition prior to the disaster, but really to make it better after, so that it will be better for another disaster.

Let me give you one example. The signage system in Puerto Rico, “road signs”. And if you have been here a lot, some time, you will know that it is a disaster. So they were damaged during the Hurricane Maria, as you can expect. So because of the PNP -- FEMA’s interpretation, they went along to identify the location of each damaged signage and then they only allowed to repair the signage that was damaged. If the critical facility congressional mandate were implemented, you not only will replace or fix that sign, you will replace all the signage system in Puerto Rico to industry standards. And that means a lot.
Today, if you walk around, you will see traffic lights that still do not work, today. And why is that? Because we have to go one by one and demonstrate that it was -- they are in the current condition because they were affected by María.

So this is critical. This is really a violation of our civil rights and is really a discrimination, because we don’t have -- as you know, we don’t have anyone to talk to.

And sometimes -- to finalize, I know my time is out -- the problem is that Puerto Ricans don’t challenge authority. Okay. Puerto Rico should have sued the Federal Government for this a long time ago. But we believe in our colonial mindset that this will be a kind of going against the metropolis. This is looking for our rights.

So my request to this honorable board is to request FEMA to modify their policy so that they include the transportation system as part of its critical facilities. And you will do -- if you are here to do
something good, I hope you do many things
good, but that will be one of the best
things that you could accomplish. Thank
you very much.

CHAIR CANTÚ: (In English) Thank you.

I call Ruth López.

SRA. LÓPEZ: (In English) Good afternoon. I reside at ESJ Towers
Condominium in Isla Verde. It’s an iconic building. I moved there in 2017, in
August. First, I got hit by Irma, then María.

There is a manager in the building t. He is uncertified, unlicensed, would not
leave the premises. He’s here under Law 22. That law was to promote business, the
economy and to create jobs on the island. I’ve read certain studies that have proven
it has not done either.

And after the hurricane, he said that all the owners had to give their claims to
him for a collective insurance claim. His wife was the broker on our insurance policy
that he would not divulge to us. Everyone
did.

Unbeknownst to the owners, on December 4, 2017, he referred -- he received the first amount from Chubb for a million dollars. On December 27, 2017 -- what, two and a half months after the hurricane, he received another 3.5 million.

In February 2018, he sold our claims without our consent to Attenure, a New York based hedge fund company. He received a 1.5 million advance. And then, they would go back to Chubb and renegotiate hopefully for 30 million. This was completely illegal. We never received our settlement.

And in February 2018, he began renovations in the building. He replaced the pool. The pool was not damaged. He fixed the Lanai -- those are the ones that he claims that he owns, we don’t know, allegedly. And he took down the automatic doors. That’s an ADA violation.

He also started construction on a building across from our building. And he connected the waterlines and the telecommunication lines to our building.
However, four years later, nothing has been done. Our building is in complete disaster. Cement is falling. The extractors were never replaced. The mildew, the mold, the humidity in the building is unhealthy.

The building has a lot of retirees. I am one. And people that are ill. He threatens us with cutting off our power and to shut off our electricity. We pay our own electricity and the water is included in our maintenance bill.

So, under Law 22, it has only -- well, in my experience, and I have read in the papers, in the local papers, that it has caused -- the people that are coming here, not all, have taken advantage of the island, have destroyed the environment.

He created a pile of rubble when he did some construction. And it’s still there, for four years. And it is rat infested and it smells. It’s right on the beach. We are on the beach. Okay. These things destroy the environment.

At the banks, the insurance companies,
all the governmental agencies, the politicians, the minute I mention his name I am vilified. I am chastised. I am slapped with frivolous lawsuits. And he knows how to abuse the judicial system against the people. He has done nothing for the island, except take, take, take.

I live in fear. The building is uninhabitable, which I think is his -- I’m just guessing, because if the building is declared uninhabitable, it can be bought in an auction for nothing, for pennies. And then he can come in and buy it -- get the incentive.

And then, I was informed by a reporter -- I brought in a reporter from the Miami Herald, he said, “You can sell the incentive”. I don’t know what that means. I don’t know if there is an oversight board. But if Law 22 has to be revised or repealed, and there has to be an oversight board -- because all it has done is siphoned money from PR.

And I -- and the politicians are in with him. The corruption is unbelievable.
He brings in people that were in the previous administration and in the present administration.

My own attorney told me on Monday, “I’m sorry, I can’t do this for you. Because his attorney is a former senator and he would destroy my career and I would never win.” So, this is the level of corruption that we live under.

And then, I live in fear because I am threatened. I’m imprisoned. I can’t move out of my apartment. I lost property value because the building looks like a favela in Brazil at this point. So, I have the photos.

And now, because we have a trustee, he sends out a letter on January 21, 2020 -- no, January 21, 2021, that, “We conducted a preliminary inspection to determine the reasons for the high levels of humidity present in ESJ Mare Hotel” -- he changed the name of the building. You can’t do that. You don’t own a building. We’ve asked the trustee to return it, “No, let him do what he wants.”
So, I go to DACO, supposed to protect the consumer. They protect him. He’s not certified. He’s not licensed. The DACO law, the regulation Law 129 says that by July 20, 2021, he had to be certified. I put in my -- I asked for verification from DACO online. They tell me, “Call me”. I call them; won’t answer me. I go down in person; they stand at the door, they don’t let me in. And I say, “Well, I want to know if this is -- because otherwise, we have to get, as the law requires, a certified licensed administrator.”

“We don’t have to answer you,” whatever. And that’s what I get.

I go to OGPe; he has no permits. Everything is done here because he is politically connected.

And the little people are suffering. The people in our building are old. They’ve lived on this island for years. And they live in fear of broken elevators, of vermin. This is his depravity -- his level of depravity.

During COVID, the building was closed.
It was empty. He fired all the employees.
The security company left the second month
because of nonpayment. He put bicycle
locks on our doors. That is inhumane.
That is a violation of everybody’s civil
and human rights.

CHAIR CANTÚ: (In English) Thank you,
Ms. López.

MS. LÓPEZ: (In English) Thank you.

CHAIR CANTÚ: (In English) I call Fernanda
Lynch.

MR. MEDINA: (In English) Number
seven, Juan Medina.

CHAIR CANTÚ: (In English) Jesús
Medina Cintrón, is that you?

MR. MEDINA: (In English) Number seven.

CHAIR CANTÚ: (In English) Okay. I’m
going to call names in the order that they
were given to me. Please, raise your hand
if I call your name. Jesús Medina

COMISSIONER YAKI: (In English) Put on
the microphone.

CHAIR CANTÚ: (In English) I’m sorry. Is
Jesús Medina Cintrón here?
Raise your hand. Is Juan Medina here?

MR. MEDINA: (In English) Juan Medina.

CHAIR CANTÚ: (In English) You are Juan Medina. Thank you. Welcome.

SR. MEDINA: (In English) Thank you.

My name is Juan Medina Camacho. I’m representing a private nonprofit organization.

(In Spanish) I am going to express myself in Spanish because it’s my native tongue.

The community of Villas de Guavate in Cayey, Puerto Rico, was approached after Hurricane Maria because it suffered damages. The damages were caused mostly by rain, wind and landslides.

The plumbing for water distribution was ruined. Part of the water storage tank was ruined. And water from the deep well -- well, the well was damaged, as well as the power generator. For this reason, funds were solicited, in this case to Rural Development.

Rural Development assigned a public agency -- private, sorry, called The
National Rural Water Association. Those were the people who were going to aid in the collection of funds. During that time-period from 2017 to 2019, they had to recruit an engineer, and that is in the capacity I come in.

I submitted an estimate on their behalf, a petition, for every year. Obviously, the damages must be corrected, but corrected according to present codes. And that is how it became accepted by Rural Development.

At the beginning of the process of assigning funds, funds were requested along with everything they asked for at that moment, that moment, I repeat. After that, they asked us to put together a contract because we needed one. This is the “Engineers Joint Contract Documents” for the contract that they accepted. That contract cost 200 dollars. Obviously, the community pays for it because the estimate had already been submitted.

That contract has about 200 pages and it has to be molded according to the type
of project. We molded it. We submitted it. To our surprise, when they reviewed it, they say it’s not the contract because it’s a 2020 version, and within their procedures, it must be the 2014 version.

So from there, six, seven, eight months go by. We get the 2014 version. The same procedure is carried out. It’s submitted. It’s reviewed. It is assumed that it’s the final contract for the assignment of the rest of the funds.

Because in the meantime, the community requested an advance of the funds to pay for the construction permit request, the environmental document and the agencies’ recommendations on infrastructure. All of this is stated there.

After that -- that contract goes to their legal division, during which time more revisions of the contract took place. In those other revisions, the community was asked for insurance to cover their facilities, insurance for the engineer and insurance for the contractor. Those monies for the insurance had not been taken into
account and hadn’t been requested in the proposal. And from there on out, everything has been halted. We are in the end of 2021 and nothing has happened.

Why has nothing happened? Because every time that we submit something, we get asked for something new. In other words, that they, instead of cooperating -- because there are millions of dollars. In this case -- the Rancho Grande community in Naguabo is in the same situation and Barranquita’s Doña Mayo community as well.

All of these communities are isolated and have rural aqueduct systems and the Aqueduct and Sewer Authority does not accept them. They have to provide their own funds.

In the case of Villas de Guavate, it’s 20, close to 25 families which pay 20 dollars a week. If you do the math, that’s about 600 dollars. And with 600 dollars a month, they need to chlorinate, provide maintenance, create reports. In other words, there is work.

CHAIR CANTÚ: (In Spanish) Okay.
Can you hand in the entire package to us?

MR. MEDINA: (In Spanish) It’s done.

CHAIR CANTÚ: (In Spanish) You already
turned it in?

MR. MEDINA: (In Spanish) I am going to
turn in before January -- in writing.

CHAIR CANTÚ: (In Spanish) Okay. MR.
MEDINA: (In Spanish) But, in sum, that is
what has transpired.

CHAIR CANTÚ: (In Spanish) Thank you.

MR. MEDINA: (In Spanish) Our position
is, this is discrimination.

CHAIR CANTÚ: (In English) Okay. I
hear you. Thank you.

MR. MEDINA: (In English) You are
welcome.

CHAIR CANTÚ: (In English) Do I have
Rafael Rodríguez Rivera? Raise your hand
if you are here.

(In Spanish) Raise your hand. Rafael
Rivera. Just a moment. Your name?

MS. VILLANUEVA: (In Spanish) Carmen
Villanueva Castro. I am number 10.

CHAIR CANTÚ: (In English) Tell me
your name. Okay. Your name?

MS. VILLANUEVA: Carmen Villanueva Castro.


MS. VILLANUEVA: (In Spanish) Good afternoon. Thank you very much.

Today I am here in my role as a community leader and proudly representing, as spokesperson for Puerto Rico, in Derecho a Vivienda Digna, a movement known for its initials in Spanish, PRODEV, the voice of over 115 community leaders throughout the entire archipelago, within 79 communities.

I would like to point out that our archipelago did not only go through the disaster caused by hurricanes Irma and Maria these last four years, this was combined with the earthquakes which have continued happening throughout the southern part of the island during the last two years. There is no urgent government response to solve the issue of lack of housing, which thousands of citizens in our communities are going through.

Also, we lived through, by the will of
the people, the resignation of our governor
during the summer of 2019. And we also
received, like the rest of the world, the
COVID-19 pandemic. I don’t believe there
is another country in the world which has
demonstrated more strength.

Of course, I appreciate the space to
be able to express before people who, to
me, to my understanding, by definition,
have the responsibility to look out for the
protection of civil rights. And I include
social, economic, cultural and
environmental rights for the residents of
Puerto Rico. You have to respond to the
thousands of complaints of fraud in issues
which deny our citizens of their
fundamental rights.

Precisely, I want to start pointing
out actions which fall short in protecting
our civil rights, something that catches
attention every day.

In the same way it has happened on
other occasions, and which happens without
negative consequences, and with impunity
for many years, are the recurring
accusations of public servants
appropriating themselves of public
resources for their own benefit, resources
which should have been used to satisfy the
needs of our people.

Tell me if this is not a violation of
fundamental rights, as I define them. That
is why these acts, and many that go
unnoticed after almost four years after the
passing of Hurricanes Irma and María -- we
are still waiting for the minimum effort
that needs to be done to fix roofs which
people still have to repair.

Today, before all of you, I must
confess that I have vivid memories of the
winds that a Maria, in its passage over us,
devastated the entire island. However,
hurricanes only showed us how fragile the
infrastructure that for decades we’ve known
would not hold up to the task of saving
lives and the assets of our citizens.

This forces us to ask the question,
how much longer do we have to wait, how
many lives, in addition to the 3,000 lives
that were lost as a result of the inaction
of the state, municipal and federal
government.

Also today, as part of the complaint
presented, I want to leave before you that
my country presents one of the highest
levels of worldwide inequality between the
haves and the have-nots, caused mainly by
the lack of transparency, of equality and
fairness in the distribution of resources
to the population.

I would like to see justice done by
the equal treatment of our elderly, who are
American citizens and who are discriminated
against even though they contribute equally
to Social Security. I want to present this
before you, that I think it’s an
embarrassment for the United States to have
citizens like us pay the same amount and
not receive the same compensation.

Today I want to denounce before you
the unfair treatment of our residents of
the island municipalities of Vieques and
Culebra, who do not rely on safe or quality
means of marine transport, in addition to
not having appropriate health services
within their islands.

Today we denounce before you as well, that our archipelago has over 150,000 human beings who live without drinking water and who are putting their health and wellbeing at risk.

Here today, we highlight our denouncement that our country has six out of every ten living under poverty levels and who only have one meal a day available.

The girls and boys depend on school cafeterias when they are open. But the reality of this is that they depend, in their majority, on non-profit organizations who distribute food.

We are the only territory in the United States who is obligated to use the ships of the most expensive merchant marine in the world. And products that we make in our country, we have to pay triple. This is a reason why we are impoverished.

We denounce that no law exists in Puerto Rico for forceful expropriation in order to make justice for our people’s lands. It is urgent to make sure that all
rules and regulations applicable for funds coming from FEMA, HUD and other federal agencies be applied equally.

Today we are here demonstrating resilience and continuing to denounce actions which need to be corrected in order to promote fairness and equality in our country for everyone that lives in it. I hope that you will do so.

CHAIR CANTÚ: (In Spanish) Thank you.

And your name is?

MS. BOBONIS: Nayda Bobonis Cabrera.

CHAIR CANTÚ: (In Spanish) Have you registered yet? Have you gone to room 103?

MS. BOBONIS: (In Spanish) Yes. I go after her.

CHAIR CANTÚ: (In Spanish) Okay. Say your name again.

MS. BOBONIS: Nayda Bobonis Cabrera.

CHAIR CANTÚ: (In Spanish) Okay. You’re allowed, please, the five minutes.

MS. BOBONIS: I thought of many ways to begin to communicate what I wanted to communicate in this space, and it proved to
be a difficult task.

CHAIR CANTÚ: (In Spanish) Slower.

MS. BOBONIS: (In Spanish) I’m sorry.

One of the first things I remembered when I began this retrospection was my own personal experience.

CHAIR CANTÚ: (In Spanish) Nayda, I’m taking notes and they are listening through the interpreter. You have to speak slower. (In English) Slower, please.

MS. BOBONIS: Okay. I’m sorry.

One of the first things that I recall was the terror I felt about María arriving at my home, and afterwards, my home would have flown away due to the storm. Because my house was made of wood and we didn’t know if it would hold up. The house was still there when we arrived. Luckily, only a portion of the zinc roof had flown off, and because of that, water had leaked inside. But it was there. A large part of the country did not have the same luck.

I’d love to be able to sit here and say I felt confident that my country was on the right track. I would love to say that
the recovery process has been successful, that it has reached expectations, that my people have a safe home, have a good quality of life, have social justice. But I can’t.

Today, after a little bit over four years since the passing of Hurricanes Irma and Maria, we cannot say that our archipelago is in a better condition, or even a stable enough condition to say that the people who live here have access to a dignified life. A situation which, without a doubt, has become worse by the earthquakes and the pandemic.

That means that our still considerably affected communities have homes in poor conditions, with worn blue tarps, and affected folks who have been denied aid.

This is evidenced in a country in a deteriorated physical and mental state. Families have been separated with the need to migrate. Others have had to move from their communities. We continue to drag crisis after crisis after crisis, evidenced by others after each tragedy happens.
Before this, in the summer of 2018, a group of community leaders got together. On that occasion I assisted as part of the leadership of Caño Martín Peña. And I realized, not only the power we’ve always had in our communities to achieve results, but also that the reason this country holds together is thanks to the virtue of solidarity which characterizes our people and for the ability to organize when needed.

There we sat and thought about how we would immerse ourselves in the recovery process. I remember when the tragedy was still alive; just a little bit over six months had transpired since María devastated us. We remembered how federal agencies made us feel abandoned. They did not facilitate access to the post-disaster aid processes, even though the people were in shock, worn out, devastated, having to deal with family and social complications which surged after the natural disaster.

There were people who were never visited by the authorities. Others
indicated that there was only food “thrown” at them without a thought. We knew that federal authorities had arrived but were inaccessible, due to them being in the capital city, to not speaking our language, to having to solicit aid on the internet in a country where communication had collapsed. Some people remained without electricity; many others were trying to begin to organize while still providing support to our neighbors.

In spite of the crisis, the commitment to fight for our country and its people remained intact. PRODEV was born from that, the group with which -- who we are with today. And afterwards Firmes, Unidos y Resilientes con la Abogacía, also known as FURIA, which is the organization I represent today.

We promote community resilience through participative advocacy and we provide educational and companionship. In this process of companionship we’ve been able to identify significant problems.

One, an inability to gain access to
help, including immediate help from FEMA, due to requirements, such as the issue of formal titleship. Two, the imminent risk of displacement of communities due to the lack of comprehensive planning and considering the possibility of mitigation and adaptation. Three, the difficulties in reaching CDBG-DR funds because of strict requirements of the program, including the requirement of reimbursement. Four, the designation of 90 percent of this country as opportunity zones, without the need for community participation or vision in the process.

In other words, when we say the recovery process has been rushed, we mean that we repeatedly see these type of government actions, at a local level as well as at a federal one, which result in discrimination against persons and groups of people by reason of social condition, which goes hand in hand with skin color, age, functional diversity and gender.

The communities who are most in need of support are the ones who are receiving
the least support, and they are precisely
the communities we are serving.
Communities living in poverty, mostly
composed of older adults, many of them
living alone, single moms, bedridden people
and with a number of health complications.

Part of the priorities that we’ve
identified are the need for community
planning which ensures the permanence of
our people in their spaces, and that
citizen participation permeates in every
single recovery process, especially
everything dealing with CDBG-DR and MIT.
And when we speak about participation, it’s
not pro forma surveys, but one that allows
oversight and feedback, and for it to be
considered by the government.

I am going to finish.

CHAIR CANTÚ: (In Spanish) The last
paragraph?

MS. BOBONIS: (In Spanish) Yes.

CHAIR CANTÚ: Okay.

MS. BOBONIS: (In Spanish) Our
communities have been resilient before a
history of discrimination and
institutionalized violence, but they’ve paid a great price. The feelings of alarm and posttraumatic stress affect our lives in the same way as when we had no power and when gas stations were crammed. The pain and frustration are palpable when we remember what happened and we feel a knot in our throats.

The urgency to complete the programs does not function if the fundamentals are ignored, that the people need to be an integral part of the process. We have the will, all that is missing is for the government to assume its ministerial role in order for this to be achieved. Thank you.

CHAIR CANTÚ: (In Spanish) Thank you.

(In English) Now we’ve got another list of folks. I want to thank this group very, very much. Thank you. We listen, we hear you. And we are going to ask the next group to take your seats. So, thank you.

Welcome. You each have five minutes, so you don’t read the whole presentation.
(In Spanish) Don’t read all of it.

Please, give me a summary of what you are talking -- explaining. And start with your name, and you put it in writing and you can explain what you want to communicate to us. Okay.

We’re going to start here. Your name and you can begin.

MS. MÁRQUEZ: (In Spanish) Good afternoon.

CHAIR CANTÚ: (In Spanish) Good afternoon.

MS. MÁRQUEZ: (In Spanish) My name is Margarita Márquez Cruz. I never thought I’d be in front of a stage like this, but I trust in God. And I come here because I’m tired already. I come on behalf of many, on behalf of the people of Puerto Rico which has asked for our help.

I solicited. FEMA said I didn’t lose anything. Tu Hogar Renace says my losses are more than what they give out. In other words, they didn’t help me either. And now, well, R3 -- they arrived in Bayamón on a day like today, and I went the next day
from that day. I took everything. I owe nothing. Everything is fine.

I didn’t have a place to live so I went to live at my mother’s house, in a little room, but it leaked. I slept on the bed -- even the bed got wet. So I went to Bayamón, to the Jennys. I was there two years, but, you know, in those two years, you know, on the floor because, when there were shootouts, we had to lie on the floor, because that was a place -- but up until there God helped us and took care of us.

So my children took me to Texas with them. They got me an apartment, everything nice. A room, everything. My daughter bought me everything, and my son. And I had to travel because R3 told me that I had to be here for the inspections. So I said, “Well, I’m going to have to turn it over because I don’t know how long they are going to take.”

So I turned over my apartment, in which I lived like a queen. Thank God my children -- there are only few who do that for their parents. So now my brother
received me here in Puerto Rico. I stayed
with him for three months. I mean, I’m
like rolling off from one place to another.
And I am not -- I am no longer in a
position to be rolling around. I am not a
ball.

So the United States sent that money
to Puerto Rico. The money is there. So,
what are they waiting for? What are they
waiting for? Because they carried out the
inspections. Every time I was inspected,
“Hey, when will you let me know?”

“Give it two to six weeks.”

They did it a second time: “Two to
six weeks.” The third time I know -- I
don’t owe anything. I mean, it’s not on my
part because I did my due diligence. I owe
nothing, like I say now. So who am I going
to leave this fight up to? Well, not just
me, everyone. Because it pains us to our
soul. It hurts in our soul.

Because the aid is there. “Look, that
money is not yours. Do what you need to
do.” Because with the money they’ve
allocated, it’s enough to reestablish all
of Puerto Rico, I believe twice or three
times over.

So then, “No, pass by tomorrow.” And
the other excuse is, “The evaluations
haven’t arrived.” Since I went -- the last
day that I went to Bayamón was on December
2. And it says here, “I am requesting a
solution for the issue of my housing.” And
I am tired already. It’s physical and
emotional.

Because -- and I tell them, “Look, you
all live in nice houses. You would like
your children, your family to pass -- I am
not the daughter or neighbor or friend of
the governor or mayor. I am a daughter of
God. Listen to our voices because that’s
what you’re here for.” Because they’re
going paid. They are not there for free.
So, I think that the longer they take to
solve our problems, they are charging for
that. Because they are not there for free.

So who do I have to wait for to get
something solved, and not only me. Because
when I arrived by plane, I saw Puerto Rico
full of blue tarps. That’s what you see,
tarps and no roofs.

So who am I waiting for -- today I came here to see if you can help us. If our voice can travel beyond in order to know. Because the money is here.

CHAIR CANTÚ: (In Spanish) Anything else?

MS. MÁRQUEZ: No, no. That I hope you help us. That this voice -- we who came here to expose and that -- because I never thought I’d be here, but I did it because of my needs, their needs.

Oh, and another thing, they want to send help to social services, for them to be -- listen, in the rural areas in the center of the island, there are still people who go to bed without food. The food stamps there -- help does not arrive. Legislate towards that, that they go in there, to the center of Puerto Rico, where there are still people who cook over wood, that don’t have a stove, what don’t have anything to eat. See that, the need of the poor, because that is not being seen.

And appoint people to government
that -- look, they should go out and feel what poverty is. While they have money in their pockets, they don’t know if we eat, if we sleep, if when it rains or doesn’t rain we get wet. I hope that voice, you guys take it somewhere else and we get help.

CHAIR CANTÚ: (In Spanish) Thank you.

MS. MÁRQUEZ: (In Spanish) May God bless all of you. And I’m sorry, but I’ve never spoken. But forgive me.

CHAIR CANTÚ: (In Spanish) Bless you.

(In English) Blessings to you to. We saw what you saw.

(In Spanish) We saw what you saw, the tarps everywhere.

(In English) Those tarps on all -- we saw that with our own eyes. So, we are so very happy that you came again to talk to us.

(In Spanish) Thank you.

Your name, sir?

MR. SANTIAGO: (In English) My name is
Andrés Santiago Cruz. I am the owner of Abuelito’s Construction, centralled in Grand Rapids, Michigan. Originally, when I was called here by my stepmother, I could not come immediately. I was working for the Chicago Public Schools.

During the 2017, 2018 winter break I was able to come. Of course, it was not a vacation. It was to come here and fix the driveway roof, the three apartments that my father made for my stepmother so that she could live and be able to sustain herself.

At that time, she was alone. Everybody move out from the apartments. Her family left to the Dominican Republic. And the two tenants were not able to stay in the apartments; they were destroyed.

When I arrived, I was working for the Chicago Public School. And I always get contracts on the side as a contractor. I came here so exhausted that when I looked at the job, I was like, “Oh, my God. How I’m going to do this?” I went to sleep. I remember I woke up in the morning -- and sometimes you have to rest to see what you
need to do -- and I told my stepmother that
I would fix Uva’s apartment, one of her
coworkers, so that he could move in. And
fix the “marquesina” (driveway), the roof
to the “marquesina” and the gate to the
marquesina, because she felt unsafe. There
was a lot a crime during that time as well.

I was able to, within those two
weeks -- she even told me to, “Go to
Yabucoa, go to Moca”. Like I usually would
do during the Holidays. I told her, “No,
Caguas. Me to stay right here”, you know,
with her. And she saw me working very
hard.

Then I was told -- I would come
frequently after that 2018 school break.
Where I came up to maybe six times
afterwards to fix the other apartment. To
fix another apartment that its roof was
leaking, and to do many other repairs. I
actually was able to find Interamericana,
and I became a student here at the law
school.

And back then, my stepmother mentioned
that, you know, she would give me money
when FEMA comes. Until today, I have not received any funds. I don’t know what to do. I know we’ve been taking care of the title matter with the property. And it has become a matter were I’m still waiting for the title of the property. I’m sure many people here in Puerto Rico, like me, do not even know what to do until today. I’ve heard many discussions.

And I think that it’s very important to give these resources so that we can know how to submit our receipts, our expenses, the labor that we pay for. So that if there is funds available for us, even the -- have claims today, they can show the proof of the work they’ve done, and how can we do that.

CHAIR CANTÚ: (In English) Thank you.

MR. SANTIAGO: (In English) Thank you.

CHAIR CANTÚ: (In Spanish) Your name?

MS. HINOJOSA: (In English) Hi. My name is Jennifer Hinojosa and I’m the director of research for the Center for
Puerto Rican Studies at CUNY Hunter College. But thank you for the opportunity to present you before my testimony as a researcher on FEMA’s role in disaster preparedness and response to Hurricane María in Puerto Rico.

My role is to manage projects related to Puerto Ricans in Puerto Rico and the U.S. mainland and to integrate GIS capabilities at the Center for Puerto Rican Studies. As a geographer by training, my second role is to develop, with my team, GIS platforms such as web map applications, and to integrate Puerto Rico’s social, demographic disaster and economic related data with GIS mapping capabilities to address the current and future challenges related to post Hurricane María.

Therefore, to get to the point, data is very important, especially reliable data. And especially to see if any civil rights implications to disaster relief were violated, especially among the marginalized and isolated communities who are often overlooked.
Therefore, we need the following. Data sets collected by FEMA should include geographic distributions of individuals by race, color, national origin, age, and disability status and language. We need data related to denied FEMA claims to see where they were denied and if this is really and truly a CENTRO or rule issue. For example, it’s difficult to know who and where FEMA claims were denied and who did not receive any access to aid. This is valuable insight and a much needed one today.

We need better data transparency and data standardization when collecting information from individuals and households seeking aid, especially when it comes to location, but at the same time protecting identities and locations.

I would like to note, we’ve been fortunate at times in via for a request, to develop a communication line with FEMA in obtaining data, but it’s still not enough.

To end this, it is important to systematically synchronize data collection
and develop a user-friendly platform to
enable not only researchers, but also
community leaders, advocacy groups and
community residents, citizens, nonprofits
who are on the ground, to access such
important information related to disasters
in their own communities and the impact it
had on their homes. Thank you.

CHAIR CANTÚ: (In English) Thank you.

Thank you very much.

(In Spanish) Your name?

MS. IRIZARRY: (In Spanish) Good
afternoon. My name is Mrs. Modesta
Irizarry.

CHAIR CANTÚ: (In Spanish) Welcome.

MS. IRIZARRY: (In Spanish) Thank you.

CHAIR CANTÚ: (In Spanish) Don’t
cry.

MS. IRIZARRY: (In Spanish) It is an
honor for me to be here alongside my fellow
speakers. While listening to the prior
speaker, I’ve remembered everything we’ve
gone through because of Hurricane María.
But above all other things, I want to thank
you for this space, this opportunity we are
given today. I would like to thank the folks at Ayuda Legal Puerto Rico the invitation, as well as the other speakers during the morning session, who have been a great support to our communities, and we must recognize the work they have been carrying out during all this time.

I have been sad because it is very unfortunate to have to recall all the situations that our country and communities have gone through, where, during a moment of tragedy, with the resources and funds that arrived, the funds approved, our people could be better off than they were.

Unfortunately, as we have expressed in the forums, corruption has hurt our country, with all the money that has been embezzled and misused, which was assigned to help our people have decent housing and good health benefits. And that due to the insistence of a federal agency such as FEMA, insisting on not providing aid to people because they lacked access to a document, property deeds, and with such a strict protocol in the midst of a tragedy,
where many people profited from the pain of
the communities in order to gain personal
benefit, which is still the result we have
today with our government. We must say
that thanks to the efforts of non-profit
organizations, we were able to help our
communities move forward.

It is very sad to have seen so much
hidden food, so much aid that was received
from different places to help the people to
be okay in the midst of such a terrible
crisis.

As I’ve expressed previously, we have
people living in the mountains who, up
until today, do not have the necessary
health, transportation services, and
services and access to a school where our
children can learn. The same thing is
happening in many communities presently.

It is extremely sad to see, on a
personal basis, how seniors request from
community leaders such as ourselves, who
have one-on-one access with the people,
still don’t have the ability to repair
their homes or that there are not human
resources to do it.

Because of this, we demand that our people have proper housing. That our elderly not have to be begging for the services they deserve. That our health services be the best. Better transportation. There are many towns that do not have proper transportation yet. Loiza only has AMA bus service and public transportation is still not available.

Educational services need to be improved. With all the funds that this agency has received, our children are still spending very little time in schools, even with the situation which has occurred.

Experiences such as Tu Hogar Renace, which was terrible, how they stole so much money to repair a toilet at exorbitant costs like 1,000, 2,000 dollars. for something that didn’t even cost hundreds of dollars, or 200 dollars. This is why all of this needs to be evaluated.

Media and communication. Telecommunications such as telephone, local radio stations, are still charging citizens
as if they provided good services, which is not correct.

Because of this, on this afternoon I’d like to highlight the superhuman efforts of our community leaders and non-profit organizations. My applause and respect to my coworkers who today gave a shining example for Hurricane María. And we are still doing it.

I would also like to thank an organization who is still helping us today, Caritas de Puerto Rico, for their service. Today we are still distributing food supplies. Because people believe that poverty has to do with malnourished children, poorly dressed, living on the streets. And one must carefully read the report on poverty in our country, which was published recently.

So thank you. And I would like to request respect for each citizen of Puerto Rico, so that they don’t have to be begging the United States for anything, nor Congress, because we are human beings. Thank you.
CHAIR CANTÚ: (In Spanish) Thank you.

(In English) We have a speaker.

COMMISSIONER YAKI: (In English) I just want to make a little --

CHAIR CANTÚ: Very brief.

COMMISSIONER YAKI: Yes. I’m just going to say for Andrés and -- I can’t remember here. I’m so sorry.

CHAIR CANTÚ: ¿Modesta?

COMMISSIONER YAKI: If you were -- have instances where you filed with FEMA and you didn’t hear anything, or your mother -- your mother did, make sure that you give your contact information to someone on our staff back there. So that we can take a look at that, possibly, for you.

CHAIR CANTÚ: (In Spanish) If you have any unanswered requests, please, give us those reports and put it in writing and -- we need that. Si ustedes pidieron solicitud y nadie les contestó, por favor, dános esos informes y ponga algo por escrito y -- we need that. What you know
is something very important to us.

MS. IRIZARRY: (In Spanish) There were people who were approved supposed loans and never received the money.

CHAIR CANTÚ: (In English) Yes. Yes.

MS. MÁRQUEZ: (In Spanish) I never received anything. My house doesn’t -- I lost -- I mean, I have a refrigerator, a stove, everything -- everything I lost is still there. I have no roof. I have nothing. I don’t have where to tie a tarp from. I don’t have a place to tie a tarp from.

CHAIR CANTÚ: (In English) But when you all write a complaint, or when you all write about what you -- what you wrote today, if you can think of more things to put down on paper for us, we will really look forward to hearing that.

MR. SANTIAGO: (In English) Is this the email to send it before the time?

CHAIR CANTÚ: (In English) Yes.

COMMISSIONER YAKI: (In English) You do that.
CHAIR CANTÚ: (In English) Yes, please.
(In Spanish) Is there anyone else who
would like to present their...?
Yes, sir. Say your name, please.

MR. ROSADO: (In English) My name is
William Rosado Ramos. My number is 15.
Please -- I’m going to continue in Spanish.

CHAIR CANTÚ: Yes. (In Spanish)

Please do so.

MR. ROSADO: (In Spanish) I am a
senior citizen, as we are called. I am
starting this stage in life, only 69.
Aside from that, handicapped. I am in
functional diversity, as you can tell. I
live on a dead-end street. Of all the
homes, mine is the last, where everyone
has to make the turn to exit.

At this time I can tell you all that
I haven’t seen one person, not from my
country, nor from the United States, nor
from any place, that has come by to ask me
how I am doing. Nobody has brought a
plate of food.

I’ve asked for assistance, because I
used to have a person during three years
who did housework. Cooking, washing
clothes. And sometimes, when I was
bedridden, this person would also help me
take baths.

It’s shameful that in this day and
age, we have to come here to declare things
everyone knows. This is nothing new. And
this should not only be in Puerto Rico, I
know that many states are going through the
same thing. But it is unreasonable and
inhumane to have people begging, asking for
favors, when they gave their lives.
Because I was also in the military. What
good is it to have served in the military
or in public service here in Puerto Rico,
when one finds oneself abandoned.

The children I raised, they all left
Puerto Rico. They don’t want to even hear
about Puerto Rico. They feel
uncomfortable. They feel rejected,
humiliated. So, they live where they think
they can grow. They are working. There
are two who have churches; they are giving
what they know.
But to come to Puerto Rico and see so many blue tarps from the sky, and go house by house -- where we can gain access, because there are places where you still can’t go in. They are inaccessible.

In my house I have cracks and I received 25,000 dollars to begin repairs. At the end I was told, “Your house needs to be torn down, but the cost to do that and build a new house is over 200,000 dollars. Wouldn’t you rather we help you find a new place to move to? We can give you 250,000 but you have to go.”

I said, “But I’ve lived here for over 35 years. I feel comfortable here. Why do I have to leave a place I know for somewhere unknown?”

And I still haven’t been able to begin to pay back SBA for the 25,000 loan. And the pandemic came and I became stuck on all sides. And I am eager to pay off that debt. It’s not that I can’t stand it, but I feel uncomfortable about not receiving help or assistance from anyone.

And all the money that I have, I have
to invest in repairing cracks, in the
removal of debris and to do wonders in my
home. Because the person who helped me at
home left to Texas. Now she’s in New York.
I mean, I don’t understand.

“Puerto Rico does it better,” that’s
what they always say. But where? I’m
waiting for someone to tell me where they
do it better. Right now we have no
schools. We have to change our school
system. It’s -- as we say here in good
Spanish -- “old fashioned.” It doesn’t
work. We need to use new strategies in
order to attract students to go to school.

For our senior citizens, we have to go
house by house and carry out a census to
see where they live, where they reside, if
they are eating, who is providing
assistance. If this census is not carried
out and a list of the locations of these
people is made, one of these days we’ll get
another María and we’ll lose more old
folks. If that is the strategy, to kill
off the old folks, then we do nothing. Sit
and wait.
In my opinion, we have to make drastic changes in health, in schools, in the elderly. How many children nowadays have been affected after the passing of María and are being admitted to hospitals. Because they are getting sudden attacks and they are admitted into the hospital, and are being maintained by pills. Medication -- everyone will soon be under medication. Is there not a different way to end the situation we are going through? And forgive me if I'm overextending my time limit. Am I doing okay timewise?

CHAIR CANTÚ: (In Spanish) Thank you for your words.

MR. ROSADO: (In Spanish) Thank you.

CHAIR CANTÚ: (In Spanish) Thank you for your words and for supporting your people. Thank you.

Thank you for your words and for your advocacy for your communities.

(In English) Am I missing any other speakers?

(In Spanish) Is there anyone else who has the intention of speaking?
Okay. Not hearing anymore speakers, thank you all who have contributed this far to the public comment period. We are going to pause for a ten-minute break -- we are done. Okay. I am leading and they are leading me. Thank you.

I would like to take this opportunity to thank all the panelists, everyone who took the time to join us today to submit their public comment on this very important topic. It’s been tremendously informative. And on behalf of the entire Commission, I want to thank everyone who shared their time today and their expertise and each community member for sharing very personal parts of their life.

I also want to thank the Commission staff for the efforts they made in the last few months to pull this briefing together alongside with our partners here in Puerto Rico. And I thank the staff, in advance, because they are going to keep working, for their efforts to distill the information presented in this briefing and to
incorporate it into the report. I’m very grateful for all this hard work.

The recording for this briefing -- the record for this briefing will stay open for the next 30 days. If panelists or members of the public would like to submit materials, they can submit them to the Commission. But it can’t be later than January 10, 2020 [sic]. And the email to send any updated information --

COMMISSIONER YAKI: 2022.

CHAIR CANTÚ: 2022, thank you.

The email address is mariabriefing@usccr.gov or you can send it regular mail to OCRE/Public Comments, to the attention of María Briefing at the U.S. Commission on Civil Rights. Our address in Washington, DC is 1331 Pennsylvania Avenue NW, Suite 1150, Washington, DC 20425.

We encourage the use of email for providing the public comments. Do not come to the office. Do not drop by. You will not find me at the office because due to COVID, we all are going to be safe. And we are going to continue to wear our masks
until we are told that everyone has been protected and it is safe. So, thank you all. And the briefing has ended.