

November 5, 2019

The Honorable Raúl M. Grijalva
Chairman, House Committee on Natural Resources
1511 Longworth HOB
Washington, D.C. 20515

RE: Civic Participation and Community-Led Oversight Proposal for a Just Recovery

Dear Chairman Grijalva,

We, the undersigned, represent advocates and organizations coming together in defense of the right to dignified housing and the just recovery of Puerto Rico. ***Movimiento de Vivienda Digna*** is a coalition of over 20 Puerto Rican-based organizations that for years have defended communities that have been historically marginalized. The coalition is committed to amplifying the efforts of its members and defending the rights of communities to safe, dignified, and affordable housing, as well as the right to meaningfully participate in their own recovery process.

The hurricanes of 2017 gave a devastating blow to an Island already weakened by abandonment and government-imposed austerity in public services and programs. Two years later, we are still struggling to recover. It is estimated that 20,000 households continue to live under worn-out blue tarps, that were intended to be temporary, waiting for basic home repairs and in unsanitary conditions. This slow recovery represents a failure of government at all levels.

We want to present our position regarding the issues of transparency and the establishment of a federal Office of Reconstruction Coordinator for Puerto Rico included in the discussion draft of "Amendments to PROMESA Act of 2019." In addition, we would like **to present our proposals on civic participation and community-led oversight.**

Imposing a federal "Reconstruction Coordinator" would be detrimental to the recovery process

Imposing a presidentially-appointed Reconstruction Coordinator for Puerto Rico diminishes real and effective participation and it does not guarantee supervision, control, and effective management of resources. The imposition of a federally controlled office is an unnecessary step that would further hamper an already slow and largely ineffective recovery process and adds insult to injury. Furthermore, another federal entity that does not answer to the people of Puerto Rico would hinder the process of accountability for low-income communities most at risk of losing their homes and land.

Lack of democracy is not a symptom, but the root cause of our issues. We must be clear: the Financial Oversight and Management Board imposed by PROMESA - a law that should not be amended and instead be repealed - has only led to lack of transparency, massive conflicts of interest, and accountability, as well as more inequality and austerity that disproportionately affects low-income and already marginalized communities.

Corruption is not solely an issue in Puerto Rico, given that there have been recent arrests at FEMA's highest levels, regarding the misuse of recovery funds destined to the people in the Island. The federal government – spearheaded by the President – has sought to use recovery funds intended for rebuilding in Puerto Rico, to build an unnecessary wall that would condemn people who look and talk like us. Recent arrests at FEMA's highest levels, involving the illegal use of \$1.8 billion in recovery funds, demonstrates that corruption has many faces. These are even stronger reasons to put in place mechanisms that promote public accountability enforced by the people through real transparency and access to information.

Towards a real and participative Community Oversight Committee

Since 2017, groups in Puerto Rico have been advocating to democratize the recovery process by promoting mechanisms of real and effective participation. Empowering a **community-led committee** composed of people from those places more affected by the disaster - and most affected by the worsening social and economic conditions- should have a key role in this process.

We have been carefully reviewing the proposals presented before Congress about the lack and the need for increased and meaningful public participation in the recovery process. We concur with the fact that throughout the planning and implementation of the recovery funds assigned to Puerto Rico, there has not been effective public participation or transparency. Puerto Rico has seventy-eight municipalities, yet there were only six municipalities that held public hearings for the Action Plan and eight for the Substantial Amendment. Moreover, there were obstacles such as the lack of public transportation, the scheduling of the hearings during work hours and the fact that they were announced mainly through social media and through online notices—during a time period when thousands still lacked essential services such as access to power. These barriers disproportionately affected historically marginalized groups, such as people with limited mobility, the working poor, single mothers and elderly people, from their right to participate in the recovery process.

We are all moved by a strong belief in a just recovery grounded in people's needs, wants, and human rights. While we acknowledge and commend the efforts of other organizations that have presented proposals around this matter, we can't endorse proposals that are based on an amendment to PROMESA, or ones that promote bodies with inadequate participation of community-based organizations, (especially those with a history of working in their communities prior to the hurricanes of 2017), that are strictly centralized, lack clear definitions about transparency, who chooses the participants, or regarding the time extension of the Committee's life.

While we consider that a structure cannot be proposed - absent time for a real and ample consultation of those affected and of key stakeholders - we want and urge these principles and criteria to be critically considered in the creation and composition of any mechanism to ensure adequate community input. We recommend that these changes be requested through a change in HUD's policies regarding CDBG-DR. Committee-related elements should be included as requirements of the Participation Certification, included among the CDBG-DR Action Plan requirements.

1. The composition of a Committee that supervises the recovery funds should not be dependent on an amendment to PROMESA.
2. The Committee should be independent of any federal structure and it must have diverse, inclusive, comprehensive, and practical representation.

3. The Committee should be distributed by region in order to avoid a centralized structure.
4. The Committee(s) should function for a determined amount of time, it should not be unlimited.
5. The Committee should be required to develop a 1) clear definition of real and effective participation and (2) impacted communities and stakeholders and 3) develop transparent mechanisms for oversight and enforcement.
6. A clear participation process that includes, among other things, the identification of stakeholders, technical assistance and support if needed, for the development and gathering of community-based proposals, and a requirement for properly noticed regional, open hearings, held at times and locations that facilitate and allow for the broadest participation possible.
7. A clear accountability process regarding access to information, compliance, and publishing of reports, both in English and in Spanish, accessible to the general public. The Committee should have the power to request and share information, as well as to demand investigations.
8. Guaranteed respect and protection of human rights.
9. The capacity to propose projects, mechanisms, and protocols.
10. The Committee should have veto power over every decision made that does not comply with the principles of real and effective participation.

We demand the creation of a Committee that has active participation in all the conversations that are being held regarding the recovery funds, inclusive policy proposals. The voices of those who live in Puerto Rico are a necessary condition to democratize the recovery process. How to structure that Committee should be a direct consultation with regional leaders in Puerto Rico.

We know that you agree that a just recovery for Puerto Rico must be led by Puerto Rican-based organizations and impacted communities on the island, therefore we urge you to give weight to our comments with that in mind.

We present these considerations on behalf of the endorsing organizations, participants of the ***Movimiento de Vivienda Digna*** and other advocates:

**Alianza de Líderes Comunitarios
Puerto Rico**

**Ayuda Legal Puerto Rico
Puerto Rico**

**Caras con Causa
Cataño, Puerto Rico**

**Centro de Microempresas y Tecnologías Agrícolas Sustentables (CMTAS Yauco)
Yauco, Puerto Rico**

**Coalición de Residentes de Vivienda Pública del Área Metropolitana
San Juan, Puerto Rico**

**Clínica Legal Psicológica, UPR-Cayey
Canóvanas, Puerto Rico**

Colectivo ILÉ
San Juan, Puerto Rico
Iniciativa de Eco Desarrollo de Bahía de Jobos (IDEBaJo)
Salinas, Puerto Rico

Fair Share Housing Center
New Jersey, USA

G-8: Grupo de las Ocho Comunidades Aledañas al Caño Martín Peña, Inc.
San Juan, Puerto Rico

Hispanic Federation
Puerto Rico

Instituto Universitario para el Desarrollo de las Comunidades - UPRM
Mayagüez, Puerto Rico

Junta Comunitaria del Casco Urbano de Río Piedras
San Juan, Puerto Rico

Ponce Neighborhood Housing Services, Inc.
Ponce, Puerto Rico

Programa de Educación Comunal de Entrega y Servicio (PECES) (Punta Santiago)
Humacao, Puerto Rico

Proyecto Matria
Caguas and Orocovis, Puerto Rico

Taller Creando Sin Encargos
San Juan, Puerto Rico

UrbeApié (Centro Urbano de Caguas)
Caguas, Puerto Rico