



AMERICAN PATRIOTS FOR EQUALITY (IGUALDAD)-CIVIL RIGHTS Dennis O. Freytes

“Canto Claro Como un Gallo Boricua de Manati!”—THE TIME FOR EQUALITY--IS NOW!

AUG 2016

**TO: PR PROMESA: Fiscal Oversight Board; US Congressional Task Force on PR's Economy
US President; US Congress; US Supreme Court
RE: US Territory of Puerto Rico's Fiscal, Debt, Economic, and Territorial Status
Humanitarian Crisis-SUGGESTIONS**

Dear Honorable Officials:

First, we thank the Federal Government for taking the 1st Bi-Partisan Step through enacting PROMESA to- resolve the Puerto Rican Fiscal, Debt, Economic, and Humanitarian crisis; other past benevolent actions.

WE Patriots hope the Federal Government concurrently acts to do its part in resolving the US Territory of Puerto Rico's Fiscal, Debt, and Economic crisis as well as solving Puerto Rico's un-democratic Territorial-Colonial trite Status (that affects everything Puerto Rico does); resolving the Humanitarian crisis that is creating an Exodus of Puerto Ricans to the States—overtaxing local resources...

FACTS are:

OUR US DECLARATION OF INDEPENDENCE states: ...governments derive their just powers from the “Consent of the Governed”... Our US “WE THE PEOPLE CONSTITUTION” calls for EQUALITY/ FAIRNESS-Individual Civil Rights for ALL...! Our US Republic's Representative Democracy foundation (building block) is the US Citizen with protected Individual Civil Rights! But, the US FEDERAL GOVERNMENT, since 1898, discriminates against US CITIZENS residing in Puerto Rico!

Puerto Ricans (including American Veterans)-- residing in the US Territory of Puerto Rico (for about 120 years)--can't Vote for their US President; don't have just representation in their US Congress; no consent of the governed...or full earned benefits-Parity in Federal Laws/Programs (Social Security, MEDICARE, MEDICAID, etc.; equal Funding for Health, Education, Transportation, Security, Housing,...etc.), permanent US Citizenship... - like OTHER US Citizens enjoy! If there is no EQUALITY or Parity in Law--there is discrimination!

The US Territory of Puerto Rico is a captive Market that contributes to the US MACRO Economy; creation of hundreds of thousands US Jobs. Puerto Rican-Hispanic Ancestors, organized the expedition and traveled from Puerto Rico (Gateway) to find Florida; started developing (along with Natives) the now US—107 years before the Pilgrims; fought with Washington in the US Revolution, and other Wars in defense of our USA; made many other fine contributions to the our “Union of States”-USA, in the fields of Science, Defense, Engineering, Arts, Music, etc. Puerto Ricans cherish their US Citizenship; are integrated with their own Identity to the US (a Nation of Immigrants) way of life and Liberty!

But Puerto Ricans (loyal and contributing US Citizens) suffer institutional discrimination; the “slings and arrows of outrageous fortune” that includes suppression of Individual Civil/Voting Rights---“consent of the governed”; a federally undemocratic Territorial Colonial Status!

The Federal Government, after, almost 120 years of undemocratic control of US Citizens, must NOW do its sacred duty—ENSURE: Equal US Citizenship (with protected Individual Civil Rights--“Consent of the Governed”); EQUAL-FAIR application of the US Constitution (with all rights); Equal treatment-Parity

under just laws; Due Process...; advance our Representative Democracy---BREAK Puerto Rico's undemocratic Territorial/ Colonial Shackles! It is the sacred Duty of the Federal Government (US President, US Congress, and US Supreme Court) to be FAIR in serving loyal US Citizen (under our "We the People" US Constitution); not be their Master!

Our US President and Puerto Rico's Government must advocate, inform, educate, and take all actions (with facts; not political distortion) that includes: strongly asking Congress to take action; directing their Justice Departments to fight for Equality; petition the Federal/ US Supreme Courts to not deny US Citizens (that in a 2012 local PR Plebiscite voted: 61% Statehood; 5% INDEPENDENCE) their basic voting individual Civil Rights; a non-territorial clear Plebiscite: STATEHOOD vs INDEPENDENCE...

CONGRESS should take ACTION- redress an undemocratic wrong: The best final SOLUTION: Conduct a DEMOCRATIC PLEBISCITE- with clear Constitutional NON-TERRITORIAL OPTIONS (that don't confuse)-- which are only two (per US Constitution): STATEHOOD vs INDEPENDENCE! (Please, see Enclosure for an example Ballot.)

The Federal/US Supreme Courts should better interpret the US Constitution (which is the best in the annals of Human History...); give more weight, in Decisions, to the essence of our Representative Democracy (the Constitutional Amendments—consent of the governed) over the trite original undemocratic Territorial Clause that was written in Racists and discriminatory times--when Women, Hispanics, Blacks,... could NOT VOTE! We own our developing US Constitution, not our fore Fathers! Even if one US Citizen can't vote; it's one too many! Let true Justice be served!

RECOMMENDATIONS: To fairly resolve concurrently the US Territory of Puerto Rico's economic, Territorial-Colonial Status (affects everything), Fiscal, Humanitarian Crisis; un-equal 2d Class US Citizenship and undemocratic Territorial Status-- I constructively recommend the following, based on a factual research; US Supreme Court Decisions/ other US Jurisprudence; Presidential and Congressional – CBO Office, and other Reports on the US Territory of Puerto Rico.

THE FEDERAL GOVERNMENT MUST MAKE RIGHT

The Federal Government (US President, US Congress, and US Federal/Supreme Courts) must stop institutional discrimination against Puerto Ricans (loyal and contributing US Citizens) work to resolve the Fiscal, Debt, and Economic problems concurrently with the Territorial Status crisis that doesn't permit Puerto Ricans to fairly compete or liberate the Entrepreneurial Spirit in a Free Market economy...because there is no Parity in Federal Laws; equal-fair application of the US Constitution. **TAKE FAIR ACTION** (serve not suppress): Remember to fix the problem/crisis-understand-- the whole is more than the sum of its parts!

1. "PROMESA" is a good first step: The Fiscal Oversight Board and Congressional Task Force should look at the whole crisis, not just its parts that affect other parts...; understand the MACRO Problem-Crisis pointed out... Establish an Advisory Council of Experts (Business, Fiscal, Economic and Others) and a Citizens Council of knowledgeable Community Leaders. (I remain available to Testify; make recommendations; help.)

2. PARITY IN LAWS: Include Puerto Rico (again) in Chapter 9 Uniformity Act of 1915 (Debt Restructure- Pubic Corporations and Municipalities). Plus, put in place a debt moratorium (two years); allow the US Territory Government, until the crisis is resolved, to re-organize its Debt. Lend other support, and oversight.

3. Take other steps to include—(Federal Funding short falls are a drag on PR's economy). Provide equity in MEDICARE, Social Security, MEDICAID, and other Social programs... Institute the Federal Earned-Income Tax Credit, Child Tax Credit... as other US Citizens enjoy. The US Citizen (with all rights, earned benefits and responsibilities) comes first!

4. Treat Puerto Rico/American Veterans equally: Example: Treat PR (3.5 million US Citizens) **as it treated New York** (9 million US Citizens): which from 1975-1986 went through a dire fiscal/ economic

crisis. In this case, the Federal Government--backed up or guaranteed New York's loans/ bonds (with fees attached) until New York resolved its fiscal problems; was solvent (paid fees), and was prosperous again (with no cost to the Federal Government or Tax Payers)... NY continued to make major contributions to the MACRO US Economy...

- *Other Examples where the Federal Government has acted are: Washington, DC; Detroit, etc.
- Besides, justly provide, US Veterans- residing in Puerto Rico, all the benefits, programs, and funding other fellow Veterans receive in the States (to include TRICARE-Prime Health Program; equal Federal Funding)...

5. 1920 Jones Shipping Act-- Legislate to exclude Puerto Rico that creates hundreds of thousands US Jobs; serves as a closed/slave US Market) from this trite un-competitive Act—that raises prices; is bad for consumers; plus, it has other negative impact on the competitive MACRO US Free Market Economy (especially to Puerto Rico, Hawaii, Alaska, and Others that must bear an un-just burden that other States don't bear! (Again, be FAIR.)

6. Federal Business/ Enterprise Zone--provide economic development incentives-- tied to Job creation, and other Metrics for impoverished areas...; help jump-start PR's economy...that will bring dividends to the MACRO US Economy....; assist small and medium business...; proved incentives until economic PARITY is achieve with other States...

7. Take any other steps to ensure fairness; unleash the Entrepreneurial Spirit to grow Puerto Rico's and our USA MACRO Economy that sets the pace for others to follow; keep the US-- best in the World!

- ****NOTE:** The Federal Government must not side with the special interests, like the "Hedge-Vulture Funds" (that bought much of Puerto Rico's debt for pennies on the dollars). They want to make a killing on the backs of Puerto Ricans—at the expense of a Humanitarian crisis in the making...They should be last in line...; small and pension Investors should be at the front of the line... Remember they took a risk in our Free Market System. But, all should be paid their invested Capital, plus, a discounted interest rate.
- Protect the Pensions of hard working People...; don't lower minimum wage...
- Besides, do not provide other poor excuses that can let the Hedge/ Vulture Funds earned excess profits at the expense of the People, especially the Retired that receive a pension for their hard work... WE must have an organized debt restructure for the good of all the parts, especially the People who should not suffer for the misdeeds of their Government.
- Besides, the Federal Government in 1984 unilaterally un-fairly took Puerto Rico out of Code 9 (Debt Restructure) with no reason; and now does not want to provide this option like it provides it to the States/ other US Citizens! Again, this is called DISCRIMINATION!

8. Federal Oversight: The Federal Government, in concert with the PR Government, must positively act to resolve the situation directly for the good of its US Citizens... Provide advice and support.

Besides, CONGRESS should take ACTION- redress an undemocratic wrong: The best final SOLUTION:

Conduct a DEMOCRATIC PLEBISCITE- with clear Constitutional NON-TERRITORIAL OPTIONS (that don't confuse)-- which are only two (per US Constitution):

- **STATEHOOD—Admittance to the US -UNION of STATES-** work for the common good...
MEANS: Permanent US Citizenship; US Constitution; PR State Constitution; ALL rights, earned benefits, responsibilities, and Parity in all Federal Laws; State Identity and Sovereignty... (Example: "Estado Boricua Soberano" de EEUU—like the" Lone Star Republic" of Texas...) vs
- **INDEPENDENCE** (without or with a PACT of Free Association);
MEANS: PR Citizenship; PR Constitution...; loss of US Citizenship; loss of US rights, benefits (like: Social Security, MEDICARE, MEDICAID...) and Federal Funds (for: Education, Transportation, Health Care, Security, Emergency Management, Human Services...); loss of protection of US Constitution...; PACT- can be terminated by any of the Parts at any time...

The US TERRITORY OF PUERTO RICO-GOVERNMENT MUST TAKE ACTION

Concurrently, Puerto Rico's Territorial Government should take actions to streamline Government (be more responsive, effective, efficient, transparent, and compassionate); put its house in order; provide incentives (not just increase Taxes) to boost the economy and create good JOBS; as it transforms distorted politics to recognize the truth about the discriminatory structural Territorial (colonial) Status (that affects everything Puerto Rico does); open a non-partisan dialog--speak with one voice; demand EQUALITY act for the good of all!

The Government of PR has been politicized; is inefficient and fat with around 215,000 employees for 3.5 million People, while for example Florida has about 60,000 employees for 20+ million People. Thus, PR has many times the number of Employees with a lot smaller Population than Florida... Thus:

1. **Government Reform:**

Downsize the size of Puerto Rico's Operational Government (gradually) to less than 70,000; re-train the others for Private/ Entrepreneurial Sector; consolidate the over 132 Government Agencies into about 50; regionalize some Government (State and Local) functions —into about 8 Government Service Regions; decentralize some PR Government control, as appropriate and with safeguards to avoid corruption...(Look at the US County System). (Florida with about 20 million People operates with about 40+ Agencies.)...

Down size official municipal Governments from 78 to about *18 to help eliminate redundancy and corruption: (You can have elected Village/Town Boards Town Mayor/Chairman of the Board/ Commissioners which draw no pay; only some expenses.)

***EXAMPLE:** San Juan (Trujillo Alto, Cataño, Guaynabo); Bayamón (Toa Alta, Toa Baja, Naranjito, Comerío); Carolina (Canovanas, Loiza, Juncos); Caguas (Gurabo, Aguas Buenas, San Lorenzo, Cidra) Fajardo (Rio Grande, Luquillo, Ceiba, Vieques, Culebra); Humacao (Naguabo, Las Piedras, Yabucoa, Maunabo); Guayama (Arroyo, Patillas, Cayey, Salinas); Ponce (Juana Díaz, Peñuelas, Guayanilla); Coamo (Santa Isabel, Aibonito, Villalba); Yauco (Sabana Grande, Maricao, Guánica); San Germán (Lajas, Cabo Rojo, Hormigueros); Mayagüez (Añasco, Rincón, Las Marías); Aguadilla (Aguada, Moca, Isabela); Arecibo (Hatillo, Barceloneta, Florida); Utuado (Adjuntas, Jayuya, Ciales); San Sebastián (Lares, Quebradillas, Camuy); Vega Baja (Vega Alta, Manatí, Dorado); Orocovis (Corozal, Morovis, Barranquitas)



- **Prioritize needs;** use modified O-Base Budgeting (make Agencies justify their Budgets);
- **Establish a Government Professional Merit System** based on metrics and evaluations (non-partisan); Workfare not Welfare (all abled un-employed work at least 25 hrs. a Week—Community Services...) as the Government coordinates with the Private sector for jobs...
- **Streamline/make Government more** responsive, effective, efficient, compassionate, and accountable...

- **Administer properly** the Government Employees' Pension Funds that are about to go bankrupt...
- **RE-ORGANIZE Cabinet/ Agencies under:**
 - Secretary of Government (Lt. Governor- Chief of Staff- Plans/ Operations/ Budget);
 - Sec. of State (Inner, and Outer Relations/Affairs, Communications, History-Culture...)
 - Sec. of Security, Defense, and Veterans (Police, National Guard, Emergency Management, Veterans Affairs...);
 - Sec. of the Treasury-Finance
 - Sec. of Economic Development (Jobs/ Commerce/ Tourism/ Agriculture);
 - *Sec. of Education (Chairman Oversight State Board of Education)
 - Sec. of Infrastructure (includes Engineering, Water, Electricity, Housing, Urban Development, Transportation, Roads...);
 - Sec. of Health, Human Resources & Families (Health, Labor; Social Services; Recreation; Sports...);
 - Sec. of Justice Attorney General;
 - Sec. Of Government Evaluation & Performance: Comptroller/ Performance Audits, IG (Inspector General), Consumers Complaints, Omnibus Group Representatives...
(The Secretary of Government Evaluation & Performance can be elected by the People...)
- **Legislative System-** Unicameral: composed of 61 Senator/Representative Members (3 per each of the 18 municipalities-one is the Mayor; 8 at large—from each Government Service Region).
- **PR Supreme Court:** 7 Members; can be re-called by a Vote of the People...

2. **Fiscal Policies:**

- Work with the “Federal Fiscal Board”; not obstruct it...
- End dependency on spiraling high interest rate Loans to pay operating deficits; a growing \$72+ Billion Debt;
- Reform the Tax structure (make it simpler—with incentives for those that work and invest)...
- Prioritize needs (essential necessities first: water, electricity, security/Police, health, education, transportation, Social needs (care of children; the indigent...); other nice to have things if the budget allows... Must cut government spending, balance the budget...
- Eliminate the operational and structural debt in the long run...
- Don't over Tax because it can kill the economy...but, provide incentives for capital and business enterprises...etc. that will grow the Economy...; bring in more Revenues...

3. **Educate/Re-train the Work Force** for today's Job Market...

- Establish a seamless and coordinated Education System (under a Sec. of Education/ Chairman Board of Education—4 Commissioners of Education (appointed by Governor; confirmed by Senate)--Pre-K through-12 ; Vocational Schools; Community Colleges; Universities. (Public, Private or Chartered). Also, non-voting Members (4 Deputy Secretaries). MISSION: Provide seamless oversight of Public and Private Education.
- Plus, establish an Education Advisory Committee (appointed by Governor/ confirmed by Senate) composed of Parent, Community, Business/Jobs, Expert, and Student Representation... (2 Representatives of each Group + Chairman=11) would attend all Education Board Meetings—have a voice; not vote. MISSION: Evaluate present and future JOB MARKET/ NEEDS; Education System performance; and recommend constructive solutions.
- Institute an effective anti-Bullying/ Standards of Conduct Program (in all Grades); ensure Students are protected to seek the truth, learn in an open and peaceful learning environment...
- Start education at Pre-K level-when the Brain starts to be “wired”...

- Establish good education Standards based on the foundation/priorities of: Reading, Writing, STEM (science, technology, engineering and mathematics); Social Sciences; Personal Affairs (Finance, Communications, Management, Responsibility, Discipline, Standards of Conduct & Tolerance); Critical Thinking-Decision Making...
 - Teach to Individual Learning Style (e.g. 4-MAT Learning System); use technology...
 - Performance Scholarships (Government/ Public/ Private)
4. **End Territorial Status:**
- Provide stability for investors/capital investment; stem the vast historic exodus of Puerto Ricans (many professionals) to the States (as they vote with their moving feet for equality and better opportunities)...More Puerto Ricans now live in the States (5 million) than in Puerto Rico (3.6 million).
 - The Puerto Rico Justice Department should move to stop discrimination...; take ACTION to ensure an Equal US Citizenship...; end Puerto Rico's federally undemocratic Territorial (Colonial) Status. (Fight at the Federal Courts; ask the US Justice Department to join... Be the lead making the Justice system work fairly!
 - Move to resolve the structural Status crisis that affects everything Puerto Rico does—STATEHOOD vs INDEPENDENCE... (Please, see above)
 - Call Puerto Rico what it is "US Territory" ; eliminate references to ELA which is a LIE... on all Stationary and other documents, unless legally required to do so by Federal Regulation... Then, use "US Territory of Puerto Rico" (ELA-Government)...
5. **Unleash the Entrepreneurial Spirit**
- Transform PR's Economy/Jobs from Centralized Government Based to Private Sector/ Business Based:
 - Minimize regulations, permit process...;
 - Create an incentive based (Investors, Managers; Worker profit sharing)—tempered Free Market economy that is competitive on the US and Global Stages...

Listen and ask for constructive input from all!

I write on behalf of my Parents, and millions of other statutory 2d Class US Citizens. My Mother, Gloria E. Gonzalez Marrero worked hard as a Teacher and Social Worker; my Father Celio Freytes Menendez, is a Combat War Veteran who fought with the famed *U.S. 65th Infantry Regiment (Borinqueneers) from Puerto Rico (WW-II/Korea). These hardworking and loyal American Citizen Patriots are among millions of others who live in the archaic US Territory of Puerto Rico. They paid their dues; deserve all rights of equal US Citizenship; a vote to end the Territorial Status; fairness and parity in Federal Laws/ Programs!

IN SUM, to move forward, the US Federal Government must resolve the Structural problems (includes Status); ensure equal US Citizenship; equal treatment under just laws; cut Puerto Rico's Territorial/ Colonial shackles; concurrently provide parity in law, programs, and benefits as it deals with the PR Government in the current fiscal, debt, economic, and humanitarian crisis!

THANKS for all the good things you and Staff do for our beloved USA!

Let's treat all US Citizens fairly; work for the good of all: Family, Community, Puerto Rico, USA, and Humanity! **With Truth, Reason, and Right—WE WILL OVERCOME!**

Best Wishes, V/R



Dennis O. Freytes, American Veteran; Community Servant Leader

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 *Executive; Manager; Consultant; Advisor/Facilitator: Plans, Operations, Training, Security, Business, Non-Profit, Government; Chair or Board Member of various Civic Organizations; Community Boards...
 *US Army Retired (former Commander Infantry, Special Forces, Airborne...
 ** Florida Governor Jeb Bush- Member Policy Transition Team; US President Policy Transition Advisory Committee; Congressional Veterans' Advisor; confirmed by the Florida Senate twice...

ENCLOSURE

EXAMPLE CLEAR NON- TERRITORIAL PLEBISCITE BALLOT

PART I:

A. PURPOSE/ GENERAL: This is a sanctioned Congressional Plebiscite for US Citizens (Statutory-born in Puerto Rico, and Others residing in the US Territory of Puerto Rico) mandated by the US Congress, IAW the US Constitution Territorial Clause that states: Congress shall have the power to dispose of and make all rules, and regulations pertinent to the Territory or Property belonging to the United States.

The US Congress will democratically measure the free will of the US Citizens residing in the US Territory of Puerto Rico and other statutory US Citizens (no matter where they reside)-- as to their desire to select an EQUAL Non-Territorial Status, per the US Constitution.

The US Congress offers EQUALITY through: Statehood or Independence (with or without Pact); naturalization of Statutory US Citizens in the States; a transition period of 5 years... per the below defined OPTIONS, IAW the Constitution of the United States.

B. PROCESS: TBD

PART II: VOTE

CHOOSE ONLY ONE OPTION:

STATEHOOD

MEANS: The US Territory of Puerto Rico will enter the "Union of the United States" as Equals-- with a permanent US Citizenship, under the US Constitution, with—equal rights, responsibilities, earned benefits and Parity in all Federal Laws; State Boricua Identity; State Sovereignty; State Constitution.

INDEPENDENCE- (With or Without Pact)

(IF YOU CHOSE INDEPENDENCE; CHOOSE ONLY ONE OF BELOW OPTIONS)

INDEPENDENCE with PACT (Free Associated Republic or other name)

MEANS: The US Territory of Puerto Rico would become a Sovereign Entity with Puerto Rican Citizenship, under a Puerto Rican Constitution, but, with a PACT of Association with the United States; which terms need to be negotiated; can be terminated by any of the Parts.

***NOTES:**

- All Federal Benefits will be lost-Social Security, MEDICARE, MEDCAID, etc.); Federal Funding will cease: (Health, Defense, Security, Education, Transportation, Roads, etc.-- upon INDEPENDENCE- becoming only Citizens of Puerto Rico.
- Statutory (by law) US Citizens (born in Puerto Rico; no matter their residency) have a non-permanent US Citizenship that will be lost (an Entity can't be Sovereign with the Constitution or Citizenship of another Entity). But, Congress will naturalize those statutory US Citizens residing in a State, as to the date of the Plebiscite.
- Puerto Rico Association with the United States PACT, to be negotiated as determined by the "Citizens of Puerto Rico", with the US Congress, can include some Defense, Security, Economic,

and possibly other things that will mutually benefit Puerto Rico and the US. But, this PACT can be terminated by any of the parts (Puerto Rico or US) at any time.

INDEPENDENCE WITHOUT PACT (No ties to US)

MEANS: The US Territory of Puerto Rico would become a Sovereign Entity with Puerto Rican Citizenship (under a Puerto Rican Constitution) with no negotiated Associated Pact or Treaty.

***NOTES:**

- All Federal Benefits will be lost-Social Security, MEDICARE, MEDICAID, etc.); Federal Funding will cease: (Health, Defense, Security, Education, Transportation, Roads, etc.-- upon INDEPENDENCE- becoming only Citizens of Puerto Rico.
- Statutory (by law) US Citizens (born in Puerto Rico; no matter their residency) have a non-permanent US Citizenship that will be lost (an Entity can't be Sovereign with the Constitution or Citizenship of another Entity). But, Congress will naturalize those statutory US Citizens residing in a State, as to the date of the Plebiscite.