

Professor Roland Blasini *

U.S. House of Representatives, Natural Resources Full Committee
Office of Insular Affairs Legislative Hearing on
H.R. 1522, "Puerto Rico Statehood Admission Act" and
H.R. 2070, "Puerto Rico Self-Determination Act of 2021"
June 16, 2021.

Chairman Grijalva, and Members of the Committee.

I respectfully request my statement be included in the Committee's Hearing record on H.R. 1522 (Rep. Soto), titled "Puerto Rico Statehood Admission Act," and H.R. 2070 (Rep. Velázquez), entitled the "Puerto Rico Self-Determination Act of 2021," Wednesday, June 16, 2021, and which explicitly says: "the intent of receiving testimony that is primarily from legal and scholarly witnesses."

Some 30 years ago, on July 17, 1988; I also had submitted a written statement then to the Interior and Insular Affairs Committee - Oversight Hearing on: "The International Role of the U.S. Insular Areas" Chairman, by the late Hon. Morris K. Udall and distinguish author of that essential publication on Congress entitled: "The Role of a Congressman." I hereby request once again this statement be also posted for public discourse.

Due to the current political and legislative environment, I honestly do not foresee this process ending with a final result of a signed Presidential authorization

On one side, is our desire to see a final solution towards the status matter On the other side of the coin, is the current political reality -- for which two additional US Senators would change the composition of the upper chamber.

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- Former U.S. House of Representatives - Lyndon Baines Johnson, Congressional Intern 1976, 1978, 1979.
 - Former - Robert Taft Senior Fellow and National Science Foundation Fellow - Polimetrics - The Ohio State University and Center Population Studies – University of Michigan.
 - Working Group Member - "Minorities in American Foreign Policy for the 21st Century" Council on Foreign Relations.
 - American Political Science Association and Pi Sigma Alpha – Award. 1998.
 - Career at various academic institutions - locations: Wyoming, Colorado, Texas, Areas taught: Political Science, Economics and Business Administration.

The views expressed are my own and do not reflect any organization associate to or linked.

Due to the highly partisanship and policy implications; James Carville, an American political consultant and LSU Mass Communication faculty, stated the predicament very clearly: " Do the Math - We Only Have a 50/50 Senate, No One Is Playing Patty-Cake" (Source: Anderson Cooper 360, **CNN** 8 June 21).

Since the Chairman released and made available the analysis of each bill from the Department of Justice - Memorandum - regarding the issues of constitutionality and feasibility, The DOJ states and I quote:

“...agrees that the people of Puerto Rico should be allowed to choose whether to become a nation independent of the United States, become a state within the United States, or retain the current status of a territory. Insofar as H.R. 2070 would facilitate a choice among those three options, which we believe are the three constitutional options available to Puerto Rico, the Department supports the bill.”

Due to the fact, the DOJ "suggest" to maintain the prevalent political regimen; I will address this "poison pill" element further on.

Since a deadlock reality is prevalent - I would like to present some different options before the Committee, in order to address some general consensus options with fundamental public policy and administrative developmental reforms, which are:

1. Via Congressional mandate - **ELIMINATE - the Financial and Management Oversight Board for Puerto Rico**

One must question; "the reliability and competency cost" on behalf of the advisors and their role, since its foundation. Thus, spending Millions of dollars from Puerto Rican taxpayers' fiscal funds in consulting fees and expenses on behalf for themselves, with ZERO end results.

One must also question, the length and duration for the Oversight Board; especially due to the past political donations received for the 2020 campaign election cycle.

Has the Oversight Board become an ATM or Gravy-Train source for elected officials?

(Source: Puerto Rico Debt Vultures Give Big to 2020 Candidates as Fiscal Board Appointments Loom) See: Exhibits

1- 2019-2020 Campaigns' Committees Donations

2- 2019-2020 Vulture Funds' Donations

3- 2019-2020 Vulture Law Firms' Donations

2. Establish a **RECALL election procedure.**

All elected positions in the Commonwealth of Puerto Rico's government, would be subject to a **RECALL Provision** and amending the Resident Commissioner term for a two-year post

During the summer of 2019, a governmental constitutional crisis was generated and evolved with disorderly conduct and even up to sporadic street violence, at Old San Juan. The final outcome was the Governor's resignation. Also during that "boiling" time period, various instrumental events went on, for which did not prelude toward a smooth, rapid and orderly transition.

Another factor is the local political sociological and cultural reality prevalent due to the level of "institutionalized corruption," which can easily be documented by the number of federal prosecutions of not only administrative appointments, but also elected local officials.

The insertion of a federal RECALL election procedure statute towards Puerto Rico, would safeguard an orderly transition and ensure a democratic leadership; if prior conditions were repeated once again.

3. Procedural – Pathway =Methodology for the Status Solution Process

It's time to approach a final status solution, thru an optical lens of quantitative theory analysis.

Rather than present mathematical modeling equations, let me express it in simple terms, there is a game - many have played as children call "tug-of-War." Under the classic format – there are two sides, the side with the greater force pushing, and wins. On the other side, IF a modified game model is used, where various ropes are placed thru a center and such center illustrates whom the winner is, of such interaction will be. The interaction on behalf of the participants can neutralize forces and coalitions can evolve, therefore distorting the end result.

Our political constitutional system and order, was developed and established through a Constitutional Convention in Philadelphia. The national interest and discussions were focused on a simple two-tier model approach, in order to have a final end result on an issue. The method used for a solution on behalf of this approach is commonly known as a decision- tree model.

Puerto Rico's political status dilemma has quite a different focus; since it is based on a multi-polar model, which therefore having various final solutions or various options, easily can join different options or forces together and neutralize an outcome, having then a zero-sum game. The end result being neutralized by the opposite interest for a "spoiler" option resolution.

The time has come to approach the voter- pathway electoral participation method using a "decision-tree" model, for which there would ONLY be two options or categories at a time to select from – on behalf of a simple majority will of the electorate.

Pathway Method Approach – voters would be asked - for example:

a. Stage One

Do you favor maintaining the current political relationship?

Yes or No

If the YES option obtains the majority – simply the voter consultation would end, until a future timeframe for another inquiry.

If the NO option, obtains the majority – then continue the pathway towards the next phase.

b. Stage Two

Do you favor maintaining “ties” with the US or breaking away from the US?

Relationship with US Breaking Away from US

Next stage responds to which option obtained a majority

c. Stage Three

If the -Relation with US, obtains the majority.

A voter inquiry is conducted between options Congress is willing to grant - territorial, statehood - voters would select an option provided The alternative with a majority would continue, towards the next stage,

If the -Breaking Away from the US, obtains a majority.

A voter inquiry is conducted between options of Free Association or Independence- voters would select an option and the process would Continue, of whom obtained the majority of votes.

d. Stage Four

The option which obtains the majority results from stage three, would be subject towards two (2) - Yes or No voter inquiry consultation and a majority – is required - toward a pathway solution.

It is at this stage a Commission is established on both sides. One on behalf of Puerto Rico and the other on behalf the Federal government to identify, make very clear and educate voters the conditions towards the final pathway solution.

While NO methodological pathway approach is listed in either bill, the Zero-Sum Game reality will persist. The desired “suggestion” on behalf the US Department of Justice for the inclusion on behalf the current status is a clear demonstration of providing a “poison pill” towards NO solution. The Federal Government has THREE co-equal branches. Therefore, it's time to ensure the independence and individual power by each branch of government and not be subject towards a submissive stand, dictated by one branch towards another regardless of the affinity on behalf of the Executive and Legislative branches of government.

I simply cannot be silent to this institutional violation on behalf of the division of powers and foresee an obligation to denounce such. In memory of my experience and education provided, here on The Hill by academics, highly skilled staffers from all branches and even the Library of Congree personnel, but most of all –the bipartisanship institutional Members of Congress, which I have always cherished their lectures and pleasantries in the hallway, during those years here on the Hill, I cannot be silent.

4. Objection towards Procedural Usage Constitutional Assembly Method - H.R. 2070

The introduction on behalf for usage of a Constitutional Assembly method, as a matter of resolution towards the political status of Puerto Rico dilemma; came from the late Juan Mari Bras (La Asamblea Constituyente. 1962).

The strategy was first advocated within entities such as MPI-PSP (Movimiento Pro-Independencia), the Puerto Rican Bar Association or any organization for which it's leadership withheld post or control were independence advocates, in order to push such approach. The reason and strategy is very simple, The Constitutional Assembly method requires - ALL transfer of power – be vested entirely back towards Puerto Rico; therefore, it would be a sovereign nation with such process. Foreseeing a negotiation

reality, of non-equals and lack of interest any intention towards any negotiation – Puerto Rico would be granted its independence by default.

The intellectual author for such approach (Mari Bras), even advocated for an “Independent Monarchy” republic for Puerto Rico.

The usage of a Constitutional Assembly also provides, opportunities on behalf of organizational managerial “mischief.”

Nassim Nicholas Taleb, Ph.D., author of; "**Skin in the Game: Hidden Asymmetries in Daily Life**" (2018) points out in a provocative and practical manner, redefines what it means to understand the world, succeed in a profession, contribute to a fair and just society, detect nonsense, and influence others. He clearly demonstrates with vast clearly examples on how - **Minority rules - A "stubborn minority" can impose its will on the relatively disinterested majority.**

One must also add, towards this organizational nightmare forecast proposal the usage of Serge Galam "tipping point."

(Ref. Serge Galam, Ph.D. and Taksu Cheon, Ph.D., "**Tipping Points in Opinion Dynamics: A Universal Formulaions,**"

¹CEVIPOF - Centre for Political Research, Sciences Po and CNRS, Paris, France).

"The universal formula is shown to predict the dynamics of public opinion including eventual sudden and unexpected outbreaks of minority opinions within a generic parameter space of five dimensions. The formula is obtained by combining and extending several components of the Galam model of opinion dynamics, otherwise treated separately, into one single update equation, which then deploys in a social space of five dimensions. Four dimensions account for a rich diversity of individual traits within a heterogeneous population, including differentiated stubbornness, contrarianism, and embedded prejudices. The fifth dimension is the size of the update groups being discussed. Having one single formula allows one to explore the complete geometry of the underlying landscape of opinion dynamics. Attractors and tipping points, which shape the topology of the different possible dynamics flows, are unveiled. Driven by repeated

discussion among small groups of people during a social or political public campaign, the phenomenon of minority spreading and parallel majority collapse are thus revealed ahead of their occurrence."

Just these two operational realities demonstrate a clear operational "outcome bias" towards tilting an end result in favor of one option, therefore; I come and oppose such inclusion of the Constitutional Assembly; in the proposed legislation.

In conclusion, I respectfully request my entire statement be added for the record and thank you.

Professor Roland G. Blasini

ENCLOSURE:

2019-2020 Campaigns' Committees Donations

Exhibit # 1

2019-2020 Campaigns' Committees Donations			
Candidate	Position	Party	Donation
Donald Trump	President	Republican	\$182,643
Joe Biden	Presidential candidate	Democrat	\$1,124,224
Nancy Pelosi	Speaker of the House	Democrat	\$12,150
Chuck Schumer	Senate Minority Leader	Democrat	\$1,500
Mitch McConnell	Senate Majority Leader	Republican	\$81,450
Kevin McCarthy	House Minority Leader	Republican	\$71,80

Exhibit #2

2019-2020 Vulture Funds' Donations

Fund	Candidate	Donation
Aristeia Capital	Joe Biden	\$5,600
	Donald Trump	\$1,000
Aurelius Capital	Donald Trump	\$14,000
	Mitch McConnell	\$5,600
BlackRock		
Joe Biden	\$100,044	
Donald Trump	\$2,125	
Brookfield Asset Management	Joe Biden	\$2,800
Canyon Capital	Mitch McConnell	\$30,600
Emso Asset Management	Joe Biden	\$8,150
GoldenTree Asset Management	Mitch McConnell	\$28,700
Mason Capital	Donald Trump	\$81,200
Oaktree Capital	Joe Biden	\$68,050
Sculptor Capital	Joe Biden	\$3,550
Silver Point Capital	Kevin McCarthy	\$16,200
Taconic Capital	Joe Biden	\$58,900
Total	N/A	\$426,519

2019-2020 Vulture Law Firms' Donations

Exhibit 3

2019-2020 Vulture Law Firms' Donations			
Law Firm	Client	Candidate	Donation
Davis Polk & Wardwell	Commonwealth Bondholder Group	Joe Biden	\$77,550
		Nancy Pelosi	\$1,000
		Donald Trump	\$3,195
Jones Day	Employees Retirement System Secured Creditors	Joe Biden	\$57,751
		Nancy Pelosi	\$250
		Donald Trump	\$9,303
Kramer Levin	Ad Hoc Group of PREPA Bondholders	Joe Biden	\$47,080
		Chuck Schumer	\$1,500
Morgan Lewis	QTCB Noteholders Group	Donald Trump	\$70
		Joe Biden	\$134,497
Morrison & Foerster	Ad Hoc Group of Constitutional Debtholders	Donald Trump	\$1,592
		Joe Biden	\$67,911
Paul Weiss	Ad Hoc Group of General Obligation Bondholders	Donald Trump	\$1,187
		Joe Biden	\$381,526
		Mitch McConnell	\$16,500
Proskauer Rose	Oversight Board	Donald Trump	\$1,975
		Joe Biden	\$25,062
		Kevin McCarthy	\$55,600
		Mitch McConnell	\$50
		Nancy Pelosi	\$10,900
Quinn Emanuel	Lawful Constitutional Debt Coalition	Donald Trump	\$65,000
		Joe Biden	\$46,058
Willkie Farr	Ad Hoc Group of General Obligation Bondholders	Donald Trump	\$942
		Joe Biden	\$24,653
Total	N/A		\$1,047,249