

Union Calendar No. 442

104TH CONGRESS
2^D SESSION

H. R. 3024

[Report No. 104-713, Parts I and II]

A BILL

To provide a process leading to full self-government
for Puerto Rico.

SEPTEMBER 18, 1996

Reported from the Committee on Rules with an amend-
ment, committed to the Committee of the Whole House
on the State of the Union, and ordered to be printed

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To provide a process leading to full self-government for Puerto Rico.

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 1996

Mr. YOUNG of Alaska (for himself, Mr. GALLEGLY, Mr. GINGRICH, Mr. SERRANO, Mr. KENNEDY of Rhode Island, Mr. RAHALL, Mr. ROMERO-BARCELÓ, Mr. GILMAN, Mr. BURTON of Indiana, Mr. UNDERWOOD, Mr. CALVERT, Mr. LONGLEY, Mr. GENE GREEN of Texas, Mr. DEUTSCH, and Mr. KLINK) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JULY 26, 1996

Reported from the Committee on Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

JULY 26, 1996

Referral to Rules extended July 26, 1996 for a period no later than September 18, 1996

SEPTEMBER 18, 1996

Additional sponsors: Mr. BISHOP, Mr. CLYBURN, Mr. WILLIAMS, Mr. OWENS, Ms. NORTON, Mr. WYNN, Mr. HASTINGS of Florida, Mr. FRAZER, Mr. ENGEL, Mr. HALL of Ohio, Mr. HINCHEY, Mr. PAYNE of New Jersey, Mr. ACKERMAN, Mr. FILNER, Mr. ORTIZ, Mr. LEWIS of Georgia, Mr. DAVIS, Ms. WOOLSEY, Mr. HYDE, Mr. GIBBONS, Mr. BARCIA, Mr. FARR of California, Mr. POMBO, Mr. STUMP, Mr. FORBES, Mr. SAWYER, Mr. TORRES, Ms. LOFGREN, Ms. SLAUGHTER, Mr. GILCHREST, Mr. RICHARDSON, Mr. KIM, Mr. PICKETT, Mr. DOYLE, Mr. DE LA GARZA, Mr. HANSEN, Mr. FATTAH, Mr. LIVINGSTON, Mr. SKEEN, Mr. TORKILDSEN,

Ms. PELOSI, Mr. MONTGOMERY, Mr. THOMPSON, Mr. FUNDERBURK, and
Mr. FLANAGAN

Deleted sponsors: Ms. MCKINNEY (added April 17, 1996; deleted May 23,
1996), and Mr. TOWNS (added April 17, 1996; deleted April 25, 1996)

SEPTEMBER 18, 1996

Reported from the Committee on Rules with an amendment, committed to the
Committee of the Whole House on the State of the Union, and ordered
to be printed

[Omit the part struck through in brackets and insert the part printed in boldface roman]

A BILL

To provide a process leading to full self-government for
Puerto Rico.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) ~~SHORT TITLE.—This Act may be cited as the~~
5 ~~“United States–Puerto Rico Political Status Act”.~~

6 (b) ~~TABLE OF CONTENTS.—The table of contents for~~
7 ~~this Act is as follows:~~

See: 1. Short title.

See: 2. Findings.

See: 3. Policy.

See: 4. Process for Puerto Rican full self-government, including the initial deci-
sion stage, transition stage, and implementation stage.

See: 5. Requirements relating to referenda, including inconclusive referendum
and applicable laws.

See: 6. Congressional procedures for consideration of legislation.

See: 7. Availability of funds for the referenda.

8 **SEC. 2. FINDINGS.**

9 The Congress finds the following:

1 (1) Puerto Rico is an unincorporated and lo-
2 cally self-governing territory of the United States,
3 ceded to the United States and under this Nation's
4 sovereignty pursuant to the Treaty of Paris ending
5 the Spanish-American War in 1898. Article IX of
6 the Treaty of Paris expressly recognizes the author-
7 ity of Congress to provide for the political status of
8 the inhabitants of the territory.

9 (2) United States citizenship was extended to
10 Puerto Rico in 1917, as well as partial application
11 of the United States Constitution.

12 (3) In the period 1950–1952, Congress author-
13 ized, amended, and then approved a constitution for
14 Puerto Rico's local government, which is now called
15 the "Commonwealth of Puerto Rico", without alter-
16 ing the territory's fundamental economic, political,
17 and legal relationship with the United States.

18 (4) In the 1989 State of the Union Message,
19 President George Bush urged the Congress to take
20 the necessary steps to authorize a federally recog-
21 nized process allowing the people of Puerto Rico, for
22 the first time since the Treaty of Paris entered into
23 force, to freely express their wishes regarding their
24 future political status in a congressionally recognized

1 referendum, a step in the process of self-determina-
2 tion which the Congress has yet to authorize.

3 (5) In November of 1993, the Government of
4 Puerto Rico conducted a plebiscite initiated under
5 local law on Puerto Rico's political status. In that
6 vote none of the three status propositions received a
7 majority of the votes cast. The results of that vote
8 were: 48.6 percent commonwealth, 46.3 percent
9 statehood, and 4.4 percent independence.

10 (6) In 1994, President William Jefferson Clin-
11 ton established the Executive Branch Interagency
12 Working Group on Puerto Rico to coordinate the re-
13 view, development, and implementation of executive
14 branch administrative policy concerning Puerto Rico
15 in light of the November 1993 plebiscite in the is-
16 lands.

17 (7) There have been inconsistent and conflicting
18 interpretations of the 1993 plebiscite results, and
19 under the Territorial Clause of the Constitution (ar-
20 ticle IV, section 3, clause 2), Congress has the au-
21 thority and responsibility to determine Federal pol-
22 icy and clarify status issues in order to advance the
23 self-determination process in Puerto Rico.

24 (8) On December 14, 1994, the Puerto Rico
25 Legislature enacted Concurrent Resolution 62, which

1 requested the 104th Congress to respond to the re-
2 sults of the 1993 Puerto Rico Status Plebiscite and
3 to indicate the next steps in resolving Puerto Rico's
4 political status.

5 (9) Nearly 4,000,000 United States citizens live
6 in the islands of Puerto Rico, which have been with-
7 in the American political system and the United
8 States customs territory for almost 100 years, mak-
9 ing Puerto Rico the oldest, largest, and most popu-
10 lous United States island territory at the southeast-
11 ern-most boundary of our Nation, located astride the
12 strategic shipping lanes of the Atlantic Ocean and
13 Caribbean Sea.

14 (10) Full self-government for Puerto Rico is at-
15 tainable only through establishment of a political
16 status either without or within United States sov-
17 ereignty, under which Puerto Rico is no longer an
18 unincorporated territory subject to the plenary au-
19 thority of Congress arising from the Territorial
20 Clause.

21 **SEC. 3. POLICY.**

22 In recognition of the significant level of local self-gov-
23 ernment which has been attained by Puerto Rico, and the
24 desire by both the United States and Puerto Rico to en-
25 able the people of the territory to achieve full self-govern-

1 ment through a self-determination process consistent with
 2 United States and internationally recognized standards;
 3 this Act is adopted with a commitment to encourage the
 4 mutual development and implementation of procedures to
 5 determine the political status of Puerto Rico.

6 **SEC. 4. PROCESS FOR PUERTO RICAN FULL SELF-GOVERN-**
 7 **MENT, INCLUDING THE INITIAL DECISION**
 8 **STAGE, TRANSITION STAGE, AND IMPLEMEN-**
 9 **TATION STAGE.**

10 (a) **INITIAL DECISION STAGE.**—A referendum on
 11 Puerto Rico’s political status shall be held not later than
 12 December 31, 1998. The referendum shall be held in ac-
 13 cordance with the applicable provisions of Puerto Rico’s
 14 electoral law and other relevant statutes, and approval
 15 must be by a majority of the valid votes cast. The referen-
 16 dum shall be on the following question:

17 “Which path leading to full self-government for Puer-
 18 to Rico do you prefer to be developed through a transition
 19 plan enacted by the Congress and approved by the people
 20 of Puerto Rico?”

21 “(1) A path of separate Puerto Rican sov-
 22 ereignty leading to independence or free association,
 23 in which—

24 “(A) Puerto Rico is a sovereign nation
 25 with full authority and responsibility for its in-

1 ternal and external affairs, exercising in its own
2 name and right the powers of government with
3 respect to its territory and population, language
4 and culture, and determining its own relations
5 and participation in the community of nations;

6 “(B) a negotiated treaty of friendship and
7 cooperation or an international bilateral pact of
8 free association terminable at will by either
9 Puerto Rico or the United States, defines fu-
10 ture relations between Puerto Rico and the
11 United States, providing for cooperation and
12 assistance in matters of shared interest as
13 agreed and approved by Puerto Rico and the
14 United States pursuant to this Act and their re-
15 spective constitutional processes;

16 “(C) a constitution democratically insti-
17 tuted by the people of Puerto Rico, establishing
18 a republican form of full self-government and
19 securing the rights of citizens of the Puerto
20 Rican nation, is the supreme law, and the Con-
21 stitution and laws of the United States no
22 longer apply in Puerto Rico;

23 “(D) Puerto Rico exercises the sovereign
24 power to determine and control its own nation-
25 ality and citizenship, and United States nation-

1 ality and citizenship conferred on the people of
2 Puerto Rico based upon birth in the territory
3 during the period in which the United States
4 exercised sovereignty and jurisdiction over
5 Puerto Rico is withdrawn in favor of Puerto
6 Rican nationality and citizenship; and the Unit-
7 ed States Congress has authority to prescribe
8 criteria for affected individuals to establish eli-
9 gibility for retention of United States national-
10 ity and citizenship or naturalization in the
11 United States on a basis which does not create
12 an exception to the establishment and preserva-
13 tion of separate United States and Puerto
14 Rican nationality and citizenship;

15 “(E) upon recognition of Puerto Rico by
16 the United States as a sovereign nation and es-
17 tablishment of government-to-government rela-
18 tions on the basis of comity and reciprocity,
19 Puerto Rico’s representation to the United
20 States is accorded full diplomatic status;

21 “(F) Puerto Rico is eligible for United
22 States assistance provided on a government-to-
23 government basis, including foreign aid or pro-
24 grammatic assistance, at levels determined at
25 the discretion of Congress and the President;

1 “(G) property rights and previously ac-
2 quired rights vested by employment in Puerto
3 Rico or the United States are honored, and
4 where determined necessary such rights are
5 promptly adjusted and settled consistent with
6 government-to-government agreements imple-
7 menting the separation of sovereignty; and

8 “(H) Puerto Rico is outside the customs
9 territory of the United States, and trade be-
10 tween the United States and Puerto Rico is
11 based on a treaty.

12 “(2) A path under United States sovereignty
13 leading to statehood, in which—

14 “(A) the people of Puerto Rico are fully
15 self-governing with their rights secured under
16 the United States Constitution, which is the su-
17 preme law and has the same force and effect as
18 in the other States of the Union;

19 “(B) the sovereign State of Puerto Rico is
20 in permanent union with the United States, and
21 powers not delegated to the Federal Govern-
22 ment or prohibited to the States by the United
23 States Constitution are reserved to the people
24 of Puerto Rico or the State Government;

1 “(C) United States citizenship of those
2 born in Puerto Rico is guaranteed and pro-
3 tected to the same extent as those born in the
4 several States;

5 “(D) residents of Puerto Rico have equal
6 rights and benefits as well as equal duties and
7 responsibilities of citizenship, including payment
8 of Federal taxes, as those in the several States;

9 “(E) Puerto Rico is represented in the
10 United States Senate and the House of Rep-
11 resentatives proportionate to the population;

12 “(F) Puerto Rico is enfranchised to vote
13 for United States presidential and vice-presi-
14 dential electors proportionate to the population;
15 and

16 “(G) Puerto Rico adheres to the same lan-
17 guage requirement as in the several States.”.

18 (b) TRANSITION STAGE.—

19 (1) PLAN.—Within 180 days of the receipt of
20 the results of the referendum from the Government
21 of Puerto Rico certifying approval of a ballot choice
22 in a referendum held pursuant to subsection (a), the
23 President shall submit to Congress legislation for a
24 transition plan of 10 years minimum which leads to
25 full self-government for Puerto Rico consistent with

1 the terms of this Act and in full consultation with
2 leaders of the three branches of the Government of
3 Puerto Rico, the principal political parties of Puerto
4 Rico, and other interested persons as may be appro-
5 priate.

6 ~~(2) CONGRESSIONAL CONSIDERATION.—~~The
7 plan shall be considered by the Congress in accord-
8 ance with section 6.

9 ~~(3) PUERTO RICAN APPROVAL.—~~

10 ~~(A) Not later than 180 days after enact-~~
11 ~~ment of an Act pursuant to paragraph (1) pro-~~
12 ~~viding for the transition to full self-government~~
13 ~~for Puerto Rico as approved in the initial deci-~~
14 ~~sion referendum held under subsection (a), a~~
15 ~~referendum shall be held under the applicable~~
16 ~~provisions of Puerto Rico's electoral law on the~~
17 ~~question of approval of the transition plan.~~

18 ~~(B) Approval must be by a majority of the~~
19 ~~valid votes cast. The results of the referendum~~
20 ~~shall be certified to the President of the United~~
21 ~~States by the Government of Puerto Rico.~~

22 ~~(4) EFFECTIVE DATE FOR TRANSITION PLAN.—~~

23 Upon receipt of the results of the referendum under
24 this subsection certifying approval of the transition
25 plan, the President of the United States shall issue

1 a proclamation announcing the effective date of the
2 transition plan to full self-government for Puerto
3 Rico.

4 (c) IMPLEMENTATION STAGE.—

5 (1) PRESIDENTIAL RECOMMENDATION.—Not
6 less than two years prior to the end of the period
7 of the transition provided for in the transition plan
8 approved under subsection (b), the President shall
9 submit to Congress legislation with a recommenda-
10 tion for the implementation of full self-government
11 for Puerto Rico consistent with the ballot choice ap-
12 proved under subsection (a).

13 (2) CONGRESSIONAL CONSIDERATION.—The
14 plan shall be considered by the Congress in accord-
15 ance with section 6.

16 (3) PUERTO RICAN APPROVAL.—

17 (A) Within 180 days after enactment of
18 the terms of implementation for full self-govern-
19 ment for Puerto Rico, a referendum shall be
20 held under the applicable provisions of Puerto
21 Rico's electoral laws on the question of the ap-
22 proval of the terms of implementation for full
23 self-government for Puerto Rico.

24 (B) Approval must be by a majority of the
25 valid votes cast. The results of the referendum

1 shall be certified to the President of the United
2 States by the Government of Puerto Rico.

3 ~~(4) EFFECTIVE DATE OF FULL SELF-GOVERN-~~
4 ~~MENT.—The President of the United States shall~~
5 ~~issue a proclamation announcing the date of imple-~~
6 ~~mentation of full self-government for Puerto Rico,~~
7 ~~upon receipt of the results of the referendum certify-~~
8 ~~ing approval of the terms of implementation.~~

9 **SEC. 5. REQUIREMENTS RELATING TO REFERENDA, IN-**
10 **CLUDING INCONCLUSIVE REFERENDUM AND**
11 **APPLICABLE LAWS.**

12 ~~(a) APPLICABLE LAWS.—~~

13 ~~(1) REFERENDA UNDER PUERTO RICAN~~
14 ~~LAWS.—The referenda held under this Act shall be~~
15 ~~conducted in accordance with the laws of Puerto~~
16 ~~Rico, and voter eligibility for residents and non-~~
17 ~~residents shall be determined by the Puerto Rico~~
18 ~~State Election Commission.~~

19 ~~(2) FEDERAL LAWS.—The Federal laws appli-~~
20 ~~eable to the election of the Resident Commissioner~~
21 ~~of Puerto Rico shall, as appropriate, also apply to~~
22 ~~the referenda. Any reference in such Federal laws to~~
23 ~~elections shall be considered, as appropriate, to be a~~
24 ~~reference to the referenda, unless it would frustrate~~
25 ~~the purposes of this Act.~~

1 (b) CERTIFICATION OF REFERENDA RESULTS.—The
2 results of each referendum held under this Act shall be
3 certified to the President of the United States and the
4 Senate and House of Representatives of the United States
5 by the Government of Puerto Rico.

6 (c) CONSULTATION AND RECOMMENDATIONS FOR IN-
7 CONCLUSIVE REFERENDUM.—

8 (1) IN GENERAL.—If a referendum provided in
9 this Act does not result in approval of a fully self-
10 governing status, the President, in full consultation
11 with leaders of the three branches of the Govern-
12 ment of Puerto Rico, the principal political parties
13 of Puerto Rico, and other interested persons as may
14 be appropriate, shall make recommendations to the
15 Congress within 180 days of receipt of the results of
16 the referendum.

17 (2) EXISTING STRUCTURE TO REMAIN IN EF-
18 FECT.—If the inhabitants of the territory do not
19 achieve full self-governance through either integra-
20 tion into the Union or separate sovereignty in the
21 form of independence or free association, Puerto
22 Rico will remain an unincorporated territory of the
23 United States, subject to the authority of Congress
24 under Article IV, Section 3, Clause 2 of the United
25 States Constitution. In that event, the existing Com-

1 monwealth of Puerto Rico structure for local self-
2 government will remain in effect, subject to such
3 other measures as may be adopted by Congress in
4 the exercise of it's Territorial Clause powers to de-
5 termine the disposition of the territory and status of
6 it's inhabitants.

7 **[SEC. 6. CONGRESSIONAL PROCEDURES FOR CONSIDER-**
8 **ATION OF LEGISLATION.**

9 **[(a) IN GENERAL.—**The Chairman of the Committee
10 on Energy and Natural Resources shall introduce legisla-
11 tion providing for the transition plan under section 4(b)
12 and the implementation recommendation under section
13 4(c), as appropriate, in the United States Senate and the
14 Chairman of the Committee on Resources shall introduce
15 such legislation in the United States House of Representa-
16 tives, providing adequate time for the consideration of the
17 legislation pursuant to the following provisions:

18 **[(1) At any time after the close of the 180th**
19 **calendar day beginning after the date of introduction**
20 **of such legislation, it shall be in order for any Mem-**
21 **ber of the United States House of Representatives**
22 **or the United States Senate to move to discharge**
23 **any committee of that House from further consider-**
24 **ation of the legislation. A motion to discharge shall**
25 **be highly privileged, and debate thereon shall be lim-**

1 ited to not more than two hours, to be divided equal-
2 ly between those supporting and those opposing the
3 motion. An amendment to the motion shall not be in
4 order, and it shall not be in order to move to recon-
5 sider the vote by which the motion was agreed to or
6 disagreed to.

7 ~~[(2) At any time after the close of the 14th leg-~~
8 ~~islative day beginning after the last committee of~~
9 ~~that House has reported or been discharged from~~
10 ~~further consideration of such legislation, it shall be~~
11 ~~in order for any Member of that House to move to~~
12 ~~proceed to the immediate consideration of the legis-~~
13 ~~lation (such motion not being debatable); and such~~
14 ~~motion is hereby made of high privilege. An amend-~~
15 ~~ment to the motion shall not be in order, and it shall~~
16 ~~not be in order to move to reconsider the vote by~~
17 ~~which the motion was agreed to or disagreed to. For~~
18 ~~the purposes of this paragraph, the term “legislative~~
19 ~~day” means a day on which the United States~~
20 ~~House of Representatives or the United States Sen-~~
21 ~~ate, as appropriate, is in session.~~

22 ~~[(b) COMMITMENT OF CONGRESS.—Enactment of~~
23 ~~this section constitutes a commitment that the United~~
24 ~~States Congress will vote on legislation establishing appro-~~

1 p r i a t e m e c h a n i s m s a n d p r o c e d u r e s t o i m p l e m e n t t h e p o l i t i -
 2 e a l s t a t u s s e l e c t e d b y t h e p e o p l e o f P u e r t o R i c o .

3 **[(e) EXERCISE OF RULEMAKING POWER.—**The pro-
 4 v i s i o n s o f t h i s s e c t i o n a r e e n a c t e d b y t h e C o n g r e s s —

5 **[(1)** as an exercise of the rulemaking power of
 6 t h e S e n a t e a n d t h e H o u s e o f R e p r e s e n t a t i v e s a n d , a s
 7 s u c h , s h a l l b e c o n s i d e r e d a s p a r t o f t h e r u l e s o f e a c h
 8 H o u s e a n d s h a l l s u p e r s e d e o t h e r r u l e s o n l y t o t h e
 9 e x t e n t t h a t t h e y a r e i n c o n s i s t e n t t h e r e w i t h ; a n d

10 **[(2)** with full recognition of the constitutional
 11 r i g h t o f e i t h e r H o u s e t o c h a n g e t h e r u l e s (s o f a r a s
 12 t h e y r e l a t e t o t h e p r o c e d u r e s o f t h a t H o u s e) a t a n y
 13 t i m e , i n t h e s a m e m a n n e r , a n d t o t h e s a m e e x t e n t
 14 a s i n t h e c a s e o f a n y o t h e r r u l e o f t h a t H o u s e .]

15 **SEC. 6. CONGRESSIONAL PROCEDURES FOR CONSIDER-**
 16 **ATION OF LEGISLATION.**

17 **(a) IN GENERAL.—**The majority leader of
 18 t h e H o u s e o f R e p r e s e n t a t i v e s (o r h i s d e s -
 19 i g n e e) a n d t h e m a j o r i t y l e a d e r o f t h e S e n a t e
 20 (o r h i s d e s i g n e e) s h a l l e a c h i n t r o d u c e l e g i s l a -
 21 t i o n (b y r e q u e s t) p r o v i d i n g f o r t h e t r a n s i t i o n
 22 p l a n u n d e r s e c t i o n 4 (b) a n d t h e i m p l e m e n t a -
 23 t i o n r e c o m m e n d a t i o n u n d e r s e c t i o n 4 (c) n o t
 24 l a t e r t h a n 5 l e g i s l a t i v e d a y s a f t e r t h e d a t e o f
 25 r e c e i p t b y C o n g r e s s o f t h e s u b m i s s i o n b y t h e

1 **President under that section, as the case may**
2 **be.**

3 **(b) REFERRAL.—The legislation shall be re-**
4 **ferred on the date of introduction to the ap-**
5 **propriate committee or committees in accord-**
6 **ance with rules of the respective Houses. The**
7 **legislation shall be reported not later than the**
8 **120th calendar day after the date of its intro-**
9 **duction. If any such committee fails to report**
10 **the bill within that period, that committee**
11 **shall be automatically discharged from con-**
12 **sideration of the legislation, and the legisla-**
13 **tion shall be placed on the appropriate cal-**
14 **endar.**

15 **(c) CONSIDERATION.—**

16 **(1) After the 14th legislative day after**
17 **the date on which the last committee of**
18 **the House of Representatives or the Sen-**
19 **ate, as the case may be, has reported or**
20 **been discharged from further consider-**
21 **ation of such legislation, it is in order**
22 **after the legislation has been on the cal-**
23 **endar for 14 legislative days for any**
24 **Member of that House in favor of the leg-**
25 **islation to move to proceed to the consid-**

1 **eration of the legislation (after consulta-**
2 **tion with the presiding officer of that**
3 **House as to scheduling) to move to pro-**
4 **ceed to its consideration at any time after**
5 **the third legislative day on which the**
6 **Member announces to the respective**
7 **House concerned the Member's intention**
8 **to do so. All points of order against the**
9 **motion to proceed and against consider-**
10 **ation of that motion are waived. The mo-**
11 **tion is highly privileged in the House of**
12 **Representatives and is privileged in the**
13 **Senate and is not debatable. The motion**
14 **is not subject to amendment, or to a mo-**
15 **tion to postpone, or to a motion to pro-**
16 **ceed to the consideration of other busi-**
17 **ness. A motion to reconsider the vote by**
18 **which the motion is agreed to or dis-**
19 **agreed to shall not be in order. If a mo-**
20 **tion to proceed to the consideration of**
21 **the legislation is agreed to, the respective**
22 **House shall immediately proceed to con-**
23 **sideration of the legislation without in-**
24 **tervening motion (exception one motion**
25 **to adjourn), order, or other business.**

1 **(2)(A) In the House of Representa-**
2 **tives, during consideration of the legisla-**
3 **tion in the Committee of the Whole, the**
4 **first reading of the legislation shall be**
5 **dispensed with. General debate shall be**
6 **confined to the legislation, and shall not**
7 **exceed 4 hours equally divided and con-**
8 **trolled by a proponent and an opponent**
9 **of the legislation. After general debate,**
10 **the legislation shall be considered as**
11 **read for amendment under the five-**
12 **minute rule. Consideration of the legisla-**
13 **tion for amendment shall not exceed 4**
14 **hours excluding time for recorded votes**
15 **and quorum calls. At the conclusion of**
16 **the bill for amendment, the Committee**
17 **shall rise and report the bill to the House**
18 **with such amendments as may have been**
19 **adopted. The previous question shall be**
20 **considered as ordered on the legislation**
21 **and amendments thereto to final passage**
22 **without intervening motion, except one**
23 **motion to recommit with or without in-**
24 **structions. A motion to reconsider the**

1 **vote on passage of the legislation shall**
2 **not be in order.**

3 **(B) In the Senate, debate on the legis-**
4 **lation, and all amendments thereto and**
5 **debatable motions and appeals in connec-**
6 **tion therewith, shall be limited to not**
7 **more than 25 hours. The time shall be**
8 **equally divided between, and controlled**
9 **by, the majority leader and the minority**
10 **leader or their designees. No amendment**
11 **that is not germane to the provisions of**
12 **such legislation shall be received. A mo-**
13 **tion to further limit debate is not debat-**
14 **able.**

15 **(3) Appeals from the decisions of the**
16 **Chair relating to the application of the**
17 **rules of the Senate or the House of Rep-**
18 **resentatives, as the case may be, to the**
19 **procedure relating to the legislation de-**
20 **scribed in subsection (a) shall be decided**
21 **without debate.**

22 **(d) CONSIDERATION BY OTHER HOUSE.—(1)**
23 **If, before the passage by one House of the leg-**
24 **islation described in subsection (a) that was**
25 **introduced in that House, that House receives**

1 from the other House the legislation de-
2 scribed in subsection (a)—

3 (A) the legislation of the other House
4 shall not be referred to a committee and
5 may not be considered in the House that
6 receives it otherwise than on final pas-
7 sage under subparagraph (B)(ii) or (iii);
8 and

9 (B)(i) the procedure in the House that
10 receives such legislation with respect to
11 such legislation that was introduced in
12 that House shall be the same as if no leg-
13 islation had been received from the other
14 House; but

15 (ii) in the case of legislation received
16 from the other House that is identical to
17 the legislation as engrossed by the receiv-
18 ing House, the vote on final passage shall
19 be on the legislation of the other House;
20 or

21 (iii) after passage of the legislation,
22 the legislation of the other House shall be
23 considered as amended with the text of
24 the legislation just passed and shall be
25 considered as passed, and that House

1 shall be considered to have insisted on its
2 amendment and requested a conference
3 with the other House.

4 (2) Upon disposition of the legislation
5 described in subsection (a) that is re-
6 ceived by one House from the other
7 House, it shall no longer be in order to
8 consider such legislation that was intro-
9 duced in the receiving House.

10 (e) Upon receiving from the other House
11 a message in which that House insists upon
12 its amendment to the legislation and requests
13 a conference with the House of Representa-
14 tives or the Senate, as the case may be, on the
15 disagreeing votes thereon, the House receiv-
16 ing the request shall be considered to have
17 disagreed to the amendment of the other
18 House and agreed to the conference re-
19 quested by that House.

20 (f) DEFINITION.—For the purposes of this
21 section, the term “legislative day” means a
22 day on which the House of Representatives or
23 the Senate, as appropriate, is in session.

1 **(g) EXERCISE OF RULEMAKING POWER.—The**
2 **provisions of this section are enacted by the**
3 **Congress—**

4 **(1) as an exercise of the rulemaking**
5 **power of the Senate and the House of**
6 **Representatives and, as such, shall be**
7 **considered as part of the rules of each**
8 **House and shall supersede other rules**
9 **only to the extent that they are inconsis-**
10 **tent therewith; and**

11 **(2) with full recognition of the con-**
12 **stitutional right of either House to**
13 **change the rules (so far as they relate to**
14 **the procedures of that House) at any**
15 **time, in the same manner, and to the**
16 **same extent as in the case of any other**
17 **rule of that House.**

18 **SEC. 7. AVAILABILITY OF FUNDS FOR THE REFERENDA.**

19 **(a) IN GENERAL.—**

20 **(1) AVAILABILITY OF AMOUNTS DERIVED FROM**
21 **TAX ON FOREIGN RUM.—During the period begin-**
22 **ning on October 1, 1996, and ending on the date the**
23 **President determines that all referenda required by**
24 **this Act have been held, the Secretary of the Treas-**
25 **ury, upon request from time to time by the Presi-**

1 dent and in lieu of covering amounts into the treas-
2 ury of Puerto Rico under section 7652(e)(1) of the
3 Internal Revenue Code of 1986, shall make such
4 amounts available to the President for the purposes
5 specified in subsection (b):

6 ~~(2) USE OF UNEXPENDED AMOUNTS.—Follow-~~
7 ing each referendum required by this Act and after
8 the end of the period specified in paragraph (1), the
9 President shall transfer all unobligated and unex-
10 pended amounts received by the President under
11 paragraph (1) to the treasury of Puerto Rico for use
12 in the same manner and for the same purposes as
13 all other amounts covered into the treasury of Puer-
14 to Rico under such section 7652(e)(1):

15 ~~(b) GRANTS FOR CONDUCTING REFERENDA AND~~
16 ~~VOTER EDUCATION.—From amounts made available~~
17 under subsection (a)(1), the President shall make grants
18 to the State Elections Commission of Puerto Rico for
19 referenda held pursuant to the terms of this Act, as fol-
20 lows:

21 ~~(1) 50 percent shall be available only for costs~~
22 of conducting the referenda:

23 ~~(2) 50 percent shall be available only for voter~~
24 education funds for the central ruling body of the
25 political party or parties advocating a particular bal-

1 lot choice. In the case that more than one party is
 2 advocating a ballot choice, the 50 percent shall be
 3 apportioned equally among the parties.

4 (e) **ADDITIONAL RESOURCES.**—In addition to
 5 amounts made available by this Act, the Puerto Rico Leg-
 6 islature may allocate additional resources for administra-
 7 tive and voter education costs to each party so long as
 8 the distribution of funds is consistent with the apportion-
 9 ment requirements of subsection (b).

10 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

11 (a) **SHORT TITLE.**—*This Act may be cited as the*
 12 *“United States-Puerto Rico Political Status Act”.*

13 (b) **TABLE OF CONTENTS.**—*The table of contents for*
 14 *this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Findings.

Sec. 3. Policy.

*Sec. 4. Process for Puerto Rican full self-government, including the initial deci-
 sion stage, transition stage, and implementation stage.*

*Sec. 5. Requirements relating to referenda, including inconclusive referendum and
 applicable laws.*

Sec. 6. Congressional procedures for consideration of legislation.

Sec. 7. Availability of funds for the referenda.

15 **SEC. 2. FINDINGS.**

16 *The Congress finds the following:*

17 (1) *Puerto Rico was ceded to the United States*
 18 *and came under this Nation’s sovereignty pursuant to*
 19 *the Treaty of Paris ending the Spanish-American*
 20 *War in 1898. Article IX of the Treaty of Paris ex-*
 21 *pressly recognizes the authority of Congress to provide*

1 *for the political status of the inhabitants of the terri-*
2 *tory.*

3 (2) *Consistent with establishment of United*
4 *States nationality for inhabitants of Puerto Rico*
5 *under the Treaty of Paris, Congress has exercised its*
6 *powers under the Territorial Clause of the Constitu-*
7 *tion (article IV, section 3, clause 2) to provide by*
8 *statute for the citizenship status of persons born in*
9 *Puerto Rico, including extension of special statutory*
10 *United States citizenship from 1917 to the present.*

11 (3) *Consistent with the Territorial Clause and*
12 *rulings of the United States Supreme Court, partial*
13 *application of the United States Constitution has*
14 *been established in the unincorporated territories of*
15 *the United States including Puerto Rico.*

16 (4) *In 1950 Congress prescribed a procedure for*
17 *instituting internal self-government for Puerto Rico*
18 *pursuant to statutory authorization for a local con-*
19 *stitution. A local constitution was approved by the*
20 *people, amended and conditionally approved by Con-*
21 *gress, and thereupon given effect in 1952 after accept-*
22 *ance of congressional conditions by the Puerto Rico*
23 *Constitutional Convention and an appropriate proc-*
24 *lamation by the Governor. The approved constitution*
25 *established the structure for constitutional government*

1 *in respect of internal affairs without altering Puerto*
2 *Rico’s fundamental political, social, and economic re-*
3 *lationship with the United States and without re-*
4 *stricting the authority of Congress under the Terri-*
5 *torial Clause to determine the application of Federal*
6 *law to Puerto Rico, resulting in the present “Com-*
7 *monwealth” structure for local self-government. The*
8 *Commonwealth remains an unincorporated territory*
9 *and does not have the status of “free association”*
10 *with the United States as that status is defined under*
11 *United States law or international practice.*

12 (5) *In 1953 the United States transmitted to the*
13 *Secretary-General of the United Nations for circula-*
14 *tion to its Members a formal notification that the*
15 *United States no longer would transmit information*
16 *regarding Puerto Rico to the United Nations pursu-*
17 *ant to Article 73(e) of its Charter. The formal United*
18 *States notification document informed the United Na-*
19 *tions that the cessation of information on Puerto Rico*
20 *was based on the “new constitutional arrangements”*
21 *in the territory, and the United States expressly de-*
22 *finied the scope of the “full measure” of local self-gov-*
23 *ernment in Puerto Rico as extending to matters of*
24 *“internal government and administration, subject*
25 *only to compliance with applicable provisions of the*

1 *Federal Constitution, the Puerto Rico Federal Rela-*
2 *tions Act and the acts of Congress authorizing and*
3 *approving the Constitution, as may be interpreted by*
4 *judicial decision.”. Thereafter, the General Assembly*
5 *of the United Nations, based upon consent of the in-*
6 *habitants of the territory and the United States ex-*
7 *planation of the new status as approved by Congress,*
8 *adopted Resolution 748 (VIII) by a vote of 22 to 18*
9 *with 19 abstentions, thereby accepting the United*
10 *States determination to cease reporting to the United*
11 *Nations on the status of Puerto Rico.*

12 (6) *In 1960 the United Nations General Assem-*
13 *bley approved Resolution 1541 (XV), clarifying that*
14 *under United Nations standards regarding the politi-*
15 *cal status options available to the people of territories*
16 *yet to complete the process for achieving full self-gov-*
17 *ernment, the three established forms of full self-govern-*
18 *ment are national independence, free association*
19 *based on separate sovereignty, or full integration with*
20 *another nation on the basis of equality.*

21 (7) *The ruling of the United States Supreme*
22 *Court in the 1980 case Harris v. Rosario (446 U.S.*
23 *651) confirmed that Congress continues to exercise*
24 *authority over Puerto Rico as territory “belonging to*
25 *the United States” pursuant to the Territorial Clause*

1 *found at Article IV, section 3, clause 2 of the United*
2 *States Constitution, a judicial interpretation of Puer-*
3 *to Rico's status which is in accordance with the clear*
4 *intent of Congress that establishment of local constitu-*
5 *tional government in 1952 did not alter Puerto Rico's*
6 *status as an unincorporated United States territory.*

7 *(8) In a joint letter dated January 17, 1989, co-*
8 *signed by the Governor of Puerto Rico in his capacity*
9 *as president of one of Puerto Rico's principal politi-*
10 *cal parties and the presidents of the two other prin-*
11 *cipal political parties of Puerto Rico, the United*
12 *States was formally advised that ". . . the People of*
13 *Puerto Rico wish to be consulted as to their preference*
14 *with regards to their ultimate political status", and*
15 *the joint letter stated ". . . that since Puerto Rico*
16 *came under the sovereignty of the United States of*
17 *America through the Treaty of Paris in 1898, the*
18 *People of Puerto Rico have not been formally con-*
19 *sulted by the United States of America as to their*
20 *choice of their ultimate political status".*

21 *(9) In the 1989 State of the Union Message,*
22 *President George Bush urged the Congress to take the*
23 *necessary steps to authorize a federally recognized*
24 *process allowing the people of Puerto Rico, for the*
25 *first time since the Treaty of Paris entered into force,*

1 to freely express their wishes regarding their future
2 political status in a congressionally recognized ref-
3 erendum, a step in the process of self-determination
4 which the Congress has yet to authorize.

5 (10) In November of 1993, the Government of
6 Puerto Rico conducted a plebiscite initiated under
7 local law on Puerto Rico's political status. In that
8 vote none of the three status propositions received a
9 majority of the votes cast. The results of that vote
10 were: 48.6 percent commonwealth, 46.3 percent state-
11 hood, and 4.4 percent independence.

12 (11) In 1994, President William Jefferson Clin-
13 ton established the Executive Branch Interagency
14 Working Group on Puerto Rico to coordinate the re-
15 view, development, and implementation of executive
16 branch policy concerning issues affecting Puerto Rico,
17 including the November 1993 plebiscite.

18 (12) There have been inconsistent and conflicting
19 interpretations of the 1993 plebiscite results, and
20 under the Territorial Clause of the Constitution, Con-
21 gress has the authority and responsibility to deter-
22 mine Federal policy and clarify status issues in order
23 to advance the self-determination process in Puerto
24 Rico.

1 (13) *On December 14, 1994, the Puerto Rico*
2 *Legislature enacted Concurrent Resolution 62, which*
3 *requested the 104th Congress to respond to the results*
4 *of the 1993 Puerto Rico Status Plebiscite and to indi-*
5 *cate the next steps in resolving Puerto Rico's political*
6 *status.*

7 (14) *Nearly 4,000,000 United States citizens live*
8 *in the islands of Puerto Rico, which have been under*
9 *United States sovereignty and within the United*
10 *States customs territory for almost 100 years, making*
11 *Puerto Rico the oldest, largest, and most populous*
12 *United States island territory at the southeastern-*
13 *most boundary of our Nation, located astride the stra-*
14 *tegic shipping lanes of the Atlantic Ocean and Carib-*
15 *bean Sea.*

16 (15) *Full self-government for Puerto Rico is at-*
17 *tainable only through establishment of a political sta-*
18 *tus which is based on either separate Puerto Rican*
19 *sovereignty and nationality or full and equal United*
20 *States nationality and citizenship through member-*
21 *ship in the Union and under which Puerto Rico is*
22 *no longer an unincorporated territory subject to the*
23 *plenary authority of Congress arising from the Terri-*
24 *torial Clause.*

1 **SEC. 3. POLICY.**

2 *In recognition of the significant level of local self-gov-*
3 *ernment which has been attained by Puerto Rico, and the*
4 *responsibility of the Federal Government to enable the peo-*
5 *ple of the territory to freely express their wishes regarding*
6 *political status and achieve full self-government, this Act*
7 *is adopted with a commitment to encourage the development*
8 *and implementation of procedures through which the per-*
9 *manent political status of the people of Puerto Rico can*
10 *be determined.*

11 **SEC. 4. PROCESS FOR PUERTO RICAN FULL SELF-GOVERN-**
12 **MENT, INCLUDING THE INITIAL DECISION**
13 **STAGE, TRANSITION STAGE, AND IMPLEMEN-**
14 **TATION STAGE.**

15 *(a) INITIAL DECISION STAGE.—A referendum on*
16 *Puerto Rico's political status shall be held not later than*
17 *December 31, 1998. The referendum shall be held pursuant*
18 *to this Act and in accordance with the applicable provisions*
19 *of Puerto Rico's electoral law and other relevant statutes*
20 *consistent with this Act. Approval of a status option must*
21 *be by a majority of the valid votes cast. The referendum*
22 *shall be on the following questions presented on the ballot*
23 *as options A and B in a side-by-side format in Parts I*
24 *and II:*

1 *permanent political status under the constitutional system*
2 *chosen by the people. If you agree, mark here:*

3 *“PART II*

4 *“Instructions: Mark the option you choose. Ballots*
5 *with both options marked in Part II will not be counted.*

6 *“If full self-government is approved by the majority*
7 *of voters, which path leading to full self-government for*
8 *Puerto Rico do you prefer to be developed through a transi-*
9 *tion plan enacted by the Congress and approved by the peo-*
10 *ple of Puerto Rico?*

11 *“A. Puerto Rico should become fully self-governing*
12 *through separate sovereignty leading to independence or free*
13 *association as defined below. If you agree, mark here:*

14 *“The path of separate Puerto Rican sovereignty lead-*
15 *ing to independence or free association is one in which—*

16 *“(1) Puerto Rico is a sovereign nation with full*
17 *authority and responsibility for its internal and ex-*
18 *ternal affairs and has the capacity to exercise in its*
19 *own name and right the powers of government with*
20 *respect to its territory and population;*

21 *“(2) a negotiated treaty of friendship and co-*
22 *operation, or an international bilateral pact of free*
23 *association terminable at will by either Puerto Rico*
24 *or the United States, defines future relations between*
25 *Puerto Rico and the United States, providing for co-*

1 *operation and assistance in matters of shared interest*
2 *as agreed and approved by Puerto Rico and the Unit-*
3 *ed States pursuant to this Act and their respective*
4 *constitutional processes;*

5 *“(3) a constitution democratically instituted by*
6 *the people of Puerto Rico, establishing a republican*
7 *form of full self-government and securing the rights of*
8 *citizens of the Puerto Rican nation, is the supreme*
9 *law, and the Constitution and laws of the United*
10 *States no longer apply in Puerto Rico;*

11 *“(4) The people of Puerto Rico owe allegiance to*
12 *the sovereign nation of Puerto Rico and have the na-*
13 *tionality, and citizenship thereof; United States sov-*
14 *ereignty, nationality, and citizenship in Puerto Rico*
15 *is ended; birth in Puerto Rico and relationship to*
16 *persons with statutory United States citizenship by*
17 *birth in the former territory are not bases for United*
18 *States nationality or citizenship, except that persons*
19 *who had such United States citizenship have a statu-*
20 *tory right to retain United States nationality and*
21 *citizenship for life, by entitlement or election as pro-*
22 *vided by the United States Congress, based on contin-*
23 *ued allegiance to the United States: Provided, That*
24 *such persons will not have this statutory United*
25 *States nationality and citizenship status upon having*

1 *or maintaining allegiance, nationality, and citizen-*
2 *ship rights in any sovereign nation other than the*
3 *United States;*

4 *“(5) upon recognition of Puerto Rico by the*
5 *United States as a sovereign nation and establish-*
6 *ment of government-to-government relations on the*
7 *basis of comity and reciprocity, Puerto Rico’s rep-*
8 *resentation to the United States is accorded full diplo-*
9 *matic status;*

10 *“(6) Puerto Rico is eligible for United States as-*
11 *sistance provided on a government-to-government*
12 *basis, including foreign aid or programmatic assist-*
13 *ance, at levels subject to agreement by the United*
14 *States and Puerto Rico;*

15 *“(7) property rights and previously acquired*
16 *rights vested by employment under laws of Puerto*
17 *Rico or the United States are honored, and where de-*
18 *termined necessary such rights are promptly adjusted*
19 *and settled consistent with government-to-government*
20 *agreements implementing the separation of sov-*
21 *ereignty; and*

22 *“(8) Puerto Rico is outside the customs territory*
23 *of the United States, and trade between the United*
24 *States and Puerto Rico is based on a treaty.*

1 *“B. Puerto Rico should become fully self-governing*
2 *through United States sovereignty leading to statehood as*
3 *defined below. If you agree, mark here:*

4 *“The path through United States sovereignty leading*
5 *to statehood is one in which—*

6 *“(1) the people of Puerto Rico are fully self-gov-*
7 *erning with their rights secured under the United*
8 *States Constitution, which is the supreme law and*
9 *has the same force and effect as in the other States*
10 *of the Union;*

11 *“(2) the sovereign State of Puerto Rico is in per-*
12 *manent union with the United States, and powers not*
13 *delegated to the Federal Government or prohibited to*
14 *the States by the United States Constitution are re-*
15 *served to the people of Puerto Rico or the State Gov-*
16 *ernment;*

17 *“(3) United States citizenship of those born in*
18 *Puerto Rico is guaranteed, protected and secured in*
19 *the same way it is for all United States citizens born*
20 *in the other States;*

21 *“(4) residents of Puerto Rico have equal rights*
22 *and benefits as well as equal duties and responsibil-*
23 *ities of citizenship, including payment of Federal*
24 *taxes, as those in the several States;*

1 “(5) *Puerto Rico is represented by two members*
2 *in the United States Senate and is represented in the*
3 *House of Representatives proportionate to the popu-*
4 *lation;*

5 “(6) *United States citizens in Puerto Rico are*
6 *enfranchised to vote in elections for the President and*
7 *Vice President of the United States; and*

8 “(7) *Puerto Rico adheres to the same language*
9 *requirement as in the several States.”.*

10 ***(b) TRANSITION STAGE.—***

11 ***(1) PLAN.—(A) Within 180 days of the receipt***
12 ***of the results of the referendum from the Government***
13 ***of Puerto Rico certifying approval of a ballot choice***
14 ***of full self-government in a referendum held pursuant***
15 ***to subsection (a), the President shall develop and sub-***
16 ***mit to Congress legislation for a transition plan of 10***
17 ***years minimum which leads to full self-government***
18 ***for Puerto Rico consistent with the terms of this Act***
19 ***and in consultation with officials of the three***
20 ***branches of the Government of Puerto Rico, the prin-***
21 ***icipal political parties of Puerto Rico, and other inter-***
22 ***ested persons as may be appropriate.***

23 ***(B) Additionally, in the event of a vote in favor***
24 ***of separate sovereignty, the Legislature of Puerto***
25 ***Rico, if deemed appropriate, may provide by law for***

1 *the calling of a constituent convention to formulate,*
2 *in accordance with procedures prescribed by law,*
3 *Puerto Rico’s proposals and recommendations to im-*
4 *plement the referendum results. If a convention is*
5 *called for this purpose, any proposals and rec-*
6 *ommendations formally adopted by such convention*
7 *within time limits of this Act shall be transmitted to*
8 *Congress by the President with the transition plan re-*
9 *quired by this section, along with the views of the*
10 *President regarding the compatibility of such propos-*
11 *als and recommendations with the United States Con-*
12 *stitution and this Act, and identifying which, if any,*
13 *of such proposals and recommendations have been ad-*
14 *dressed in the President’s proposed transition plan.*

15 (2) *CONGRESSIONAL CONSIDERATION.—The plan*
16 *shall be considered by the Congress in accordance*
17 *with section 6.*

18 (3) *PUERTO RICAN APPROVAL.—*

19 (A) *Not later than 180 days after enactment*
20 *of an Act pursuant to paragraph (1) providing*
21 *for the transition to full self-government for*
22 *Puerto Rico as approved in the initial decision*
23 *referendum held under subsection (a), a referen-*
24 *dum shall be held under the applicable provi-*

1 *sions of Puerto Rico’s electoral law on the ques-*
2 *tion of approval of the transition plan.*

3 *(B) Approval must be by a majority of the*
4 *valid votes cast. The results of the referendum*
5 *shall be certified to the President of the United*
6 *States.*

7 *(4) EFFECTIVE DATE FOR TRANSITION PLAN.—*
8 *The President of the United States shall issue a proc-*
9 *lamation announcing the effective date of the transi-*
10 *tion plan to full self-government for Puerto Rico.*

11 *(c) IMPLEMENTATION STAGE.—*

12 *(1) PRESIDENTIAL RECOMMENDATION.—Not less*
13 *than two years prior to the end of the period of the*
14 *transition provided for in the transition plan ap-*
15 *proved under subsection (b), the President shall sub-*
16 *mit to Congress legislation with a recommendation*
17 *for the implementation of full self-government for*
18 *Puerto Rico consistent with the ballot choice approved*
19 *under subsection (a).*

20 *(2) CONGRESSIONAL CONSIDERATION.—The plan*
21 *shall be considered by the Congress in accordance*
22 *with section 6.*

23 *(3) PUERTO RICAN APPROVAL.—*

24 *(A) Within 180 days after enactment of the*
25 *terms of implementation for full self-government*

1 *for Puerto Rico, a referendum shall be held*
2 *under the applicable provisions of Puerto Rico's*
3 *electoral laws on the question of the approval of*
4 *the terms of implementation for full self-govern-*
5 *ment for Puerto Rico.*

6 *(B) Approval must be by a majority of the*
7 *valid votes cast. The results of the referendum*
8 *shall be certified to the President of the United*
9 *States.*

10 *(4) EFFECTIVE DATE OF FULL SELF-GOVERN-*
11 *MENT.—The President of the United States shall issue*
12 *a proclamation announcing the date of implementa-*
13 *tion of full self-government for Puerto Rico.*

14 **SEC. 5. REQUIREMENTS RELATING TO REFERENDA, IN-**
15 **CLUDING INCONCLUSIVE REFERENDUM AND**
16 **APPLICABLE LAWS.**

17 *(a) APPLICABLE LAWS.—*

18 *(1) REFERENDA UNDER PUERTO RICAN LAWS.—*
19 *The referenda held under this Act shall be conducted*
20 *in accordance with the applicable laws of Puerto*
21 *Rico, including laws of Puerto Rico under which*
22 *voter eligibility is determined and which require*
23 *United States citizenship and establish other statu-*
24 *tory requirements for voter eligibility of residents and*
25 *nonresidents.*

1 (2) *FEDERAL LAWS.*—*The Federal laws applica-*
2 *ble to the election of the Resident Commissioner of*
3 *Puerto Rico shall, as appropriate and consistent with*
4 *this Act, also apply to the referenda. Any reference in*
5 *such Federal laws to elections shall be considered, as*
6 *appropriate, to be a reference to the referenda, unless*
7 *it would frustrate the purposes of this Act.*

8 (b) *CERTIFICATION OF REFERENDA RESULTS.*—*The*
9 *results of each referendum held under this Act shall be cer-*
10 *tified to the President of the United States and the Senate*
11 *and House of Representatives of the United States by the*
12 *Government of Puerto Rico.*

13 (c) *CONSULTATION AND RECOMMENDATIONS FOR IN-*
14 *CONCLUSIVE REFERENDUM.*—

15 (1) *IN GENERAL.*—*If a referendum provided in*
16 *this Act does not result in approval of a fully self-gov-*
17 *erning status, the President, in consultation with offi-*
18 *cial of the three branches of the Government of Puer-*
19 *to Rico, the principal political parties of Puerto Rico,*
20 *and other interested persons as may be appropriate,*
21 *shall make recommendations to the Congress within*
22 *180 days of receipt of the results of the referendum.*

23 (2) *EXISTING STRUCTURE TO REMAIN IN EF-*
24 *FECT.*—*If the inhabitants of the territory do not*
25 *achieve full self-governance through either integration*

1 *into the Union or separate sovereignty in the form of*
2 *independence or free association, Puerto Rico will re-*
3 *main an unincorporated territory of the United*
4 *States, subject to the authority of Congress under Ar-*
5 *ticle IV, Section 3, Clause 2 of the United States Con-*
6 *stitution. In that event, the existing Commonwealth of*
7 *Puerto Rico structure for local self-government will*
8 *remain in effect, subject to such other measures as*
9 *may be adopted by Congress in the exercise of its*
10 *Territorial Clause powers to determine the disposition*
11 *of the territory and status of its inhabitants.*

12 (3) *AUTHORITY OF CONGRESS TO DETERMINE*
13 *STATUS.—Since current unincorporated territory sta-*
14 *tus of the Commonwealth of Puerto Rico is not a per-*
15 *manent, unalterable or guaranteed status under the*
16 *Constitution of the United States, Congress retains*
17 *plenary authority and responsibility to determine a*
18 *permanent status for Puerto Rico consistent with the*
19 *national interest. The Congress historically has recog-*
20 *nized a commitment to take into consideration the*
21 *freely expressed wishes of the people of Puerto Rico re-*
22 *garding their future political status. This policy is*
23 *consistent with respect for the right of self-determina-*
24 *tion in areas which are not fully self-governing, but*
25 *does not constitute a legal restriction or binding limi-*

1 *tation on the Territorial Clause powers of Congress to*
2 *determine a permanent status of Puerto Rico. Nor*
3 *does any such restriction or limitation arise from the*
4 *Puerto Rico Federal Relations Act (48 U.S.C. 731 et*
5 *seq.).*

6 (4) *ADDITIONAL REFERENDA.—To ensure that*
7 *the Congress is able on a continuing basis to exercise*
8 *its Territorial Clause powers with due regard for the*
9 *wishes of the people of Puerto Rico respecting resolu-*
10 *tion of Puerto Rico’s permanent future political sta-*
11 *tus, in the event that a referendum conducted under*
12 *section four is inconclusive as provided in this sub-*
13 *section, or a majority vote to continue the Common-*
14 *wealth structure as a territory, there shall be another*
15 *referendum in accordance with this Act prior to the*
16 *expiration of a period of four years from the date*
17 *such inconclusive results are certified or determined.*
18 *This procedure shall be repeated every four years, but*
19 *not in a general election year, until Puerto Rico’s un-*
20 *incorporated territory status is terminated in favor of*
21 *a recognized form of full self-government in accord-*
22 *ance with this Act.*

1 **SEC. 6. CONGRESSIONAL PROCEDURES FOR CONSIDER-**
2 **ATION OF LEGISLATION.**

3 (a) *IN GENERAL.*—*The Chairman of the Committee on*
4 *Energy and Natural Resources shall introduce legislation*
5 *providing for the transition plan under section 4(b) and*
6 *the implementation recommendation under section 4(c), as*
7 *appropriate, in the United States Senate and the Chairman*
8 *of the Committee on Resources shall introduce such legisla-*
9 *tion in the United States House of Representatives, provid-*
10 *ing adequate time for the consideration of the legislation*
11 *pursuant to the following provisions:*

12 (1) *At any time after the close of the 180th cal-*
13 *endar day beginning after the date of introduction of*
14 *such legislation, it shall be in order for any Member*
15 *of the United States House of Representatives or the*
16 *United States Senate to move to discharge any com-*
17 *mittee of that House from further consideration of the*
18 *legislation. A motion to discharge shall be highly*
19 *privileged, and debate thereon shall be limited to not*
20 *more than two hours, to be divided equally between*
21 *those supporting and those opposing the motion. An*
22 *amendment to the motion shall not be in order, and*
23 *it shall not be in order to move to reconsider the vote*
24 *by which the motion was agreed to or disagreed to.*

25 (2) *At any time after the close of the 14th legis-*
26 *lative day beginning after the last committee of that*

1 *House has reported or been discharged from further*
2 *consideration of such legislation, it shall be in order*
3 *for any Member of that House to move to proceed to*
4 *the immediate consideration of the legislation (such*
5 *motion not being debatable), and such motion is here-*
6 *by made of high privilege. An amendment to the mo-*
7 *tion shall not be in order, and it shall not be in order*
8 *to move to reconsider the vote by which the motion*
9 *was agreed to or disagreed to. For the purposes of this*
10 *paragraph, the term “legislative day” means a day*
11 *on which the United States House of Representatives*
12 *or the United States Senate, as appropriate, is in ses-*
13 *sion.*

14 **(b) COMMITMENT OF CONGRESS.**—*Enactment of this*
15 *section constitutes a commitment that the United States*
16 *Congress will vote on legislation establishing appropriate*
17 *mechanisms and procedures to implement the political sta-*
18 *tus selected by the people of Puerto Rico.*

19 **(c) EXERCISE OF RULEMAKING POWER.**—*The provi-*
20 *sions of this section are enacted by the Congress—*

21 *(1) as an exercise of the rulemaking power of the*
22 *Senate and the House of Representatives and, as such,*
23 *shall be considered as part of the rules of each House*
24 *and shall supersede other rules only to the extent that*
25 *they are inconsistent therewith; and*

1 (2) *with full recognition of the constitutional*
2 *right of either House to change the rules (so far as*
3 *they relate to the procedures of that House) at any*
4 *time, in the same manner, and to the same extent as*
5 *in the case of any other rule of that House.*

6 **SEC. 7. AVAILABILITY OF FUNDS FOR THE REFERENDA.**

7 (a) *IN GENERAL.*—

8 (1) *AVAILABILITY OF AMOUNTS DERIVED FROM*
9 *TAX ON FOREIGN RUM.*—*During the period beginning*
10 *on October 1, 1996, and ending on the date the Presi-*
11 *dent determines that all referenda required by this*
12 *Act have been held, from the amounts covered into the*
13 *treasury of Puerto Rico under section 7652(e)(1) of*
14 *the Internal Revenue Code of 1986, the Secretary of*
15 *the Treasury—*

16 (A) *upon request and in the amounts iden-*
17 *tified from time to time by the President, shall*
18 *make the amounts so identified available to the*
19 *treasury of Puerto Rico for the purposes specified*
20 *in subsection (b); and*

21 (B) *shall transfer all remaining amounts to*
22 *the treasury of Puerto Rico, as under current*
23 *law.*

24 (2) *REPORT OF REFERENDA EXPENDITURES.*—

25 *Within 180 days after each referendum required by*

1 *this Act, and after the end of the period specified in*
2 *paragraph (1), the President, in consultation with the*
3 *Government of Puerto Rico, shall submit a report to*
4 *the United States Senate and United States House of*
5 *Representatives on the amounts made available under*
6 *paragraph (1)(A) and all other amounts expended by*
7 *the State Elections Commission of Puerto Rico for*
8 *referenda pursuant to this Act.*

9 *(b) GRANTS FOR CONDUCTING REFERENDA AND*
10 *VOTER EDUCATION.—From amounts made available under*
11 *subsection (a)(1), the Government of Puerto Rico shall make*
12 *grants to the State Elections Commission of Puerto Rico*
13 *for referenda held pursuant to the terms of this Act, as fol-*
14 *lows:*

15 *(1) 50 percent shall be available only for costs of*
16 *conducting the referenda.*

17 *(2) 50 percent shall be available only for voter*
18 *education funds for the central ruling body of the po-*
19 *litical party, parties, or other qualifying entities ad-*
20 *vocating a particular ballot choice. The amount allo-*
21 *cated for advocating a ballot choice under this para-*
22 *graph shall be apportioned equally among the parties*
23 *advocating that choice.*

24 *(c) ADDITIONAL RESOURCES.—In addition to*
25 *amounts made available by this Act, the Puerto Rico Legis-*

1 *lature may allocate additional resources for administrative*
2 *and voter education costs to each party so long as the dis-*
3 *tribution of funds is consistent with the apportionment re-*
4 *quirements of subsection (b).*