

Union Calendar No. 106

105TH CONGRESS
1ST Session

H. R. 856

[Report No. 105-131, Part I]

A BILL

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

JULY 11, 1997

The Committee on Rules discharged; referred 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

FEBRUARY 27, 1997

Mr. YOUNG of Alaska (for himself, Mr. GINGRICH, Mr. ROMERO-BARCELÓ, Mr. GALLEGLY, Mr. BURTON of Indiana, Mr. SERRANO, Mr. KENNEDY of Rhode Island, Mr. CALVERT, Mr. GILMAN, Mr. RAHALL, Mr. TAUZIN, Mr. GREEN, Mr. MCCOLLUM, Mr. DEUTSCH, Mr. POMBO, Mr. PAYNE, Mr. GILCHREST, Mr. JONES, Mr. STUMP, Mr. SAWYER, Mr. FAZIO of California, Mr. SKEEN, Mr. DOOLEY of California, Mr. KILDEE, Ms. NORTON, Mr. UNDERWOOD, Mr. KLINK, Mr. HINCHEY, Mr. FARR of California, Mr. WYNN, Mr. DAVIS of Virginia, Mr. HALL of Ohio, Ms. JACKSON-LEE of Texas, Mr. DEFAZIO, Mrs. MEEK of Florida, Mr. KUCINICH, Mr. BARCIA, Mr. PASTOR, Mr. TORRES, Mr. PALLONE, Mr. PASCRELL, Mr. LEWIS of Georgia, Ms. PELOSI, Ms. CHRISTIAN-GREEN, Mr. VENTO, Mrs. MINK of Hawaii, Mr. PICKETT, Mr. KIM, Mr. ROTHMAN, Mr. ENGLISH of Pennsylvania, Mr. FORBES, Mr. THOMPSON, Mr. HINOJOSA, Mr. ACKERMAN, Mr. OXLEY, Mr. HASTINGS of Florida, Mr. TIERNEY, Mr. ABERCROMBIE, Mr. BISHOP, Mr. SAXTON, Mr. MILLER of California, Mr. SMITH of Washington, Mr. ENGEL, Mr. JOHN, Mr. DELAY, Ms. SLAUGHTER, and Ms. SANCHEZ) 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

JUNE 12, 1997

Reported from the Committee on Resources with an amendment

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

JUNE 12, 1997

Referral to the Committee on Rules extended for a period ending not later than July 11, 1997

JULY 11, 1997

Additional sponsors: Mr. DELAHUNT, Mr. MARKEY, Mr. CLYBURN, Mr. OWENS, Mr. CLAY, Mr. FATTAH, Mr. HASTERT, Mr. ORTIZ, Mr. OBERSTAR, Mr. REYES, Mr. MARTINEZ, Mr. DICKEY, Mr. HOYER, Mr. HANSEN, Mr. KIND, Mr. SNYDER, Mr. McNULTY, Mr. LAZIO of New York, Mr. RADANOVICH, Mr. BLUMENAUER, and Mr. GEPHARDT

JULY 11, 1997

The Committee on Rules discharged; referred to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on February 27, 1997]

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:*

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Policy.

Sec. 4. Process for Puerto Rican full self-government, including the initial decision 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.

1 **SEC. 2. FINDINGS.**

2 *The Congress finds the following:*

3 *(1) Puerto Rico was ceded to the United States*
4 *and came under this Nation's sovereignty pursuant to*
5 *the Treaty of Paris ending the Spanish-American*
6 *War in 1898. Article IX of the Treaty of Paris recog-*
7 *nized the authority of Congress to provide for the po-*
8 *litical status of the inhabitants of the territory.*

9 *(2) Consistent with establishment of United*
10 *States nationality for inhabitants of Puerto Rico*
11 *under the Treaty of Paris, Congress has exercised its*
12 *powers under the Territorial Clause of the Constitu-*
13 *tion (article IV, section 3, clause 2) to provide by sev-*
14 *eral statutes beginning in 1917, for the United States*
15 *citizenship status of persons born in Puerto Rico.*

16 *(3) Consistent with the Territorial Clause and*
17 *rulings of the United States Supreme Court, partial*
18 *application of the United States Constitution has*
19 *been established in the unincorporated territories of*
20 *the United States including Puerto Rico.*

21 *(4) In 1950, Congress prescribed a procedure for*
22 *instituting internal self-government for Puerto Rico*
23 *pursuant to statutory authorization for a local con-*
24 *stitution. A local constitution was approved by the*
25 *people of Puerto Rico, conditionally approved by Con-*
26 *gress, subject to congressionally required amendment*

1 *by Puerto Rico, and thereupon given effect in 1952*
2 *after acceptance of congressional conditions by the*
3 *Puerto Rico Constitutional Convention and an appro-*
4 *priate proclamation by the Governor. The approved*
5 *constitution established the structure for constitu-*
6 *tional government in respect of internal affairs with-*
7 *out altering Puerto Rico’s fundamental political, so-*
8 *cial, and economic relationship with the United*
9 *States and without restricting the authority of Con-*
10 *gress under the Territorial Clause to determine the*
11 *application of Federal law to Puerto Rico, resulting*
12 *in the present “Commonwealth” structure for local*
13 *self-government. The Commonwealth remains an un-*
14 *incorporated territory and does not have the status of*
15 *“free association” with the United States as that sta-*
16 *tus is defined under United States law or inter-*
17 *national practice.*

18 *(5) In 1953, the United States transmitted to the*
19 *Secretary-General of the United Nations for circula-*
20 *tion to its Members a formal notification that the*
21 *United States no longer would transmit information*
22 *regarding Puerto Rico to the United Nations pursu-*
23 *ant to Article 73(e) of its Charter. The formal United*
24 *States notification document informed the United Na-*
25 *tions that the cessation of information on Puerto Rico*

1 *was based on the “new constitutional arrangements”*
2 *in the territory, and the United States expressly de-*
3 *finied the scope of the “full measure” of local self-gov-*
4 *ernment in Puerto Rico as extending to matters of*
5 *“internal government and administration, subject*
6 *only to compliance with applicable provisions of the*
7 *Federal Constitution, the Puerto Rico Federal Rela-*
8 *tions Act and the acts of Congress authorizing and*
9 *approving the Constitution, as may be interpreted by*
10 *judicial decision.”. Thereafter, the General Assembly*
11 *of the United Nations, based upon consent of the in-*
12 *habitants of the territory and the United States ex-*
13 *planation of the new status as approved by Congress,*
14 *adopted Resolution 748 (VIII) by a vote of 22 to 18*
15 *with 19 abstentions, thereby accepting the United*
16 *States determination to cease reporting to the United*
17 *Nations on the status of Puerto Rico.*

18 *(6) In 1960, the United Nations General Assem-*
19 *bly approved Resolution 1541 (XV), clarifying that*
20 *under United Nations standards regarding the politi-*
21 *cal status options available to the people of territories*
22 *yet to complete the process for achieving full self-gov-*
23 *ernment, the three established forms of full self-govern-*
24 *ment are national independence, free association*

1 *based on separate sovereignty, or full integration with*
2 *another nation on the basis of equality.*

3 (7) *The ruling of the United States Supreme*
4 *Court in the 1980 case Harris v. Rosario (446 U.S.*
5 *651) confirmed that Congress continues to exercise*
6 *authority over Puerto Rico as territory “belonging to*
7 *the United States” pursuant to the Territorial Clause*
8 *found at Article IV, section 3, clause 2 of the United*
9 *States Constitution; and in the 1982 case of*
10 *Rodriguez v. Popular Democratic Party (457 U.S. 1),*
11 *the Court confirmed that the Congress delegated pow-*
12 *ers of administration to the Commonwealth of Puerto*
13 *Rico sufficient for it to function “like a State” and*
14 *as “an autonomous political entity” in respect of in-*
15 *ternal affairs and administration, pending further*
16 *disposition by Congress. These rulings constitute judi-*
17 *cial interpretation of Puerto Rico’s status which is*
18 *in accordance with the clear intent of Congress that*
19 *establishment of local constitutional government in*
20 *1952 did not alter Puerto Rico’s status as an unin-*
21 *corporated United States territory.*

22 (8) *In a joint letter dated January 17, 1989, co-*
23 *signed by the Governor of Puerto Rico in his capacity*
24 *as president of one of Puerto Rico’s principal politi-*
25 *cal parties and the presidents of the two other prin-*

1 *cipal political parties of Puerto Rico, the United*
2 *States was formally advised that “. . . the People of*
3 *Puerto Rico wish to be consulted as to their preference*
4 *with regards to their ultimate political status”, and*
5 *the joint letter stated “. . . that since Puerto Rico*
6 *came under the sovereignty of the United States of*
7 *America through the Treaty of Paris in 1898, the*
8 *People of Puerto Rico have not been formally con-*
9 *sulted by the United States of America as to their*
10 *choice of their ultimate political status”.*

11 *(9) In the 1989 State of the Union Message,*
12 *President George Bush urged the Congress to take the*
13 *necessary steps to authorize a federally recognized*
14 *process allowing the people of Puerto Rico, for the*
15 *first time since the Treaty of Paris entered into force,*
16 *to freely express their wishes regarding their future*
17 *political status in a congressionally recognized ref-*
18 *erendum, a step in the process of self-determination*
19 *which the Congress has yet to authorize.*

20 *(10) On November 14, 1993, the Government of*
21 *Puerto Rico conducted a plebiscite initiated under*
22 *local law on Puerto Rico’s political status. In that*
23 *vote none of the three status propositions received a*
24 *majority of the votes cast. The results of that vote*

1 *were: 48.6 percent for a commonwealth option, 46.3*
2 *percent statehood, and 4.4 percent independence.*

3 *(11) In a letter dated December 2, 1994, Presi-*
4 *dent William Jefferson Clinton informed leaders in*
5 *Congress that an Executive Branch Interagency*
6 *Working Group on Puerto Rico had been organized to*
7 *coordinate the review, development, and implementa-*
8 *tion of executive branch policy concerning issues af-*
9 *fecting Puerto Rico, including the November 1993*
10 *plebiscite.*

11 *(12) Under the Territorial Clause of the Con-*
12 *stitution, Congress has the authority and responsibil-*
13 *ity to determine Federal policy and clarify status is-*
14 *ssues in order to resolve the issue of Puerto Rico's final*
15 *status.*

16 *(13) On January 23, 1997, the Puerto Rico Leg-*
17 *islature enacted Concurrent Resolution 2, which re-*
18 *quested the 105th Congress “. . . to respond to the*
19 *democratic aspirations of the American citizens of*
20 *Puerto Rico” by approving legislation authorizing*
21 *“. . . a plebiscite sponsored by the Federal Govern-*
22 *ment, to be held no later than 1998”.*

23 *(14) Nearly 4,000,000 United States citizens live*
24 *in the islands of Puerto Rico, which have been under*
25 *United States sovereignty and within the United*

1 *States customs territory for almost 100 years, making*
2 *Puerto Rico the oldest, largest, and most populous*
3 *United States island territory at the southeastern-*
4 *most boundary of our Nation, located astride the stra-*
5 *tegic shipping lanes of the Atlantic Ocean and Carib-*
6 *bean Sea.*

7 *(15) Full self-government for Puerto Rico is at-*
8 *tainable only through establishment of a political sta-*
9 *tus which is based on either separate Puerto Rican*
10 *sovereignty and nationality or full and equal United*
11 *States nationality and citizenship through member-*
12 *ship in the Union and under which Puerto Rico is*
13 *no longer an unincorporated territory subject to the*
14 *plenary authority of Congress arising from the Terri-*
15 *torial Clause.*

16 **SEC. 3. POLICY.**

17 *(a) CONGRESSIONAL COMMITMENT.—In recognition of*
18 *the significant level of local self-government which has been*
19 *attained by Puerto Rico, and the responsibility of the Fed-*
20 *eral Government to enable the people of the territory to free-*
21 *ly express their wishes regarding political status and*
22 *achieve full self-government, this Act is adopted with a com-*
23 *mitment to encourage the development and implementation*
24 *of procedures through which the permanent political status*
25 *of the people of Puerto Rico can be determined.*

1 (b) *LANGUAGE.*—*English shall be the common lan-*
2 *guage of mutual understanding in the United States, and*
3 *shall apply in all of the States duly and freely admitted*
4 *to the Union. The Congress recognizes that at the present*
5 *time, Spanish and English are the joint official languages*
6 *of Puerto Rico, and have been for nearly 100 years; that*
7 *English is the official language of Federal courts in Puerto*
8 *Rico; that the ability to speak English is a requirement for*
9 *Federal jury services; yet Spanish rather than English is*
10 *currently the predominant language used by the majority*
11 *of the people of Puerto Rico; and that Congress has the au-*
12 *thority to expand existing English language requirements*
13 *in the Commonwealth of Puerto Rico. In the event that the*
14 *referenda held under this Act result in approval of sov-*
15 *ereignty leading to Statehood, it is anticipated that upon*
16 *accession to Statehood, English language requirements of*
17 *the Federal Government shall apply in Puerto Rico to the*
18 *same extent as Federal law requires throughout the United*
19 *States. Congress also recognizes the significant advantage*
20 *that proficiency in Spanish as well as English has bestowed*
21 *on the people of Puerto Rico, and further that this will serve*
22 *the best interests of both Puerto Rico and the rest of the*
23 *United States in our mutual dealings in the Caribbean,*
24 *Latin America, and throughout the Spanish-speaking*
25 *world.*

1 **SEC. 4. PROCESS FOR PUERTO RICAN FULL SELF-GOVERN-**
 2 **MENT, INCLUDING THE INITIAL DECISION**
 3 **STAGE, TRANSITION STAGE, AND IMPLEMEN-**
 4 **TATION STAGE.**

5 (a) *INITIAL DECISION STAGE.*—A referendum on
 6 Puerto Rico’s political status is authorized to be held not
 7 later than December 31, 1998. The referendum shall be held
 8 pursuant to this Act and in accordance with the applicable
 9 provisions of Puerto Rico’s electoral law and other relevant
 10 statutes consistent with this Act. Approval of a status op-
 11 tion must be by a majority of the valid votes cast. The ref-
 12 erendum shall be on the approval of 1 of the 3 options pre-
 13 sented on the ballot as follows:

14 “Instructions: Mark the status option you choose as
 15 each is defined below. Ballot with more than 1 option
 16 marked will not be counted.

17 “A. COMMONWEALTH.—If you agree, mark here
 18 _____

19 “Puerto Rico should retain Commonwealth, in
 20 which—

21 “(1) Puerto Rico continues the present Common-
 22 wealth structure for constitutional self-government
 23 with respect to internal affairs and administration;

24 “(2) Puerto Rico is an unincorporated territory
 25 of the United States, and the provisions of the Con-
 26 stitution and laws of the United States, including

1 *those provisions for rights, privileges, and immunities*
2 *of United States citizens, apply to Puerto Rico as de-*
3 *termined by Congress;*

4 *“(3) persons born in Puerto Rico have statutory*
5 *United States nationality and citizenship as pre-*
6 *scribed by Congress;*

7 *“(4) the qualified voters of Puerto Rico elect a*
8 *nonvoting Resident Commissioner to the United*
9 *States who serves in the House of Representatives;*

10 *“(5) the levels of Federal benefits and taxes ex-*
11 *tended to the residents of Puerto Rico are established*
12 *by Federal law as deemed equitable by Congress;*

13 *“(6) Puerto Rico uses the currency of the United*
14 *States, is within the United States customs territory*
15 *and defense system, and English language require-*
16 *ments of the Federal Government apply, as provided*
17 *by Federal law;*

18 *“(7) the extension, continuation, modification,*
19 *and termination of Federal law and policy applicable*
20 *to Puerto Rico and its residents is within the discre-*
21 *tion of Congress; and*

22 *“(8) the ultimate status of Puerto Rico will be*
23 *established through a process authorized by Congress*
24 *which includes self-determination by the residents of*
25 *Puerto Rico in periodic referenda.*

1 *“B. SEPARATE SOVEREIGNTY.—If you agree, mark*
2 *here _____*

3 *“The people of Puerto Rico should become fully self-*
4 *governing through separate sovereignty in the form of inde-*
5 *pendence or free association, in which—*

6 *“(1) Puerto Rico is a sovereign Republic which*
7 *has full authority and responsibility over its territory*
8 *and population under a constitution which is the su-*
9 *preme law, providing for a republican form of govern-*
10 *ment and the protection of human rights;*

11 *“(2) the Republic of Puerto Rico is a member of*
12 *the community of nations vested with full powers and*
13 *responsibilities for its own fiscal and monetary pol-*
14 *icy, immigration, trade, and the conduct in its own*
15 *name and right of relations with other nations and*
16 *international organizations;*

17 *“(3) the people of Puerto Rico owe allegiance to*
18 *and have the nationality and citizenship of the Re-*
19 *public of Puerto Rico;*

20 *“(4) The Constitution and laws of the United*
21 *States no longer apply in Puerto Rico, and United*
22 *States sovereignty in Puerto Rico is ended; thereupon*
23 *birth in Puerto Rico or relationship to persons with*
24 *statutory United States citizenship by birth in the*
25 *former territory shall cease to be a basis for United*

1 *States nationality or citizenship, except that persons*
2 *who had such United States citizenship have a statu-*
3 *tory right to retain United States nationality and*
4 *citizenship for life, by entitlement or election as pro-*
5 *vided by the United States Congress, based on contin-*
6 *ued allegiance to the United States: Provided, That*
7 *such persons will not have this statutory United*
8 *States nationality and citizenship status upon having*
9 *or maintaining allegiance, nationality, and citizen-*
10 *ship rights in any sovereign nation, including the Re-*
11 *public of Puerto Rico, other than the United States;*

12 *“(5) The previously vested rights of individuals*
13 *in Puerto Rico to benefits based upon past services*
14 *rendered or contributions made to the United States*
15 *shall be honored by the United States as provided by*
16 *Federal law;*

17 *“(6) Puerto Rico and the United States seek to*
18 *develop friendly and cooperative relations in matters*
19 *of mutual interest as agreed in treaties approved pur-*
20 *suant to their respective constitutional processes, and*
21 *laws including economic and programmatic assist-*
22 *ance at levels and for a reasonable period as provided*
23 *on a government-to-government basis, trade between*
24 *customs territories, transit of citizens in accordance*

1 *with immigration laws, and status of United States*
2 *military forces; and*

3 *“(7) a free association relationship may be estab-*
4 *lished based on separate sovereign republic status as*
5 *defined above, but with such delegations of some gov-*
6 *ernment functions and other cooperative arrange-*
7 *ments as agreed to by both parties under a bilateral*
8 *pact terminable at will by either the United States or*
9 *Puerto Rico.*

10 *“C. STATEHOOD.—If you agree, mark here _____*

11 *“Puerto Rico should become fully self governing*
12 *through Statehood, in which—*

13 *“(1) the people of Puerto Rico are fully self-gov-*
14 *erning with their rights secured under the United*
15 *States Constitution, which shall be fully applicable in*
16 *Puerto Rico and which, with the laws and treaties of*
17 *the United States, is the supreme law and has the*
18 *same force and effect as in the other States of the*
19 *Union;*

20 *“(2) the sovereign State of Puerto Rico is in per-*
21 *manent union with the United States, and powers not*
22 *delegated to the United States by the Constitution nor*
23 *prohibited by the Constitution to the States, are re-*
24 *served to the State of Puerto Rico or to the people;*

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

5 “(4) *the people of Puerto Rico have equal rights,*
6 *privileges, immunities, and benefits as well as equal*
7 *duties and responsibilities of citizenship, including*
8 *payment of Federal taxes, as those in the several*
9 *States;*

10 “(5) *Puerto Rico is represented by two members*
11 *in the United States Senate and is represented in the*
12 *House of Representatives proportionate to the popu-*
13 *lation;*

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

17 “(7) *English is the official language of business*
18 *and communication in Federal courts and Federal*
19 *agencies as made applicable by Federal law to every*
20 *other State, and Puerto Rico is enabled to expand*
21 *and build upon existing law establishing English as*
22 *an official language of the State government, courts,*
23 *and agencies.”.*

24 **(b) TRANSITION STAGE.—**

1 (1) *PLAN.—(A) Within 180 days of the receipt*
2 *of the results of the referendum from the Government*
3 *of Puerto Rico certifying approval of a ballot choice*
4 *of full self-government in a referendum held pursuant*
5 *to subsection (a), the President shall develop and sub-*
6 *mit to Congress legislation for a transition plan of*
7 *not more than 10 years which leads to full self-gov-*
8 *ernment for Puerto Rico consistent with the terms of*
9 *this Act and the results of the referendum and in con-*
10 *sultation with officials of the three branches of the*
11 *Government of Puerto Rico, the principal political*
12 *parties of Puerto Rico, and other interested persons*
13 *as may be appropriate.*

14 *(B) Additionally, in the event of a vote in favor*
15 *of separate sovereignty, the Legislature of Puerto*
16 *Rico, if deemed appropriate, may provide by law for*
17 *the calling of a constituent convention to formulate,*
18 *in accordance with procedures prescribed by law,*
19 *Puerto Rico's proposals and recommendations to im-*
20 *plement the referendum results. If a convention is*
21 *called for this purpose, any proposals and rec-*
22 *ommendations formally adopted by such convention*
23 *within time limits of this Act shall be transmitted to*
24 *Congress by the President with the transition plan re-*
25 *quired by this section, along with the views of the*

1 *President regarding the compatibility of such propos-*
2 *als and recommendations with the United States Con-*
3 *stitution and this Act, and identifying which, if any,*
4 *of such proposals and recommendations have been ad-*
5 *dressed in the President’s proposed transition plan.*

6 *(C) Additionally, in the event of a vote in favor*
7 *of United States sovereignty leading to Statehood, the*
8 *President shall include in the transition plan pro-*
9 *vided for in this Act—*

10 *(i) proposals and incentives to increase the*
11 *opportunities of the people of Puerto Rico to*
12 *learn to speak, read, write, and understand Eng-*
13 *lish fully, including but not limited to, the teach-*
14 *ing of English in public schools, fellowships, and*
15 *scholarships. The transition plan should promote*
16 *the usage of English by the United States citi-*
17 *zens of Puerto Rico, in order to best allow for—*

18 *(I) the enhancement of the century old*
19 *practice of English as an official language*
20 *of Puerto Rico, consistent with the preserva-*
21 *tion of our Nation’s unity in diversity and*
22 *the prevention of divisions along linguistic*
23 *lines;*

24 *(II) the use of language skills necessary*
25 *to contribute most effectively to the Nation*

1 *in all aspects, including but not limited to*
2 *Hemispheric trade, and for citizens to enjoy*
3 *the full rights and benefits of their citizen-*
4 *ship;*

5 *(III) the promotion of efficiency and*
6 *fairness to all people in the conduct of the*
7 *Federal and State government's official*
8 *business; and*

9 *(IV) the ability of all citizens to take*
10 *full advantage of the economical, edu-*
11 *cational, and occupational opportunities*
12 *through full integration with the United*
13 *States; and*

14 *(i) the effective date upon which the Con-*
15 *stitution shall have the same force and effect in*
16 *Puerto Rico as in the several States, thereby per-*
17 *mitting the greatest degree of flexibility for the*
18 *phase-in of Federal programs and the develop-*
19 *ment of the economy through fiscal incentives,*
20 *alternative tax arrangements, and other meas-*
21 *ures.*

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

25 *(3) PUERTO RICAN APPROVAL.—*

1 (A) *Not later than 180 days after enactment*
2 *of an Act pursuant to paragraph (1) providing*
3 *for the transition to full self-government for*
4 *Puerto Rico as approved in the initial decision*
5 *referendum held under subsection (a), a referen-*
6 *dum shall be held under the applicable provi-*
7 *sions of Puerto Rico’s electoral law on the ques-*
8 *tion of approval of the transition plan.*

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

13 (c) *IMPLEMENTATION STAGE.—*

14 (1) *PRESIDENTIAL RECOMMENDATION.—Not less*
15 *than two years prior to the end of the period of the*
16 *transition provided for in the transition plan ap-*
17 *proved under subsection (b), the President shall sub-*
18 *mit to Congress a joint resolution with a rec-*
19 *ommendation for the date of termination of the tran-*
20 *sition and the date of implementation of full self-gov-*
21 *ernment for Puerto Rico within the transition period*
22 *consistent with the ballot choice approved under sub-*
23 *section (a).*

1 (2) *CONGRESSIONAL CONSIDERATION.*—*The joint*
2 *resolution shall be considered by the Congress in ac-*
3 *cordance with section 6.*

4 (3) *PUERTO RICAN APPROVAL.*—

5 (A) *Within 180 days after enactment of the*
6 *terms of implementation for full self-government*
7 *for Puerto Rico, a referendum shall be held*
8 *under the applicable provisions of Puerto Rico's*
9 *electoral laws on the question of the approval of*
10 *the terms of implementation for full self-govern-*
11 *ment for Puerto Rico.*

12 (B) *Approval must be by a majority of the*
13 *valid votes cast. The results of the referendum*
14 *shall be certified to the President of the United*
15 *States.*

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

19 (a) *APPLICABLE LAWS.*—

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

1 *tory requirements for voter eligibility of residents and*
2 *nonresidents.*

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

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

15 (c) *CONSULTATION AND RECOMMENDATIONS FOR IN-*
16 *CONCLUSIVE REFERENDUM.*—

17 (1) *IN GENERAL.*—*If a referendum provided in*
18 *section 4(b) or (c) of this Act does not result in ap-*
19 *proval of a fully self-governing status, the President,*
20 *in consultation with officials of the three branches of*
21 *the Government of Puerto Rico, the principal politi-*
22 *cal parties of Puerto Rico, and other interested per-*
23 *sons as may be appropriate, shall make recommenda-*
24 *tions to the Congress within 180 days of receipt of the*
25 *results of the referendum regarding completion of the*

1 *self-determination process for Puerto Rico under the*
2 *authority of Congress.*

3 (2) *ADDITIONAL REFERENDA.—To ensure that*
4 *the Congress is able on a continuing basis to exercise*
5 *its Territorial Clause powers with due regard for the*
6 *wishes of the people of Puerto Rico respecting resolu-*
7 *tion of Puerto Rico’s permanent future political sta-*
8 *tus, in the event that a referendum conducted under*
9 *section 4(a) does not result in a majority vote for sep-*
10 *arate sovereignty or statehood, there is authorized to*
11 *be further referenda in accordance with this Act, but*
12 *not less than once every 10 years.*

13 **SEC. 6. CONGRESSIONAL PROCEDURES FOR CONSIDER-**
14 **ATION OF LEGISLATION.**

15 (a) *IN GENERAL.—The majority leader of the House*
16 *of Representatives (or his designee) and the majority leader*
17 *of the Senate (or his designee) shall each introduce legisla-*
18 *tion (by request) providing for the transition plan under*
19 *section 4(b) and the implementation recommendation under*
20 *section 4(c) not later than 5 legislative days after the date*
21 *of receipt by Congress of the submission by the President*
22 *under that section, as the case may be.*

23 (b) *REFERRAL.—The legislation shall be referred on*
24 *the date of introduction to the appropriate committee or*
25 *committees in accordance with rules of the respective*

1 *Houses. The legislation shall be reported not later than the*
2 *120th calendar day after the date of its introduction. If any*
3 *such committee fails to report the bill within that period,*
4 *that committee shall be automatically discharged from con-*
5 *sideration of the legislation, and the legislation shall be*
6 *placed on the appropriate calendar.*

7 *(c) CONSIDERATION.—*

8 *(1) After the 14th legislative day after the date*
9 *on which the last committee of the House of Rep-*
10 *resentatives or the Senate, as the case may be, has re-*
11 *ported or been discharged from further consideration*
12 *of such legislation, it is in order after the legislation*
13 *has been on the calendar for 14 legislative days for*
14 *any Member of that House in favor of the legislation*
15 *to move to proceed to the consideration of the legisla-*
16 *tion (after consultation with the presiding officer of*
17 *that House as to scheduling) to move to proceed to its*
18 *consideration at any time after the third legislative*
19 *day on which the Member announces to the respective*
20 *House concerned the Member's intention to do so. All*
21 *points of order against the motion to proceed and*
22 *against consideration of that motion are waived. The*
23 *motion is highly privileged in the House of Represent-*
24 *atives and is privileged in the Senate and is not de-*
25 *batable. The motion is not subject to amendment, or*

1 to a motion to postpone, or to a motion to proceed to
2 the consideration of other business. A motion to recon-
3 sider the vote by which the motion is agreed to or dis-
4 agreed to shall not be in order. If a motion to proceed
5 to the consideration of the legislation is agreed to, the
6 respective House shall immediately proceed to consid-
7 eration of the legislation without intervening motion
8 (exception one motion to adjourn), order, or other
9 business.

10 (2)(A) In the House of Representatives, during
11 consideration of the legislation in the Committee of
12 the Whole, the first reading of the legislation shall be
13 dispensed with. General debate shall be confined to the
14 legislation, and shall not exceed 4 hours equally di-
15 vided and controlled by a proponent and an opponent
16 of the legislation. After general debate, the legislation
17 shall be considered as read for amendment under the
18 five-minute rule. Consideration of the legislation for
19 amendment shall not exceed 4 hours excluding time
20 for recorded votes and quorum calls. At the conclusion
21 of the bill for amendment, the Committee shall rise
22 and report the bill to the House with such amend-
23 ments as may have been adopted. The previous ques-
24 tion shall be considered as ordered on the legislation
25 and amendments thereto to final passage without in-

1 *tervening motion, except one motion to recommit with*
2 *or without instructions. A motion to reconsider the*
3 *vote on passage of the legislation shall not be in order.*

4 *(B) In the Senate, debate on the legislation, and*
5 *all amendments thereto and debatable motions and*
6 *appeals in connection therewith, shall be limited to*
7 *not more than 25 hours. The time shall be equally di-*
8 *vided between, and controlled by, the majority leader*
9 *and the minority leader or their designees. No amend-*
10 *ment that is not germane to the provisions of such*
11 *legislation shall be received. A motion to further limit*
12 *debate is not debatable.*

13 *(3) Appeals from the decisions of the Chair relat-*
14 *ing to the application of the rules of the Senate or the*
15 *House of Representatives, as the case may be, to the*
16 *procedure relating to the legislation described in sub-*
17 *section (a) shall be decided without debate.*

18 *(d) CONSIDERATION BY OTHER HOUSE.—(1) If, before*
19 *the passage by one House of the legislation described in sub-*
20 *section (a) that was introduced in that House, that House*
21 *receives from the other House the legislation described in*
22 *subsection (a)—*

23 *(A) the legislation of the other House shall not*
24 *be referred to a committee and may not be considered*

1 *in the House that receives it otherwise than on final*
2 *passage under subparagraph (B)(ii) or (iii); and*

3 *(B)(i) the procedure in the House that receives*
4 *such legislation with respect to such legislation that*
5 *was introduced in that House shall be the same as if*
6 *no legislation had been received from the other House;*
7 *but*

8 *(ii) in the case of legislation received from the*
9 *other House that is identical to the legislation as en-*
10 *grossed by the receiving House, the vote on final pas-*
11 *sage shall be on the legislation of the other House; or*

12 *(iii) after passage of the legislation, the legisla-*
13 *tion of the other House shall be considered as amend-*
14 *ed with the text of the legislation just passed and*
15 *shall be considered as passed, and that House shall be*
16 *considered to have insisted on its amendment and re-*
17 *quested a conference with the other House.*

18 *(2) Upon disposition of the legislation described in*
19 *subsection (a) that is received by one House from the other*
20 *House, it shall no longer be in order to consider such legisla-*
21 *tion that was introduced in the receiving House.*

22 *(e) Upon receiving from the other House a message in*
23 *which that House insists upon its amendment to the legisla-*
24 *tion and requests a conference with the House of Represent-*
25 *atives or the Senate, as the case may be, on the disagreeing*

1 *votes thereon, the House receiving the request shall be con-*
 2 *sidered to have disagreed to the amendment of the other*
 3 *House and agreed to the conference requested by that House.*

4 (f) *DEFINITION.*—*For the purposes of this section, the*
 5 *term “legislative day” means a day on which the House*
 6 *of Representatives or the Senate, as appropriate, is in ses-*
 7 *sion.*

8 (g) *EXERCISE OF RULEMAKING POWER.*—*The provi-*
 9 *sions of this section are enacted by the Congress—*

10 (1) *as an exercise of the rulemaking power of the*
 11 *Senate and the House of Representatives and, as such,*
 12 *shall be considered as part of the rules of each House*
 13 *and shall supersede other rules only to the extent that*
 14 *they are inconsistent therewith; and*

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

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

21 (a) *IN GENERAL.*—

22 (1) *AVAILABILITY OF AMOUNTS DERIVED FROM*
 23 *TAX ON FOREIGN RUM.*—*During the period beginning*
 24 *October 1, 1997, and ending on the date the President*
 25 *determines that all referenda required by this Act*

1 *have been held, from the amounts covered into the*
2 *treasury of Puerto Rico under section 7652(e)(1) of*
3 *the Internal Revenue Code of 1986, the Secretary of*
4 *the Treasury—*

5 *(A) upon request and in the amounts iden-*
6 *tified from time to time by the President, shall*
7 *make the amounts so identified available to the*
8 *treasury of Puerto Rico for the purposes specified*
9 *in subsection (b); and*

10 *(B) shall transfer all remaining amounts to*
11 *the treasury of Puerto Rico, as under current*
12 *law.*

13 (2) *REPORT OF REFERENDA EXPENDITURES.—*
14 *Within 180 days after each referendum required by*
15 *this Act, and after the end of the period specified in*
16 *paragraph (1), the President, in consultation with the*
17 *Government of Puerto Rico, shall submit a report to*
18 *the United States Senate and United States House of*
19 *Representatives on the amounts made available under*
20 *paragraph (1)(A) and all other amounts expended by*
21 *the State Elections Commission of Puerto Rico for*
22 *referenda pursuant to this Act.*

23 (b) *GRANTS FOR CONDUCTING REFERENDA AND*
24 *VOTER EDUCATION.—From amounts made available under*
25 *subsection (a)(1), the Government of Puerto Rico shall make*

1 *grants to the State Elections Commission of Puerto Rico*
2 *for referenda held pursuant to the terms of this Act, as fol-*
3 *lows:*

4 (1) *50 percent shall be available only for costs of*
5 *conducting the referenda.*

6 (2) *50 percent shall be available only for voter*
7 *education funds for the central ruling body of the po-*
8 *litical party, parties, or other qualifying entities ad-*
9 *vocating a particular ballot choice. The amount allo-*
10 *cated for advocating a ballot choice under this para-*
11 *graph shall be apportioned equally among the parties*
12 *advocating that choice.*

13 (c) *ADDITIONAL RESOURCES.—In addition to*
14 *amounts made available by this Act, the Puerto Rico Legis-*
15 *lature may allocate additional resources for administrative*
16 *and voter education costs to each party so long as the dis-*
17 *tribution of funds is consistent with the apportionment re-*
18 *quirements of subsection (b).*