

Union Calendar No. 370

110TH CONGRESS
2D SESSION

H. R. 900

[Report No. 110-597]

To provide for a federally sanctioned self-determination process for the people of Puerto Rico.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2007

Mr. SERRANO (for himself, Mr. FORTUÑO, Mr. RAHALL, Mr. YOUNG of Alaska, Mr. HOYER, Mr. BLUNT, Mr. WAXMAN, Mr. CANTOR, Mr. KENNEDY, Mr. PUTNAM, Ms. BORDALLO, Mr. MCCOTTER, Mr. KIND, Mr. BROWN of South Carolina, Mr. KILDEE, Mr. FLAKE, Mr. ABERCROMBIE, Mr. RENZI, Mr. SALAZAR, Mr. BURTON of Indiana, Mr. WEXLER, Mr. DENT, Mr. CROWLEY, Ms. PRYCE of Ohio, Mr. ENGEL, Ms. ROS-LEHTINEN, Mr. WU, Mr. POE, Mrs. TAUSCHER, Mr. MARIO DIAZ-BALART of Florida, Ms. JACKSON-LEE of Texas, Mr. WILSON of South Carolina, Mr. SMITH of Washington, Mr. FEENEY, Mr. BAIRD, Mr. MACK, Mrs. MALONEY of New York, Mr. KUHL of New York, Mr. GENE GREEN of Texas, Mr. KELLER of Florida, Mr. MOLLOHAN, Mr. SAXTON, Mr. MORAN of Virginia, Mrs. MILLER of Michigan, Ms. LORETTA SANCHEZ of California, Mr. THOMPSON of Mississippi, Mr. SMITH of New Jersey, Mr. DOYLE, Mr. COBLE, Mr. MEEHAN, Mr. WELLER of Illinois, Mr. CUELLAR, Mr. BOUSTANY, Mr. CLAY, Mr. MCKEON, Mr. FATTAH, Mr. TOM DAVIS of Virginia, Mr. JEFFERSON, Mr. DOOLITTLE, Mr. MCGOVERN, Mr. PAUL, Mr. McNULTY, Mr. GERLACH, Mr. OLVER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CALVERT, Ms. WASSERMAN SCHULTZ, Mrs. BLACKBURN, Mr. PETERSON of Minnesota, Mr. MICA, Mr. TAYLOR, Mr. ENGLISH of Pennsylvania, Mr. WYNN, Mr. GILCREST, Mr. LEWIS of Georgia, Mr. PEARCE, Mr. HINCHEY, Mr. McCAUL of Texas, Mr. COSTA, Mr. CASTLE, Ms. KILPATRICK, Mr. RODRIGUEZ, and Mr. CARDOZA) introduced the following bill; which was referred to the Committee on Natural Resources

APRIL 22, 2008

Additional sponsors: Mr. ARCURI, Mr. CONYERS, Mr. CRAMER, Mr. HIGGINS, Mr. MEEKS of New York, Mr. WALDEN of Oregon, Mr. PENCE, Mr. PETERSON of Pennsylvania, Mr. MARCHANT, Mr. CONAWAY, Mr. BILIRAKIS,

Mr. CANNON, Mr. FOSSELLA, Mr. STARK, Mr. RUPPERSBERGER, Mr. SHAYS, Ms. BERKLEY, Mr. RADANOVICH, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. BISHOP of Utah, Mr. SALLI, Mr. UDALL of Colorado, Mr. MCCARTHY of California, Mr. MOORE of Kansas, Ms. FALLIN, Mr. SHULER, Mr. DAVID DAVIS of Tennessee, Mr. FARR, Mr. BERMAN, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. DICKS, Mr. HOLDEN, Mr. ISRAEL, Ms. KAPTUR, Mr. LANTOS, Mr. ALLEN, Mrs. LOWEY, Mr. PRICE of North Carolina, Ms. WATSON, Mr. PERLMUTTER, Ms. MCCOLLUM of Minnesota, Mr. CARTER, Mr. ROSKAM, Ms. LEE, and Mr. DOGGETT

APRIL 22, 2008

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

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

[For text of introduced bill, see copy of bill as introduced on February 7, 2007]

A BILL

To provide for a federally sanctioned self-determination process for the people of 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.**

4 *This Act may be cited as the “Puerto Rico Democracy*
 5 *Act of 2007”.*

6 **SEC. 2. PUERTO RICAN DECISION ON PRESENT STATUS.**

7 (a) *PLEBISCITE.*—*The Puerto Rico State Elections*
 8 *Commission shall conduct a plebiscite in Puerto Rico not*
 9 *later than December 31, 2009. The two options set forth*
 10 *on the ballot shall be preceded by the following statement:*
 11 *Instructions: Mark one of the following two options:*

1 (1) *Puerto Rico should continue to have its*
 2 *present form of territorial status and relationship*
 3 *with the United States. If you agree, mark here*
 4 _____.

5 (2) *Puerto Rico should pursue a constitutionally-*
 6 *viable permanent non-territorial status. If you agree,*
 7 *mark here _____.*

8 (b) *RECOMMENDATIONS.—If a majority of the validly-*
 9 *cast ballots in the plebiscite favors Option 2, Congress recog-*
 10 *nizes the inherent authority of the People of Puerto Rico*
 11 *to—*

12 (1) *call a Constitutional Convention, constituted*
 13 *by a number of delegates to be determined in accord-*
 14 *ance to legislation approved by the Commonwealth of*
 15 *Puerto Rico, for the purpose of proposing to the Peo-*
 16 *ple of Puerto Rico a self-determination option which,*
 17 *if approved by the People of Puerto Rico in a ref-*
 18 *erendum, would be presented to Congress by the Con-*
 19 *stitutional Convention; or*

20 (2) *conduct a plebiscite administered by the*
 21 *Puerto Rico State Elections Commission to consider*
 22 *a self-determination option with the results presented*
 23 *to Congress.*

1 **SEC. 3. APPLICABLE LAWS AND OTHER REQUIREMENTS.**

2 (a) *APPLICABLE LAWS.*—All Federal laws applicable
3 to the election of the Resident Commissioner shall, as appro-
4 priate and consistent with this Act, also apply to the plebi-
5 scite held pursuant to this Act. Any reference in such Fed-
6 eral laws to elections shall be considered, as appropriate,
7 to be a reference to the plebiscite, unless it would frustrate
8 the purposes of this Act.

9 (b) *FEDERAL COURT JURISDICTION.*—The Federal
10 courts of the United States shall have exclusive jurisdiction
11 over any legal claims or controversies arising from the im-
12 plementation of this Act.

13 (c) *ELIGIBILITY; BALLOT.*—Persons eligible to vote
14 under this subsection shall, upon timely request submitted
15 to the Puerto Rico State Elections Commission in compli-
16 ance with any terms imposed by the Electoral Law of Puer-
17 to Rico, be entitled to receive an absentee ballot for the pleb-
18 iscite. Each of the following shall be eligible to vote in the
19 plebiscite held under this Act:

20 (1) All eligible voters under the electoral laws in
21 effect in Puerto Rico at the time the plebiscite is held.

22 (2) All United States citizens born in Puerto
23 Rico who comply, to the satisfaction of the Puerto
24 Rico State Elections Commission, with all Puerto
25 Rico State Elections Commission requirements (other

1 *than the residency requirement) applicable to eligi-*
2 *bility to vote in a general election.*

3 *(d) CERTIFICATION OF PLEBISCITE RESULTS.—The*
4 *Puerto Rico States Elections Commission shall certify the*
5 *results of the plebiscite held under this Act to the President*
6 *of the United States and to the Members of the Senate and*
7 *House of Representatives of the United States.*

8 **SEC. 4. FUNDS.**

9 *During the period beginning October 1, 2007, and end-*
10 *ing on the date the President determines that the plebiscite*
11 *required by this Act has been held, the Secretary of the*
12 *Treasury may allocate, from the funds provided to the Gov-*
13 *ernment of Puerto Rico under section 7652(e) of the Inter-*
14 *nal Revenue Code, not more than \$5,000,000 for this plebi-*
15 *scite to the State Elections Commission of Puerto Rico to*
16 *be used for expenses of carrying out said plebiscite under*
17 *this Act, including for voter education materials as certified*
18 *by the President’s Task Force on Puerto Rico’s Status as*
19 *not being incompatible with the Constitution and basic*
20 *laws and policies of the United States. Such amounts shall*
21 *be as identified by the President’s Task Force on Puerto*
22 *Rico’s Status as necessary for such purposes.*

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