

Union Calendar No. 164

111TH CONGRESS
1ST SESSION

H. R. 2499

[Report No. 111-294]

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

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2009

Mr. PIERLUISI (for himself, Mr. ABERCROMBIE, Mr. ARCURI, Mr. BAIRD, Ms. BERKLEY, Mr. BERMAN, Ms. BORDALLO, Mr. BOUSTANY, Ms. CORRINE BROWN of Florida, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. BUTTERFIELD, Mr. CARDOZA, Mr. CASTLE, Ms. CLARKE, Mr. CONNOLLY of Virginia, Mr. CONYERS, Mr. COSTA, Mr. CUELLAR, Mr. DELAHUNT, Mr. DENT, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. DOYLE, Mr. ENGEL, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FATTAH, Mr. FLAKE, Ms. FUDGE, Mr. GERLACH, Mr. GRAYSON, Mr. GENE GREEN of Texas, Mr. HARE, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HINCHEY, Mr. HOYER, Ms. JACKSON-LEE of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KENNEDY, Mr. KILDEE, Ms. KILPATRICK of Michigan, Mr. KLEIN of Florida, Mr. KRATOVIL, Ms. LEE of California, Mr. LEWIS of Georgia, Mr. DANIEL E. LUNGREN of California, Mr. MACK, Mr. MAFFEI, Ms. MARKEY of Colorado, Mr. MASSA, Mr. MCGOVERN, Mr. MCCAUL, Mr. MICA, Mr. MOLLOHAN, Mr. MORAN of Virginia, Ms. NORTON, Mr. OLVER, Mr. ORTIZ, Mr. PENCE, Mr. POE of Texas, Mr. POLIS of Colorado, Mr. PUTNAM, Mr. RAHALL, Mr. REYES, Mr. RODRIGUEZ, Ms. ROSLEHTINEN, Mr. SABLAN, Mr. SALAZAR, Ms. LORETTA SANCHEZ of California, Mr. SHULER, Mr. SMITH of Washington, Mr. STARK, Mr. TAYLOR, Mr. THOMPSON of Mississippi, Mr. TONKO, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Ms. WATSON, Mr. WATT, Mr. WAXMAN, Mr. WESTMORELAND, Mr. WEXLER, Mr. WILSON of South Carolina, Mr. WU, Mr. YARMUTH, and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Natural Resources

OCTOBER 8, 2009

Additional sponsors: Mr. CUMMINGS, Mr. MCCOTTER, Mr. CONAWAY, Mr.

CARTER, Mr. THOMPSON of Pennsylvania, Mr. PETERSON, Mr. KUCINICH, Mr. AL GREEN of Texas, Mr. CULBERSON, Mr. CARSON of Indiana, Ms. SUTTON, Mr. PRICE of North Carolina, Mr. PAUL, Mr. POSEY, Mr. AKIN, Mr. FRANKS of Arizona, Mr. DICKS, Mr. KIND, Ms. SHEA-PORTER, Mr. LANGEVIN, Mr. SCHOCK, Mr. WELCH, Mr. BISHOP of Utah, Mr. ROONEY, Mr. SIRES, Ms. SPEIER, Ms. WOOLSEY, Mr. MARCHANT, Ms. MCCOLLUM, Mr. SMITH of New Jersey, Mr. SPRATT, Mr. PERLMUTTER, Mr. MCDERMOTT, Ms. FALLIN, Mrs. MILLER of Michigan, Mr. CLAY, Mr. LATOURETTE, Mrs. LOWEY, Mr. BILIRAKIS, Mr. DAVIS of Alabama, Mr. MEEKS of New York, Mr. CAPUANO, Mr. HEINRICH, Mr. DOGGETT, Mr. CARNAHAN, Mr. RUPPERSBERGER, Mr. FLEMING, Mr. MARKEY of Massachusetts, Mr. WITTMAN, Mr. SCOTT of Virginia, Mr. MCCARTHY of California, Mr. NUNES, Mr. DRIEHAUS, Ms. CASTOR of Florida, Mr. BRALEY of Iowa, Ms. BALDWIN, Mr. MCKEON, Mr. WALDEN, Ms. KOSMAS, Ms. PINGREE of Maine, Ms. TITUS, Mr. HIMES, Mr. CASSIDY, Mr. THOMPSON of California, Mr. WAMP, Mr. KLINE of Minnesota, Mr. SCHIFF, Ms. TSONGAS, Mrs. McMORRIS RODGERS, Mr. ROGERS of Alabama, Ms. DEGETTE, Mr. HENSARLING, Mrs. BLACKBURN, Mr. CAMP, Mr. MEEK of Florida, Mr. BACA, Mr. CALVERT, Mr. NEAL of Massachusetts, Ms. HERSETH SANDLIN, Mr. GRJALVA, Mr. TIERNEY, Mr. ISSA, Mr. LYNCH, Mr. CROWLEY, Mrs. DAHLKEMPER, Mr. BUCHANAN, Mr. TERRY, Mrs. CAPPS, Ms. SLAUGHTER, Mr. SERRANO, Mr. LARSEN of Washington, Ms. GINNY BROWN-WAITE of Florida, and Mr. SHADEGG

OCTOBER 8, 2009

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 italics]

[For text of introduced bill, see copy of bill as introduced on May 19, 2009]

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 2009”.*

6 **SEC. 2. FEDERALLY SANCTIONED PROCESS FOR PUERTO**
7 **RICO’S SELF-DETERMINATION.**

8 (a) *FIRST PLEBISCITE.*—*The Government of Puerto*
9 *Rico is authorized to conduct a plebiscite in Puerto Rico.*
10 *The 2 options set forth on the ballot shall be preceded by*
11 *the following statement: “Instructions: Mark one of the fol-*
12 *lowing 2 options:*

13 *“(1) Puerto Rico should continue to have its*
14 *present form of political status. If you agree, mark*
15 *here ____.*

16 *“(2) Puerto Rico should have a different political*
17 *status. If you agree, mark here ____.”.*

18 (b) *PROCEDURE IF MAJORITY IN FIRST PLEBISCITE*
19 *FAVORS OPTION 1.*—*If a majority of the ballots in the pleb-*
20 *iscite are cast in favor of Option 1, the Government of Puer-*
21 *to Rico is authorized to conduct additional plebiscites under*
22 *subsection (a) at intervals of every 8 years from the date*
23 *that the results of the prior plebiscite are certified under*
24 *section 3(d).*

1 (c) *PROCEDURE IF MAJORITY IN FIRST PLEBISCITE*
2 *FAVORS OPTION 2.*—*If a majority of the ballots in a plebi-*
3 *scite conducted pursuant to subsection (a) or (b) are cast*
4 *in favor of Option 2, the Government of Puerto Rico is au-*
5 *thorized to conduct a plebiscite on the following 3 options:*

6 (1) *Independence: Puerto Rico should become*
7 *fully independent from the United States. If you*
8 *agree, mark here ____.*

9 (2) *Sovereignty in Association with the United*
10 *States: Puerto Rico and the United States should*
11 *form a political association between sovereign nations*
12 *that will not be subject to the Territorial Clause of the*
13 *United States Constitution. If you agree, mark here*
14 *_____.*

15 (3) *Statehood: Puerto Rico should be admitted as*
16 *a State of the Union. If you agree, mark here ____.*

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

18 (a) *APPLICABLE LAWS.*—*All Federal laws applicable*
19 *to the election of the Resident Commissioner shall, as appro-*
20 *priate and consistent with this Act, also apply to any plebi-*
21 *scites held pursuant to this Act. Any reference in such Fed-*
22 *eral laws to elections shall be considered, as appropriate,*
23 *to be a reference to the plebiscites, unless it would frustrate*
24 *the purposes of this Act.*

1 (b) *RULES AND REGULATIONS.*—*The Puerto Rico*
2 *State Elections Commission shall issue all rules and regula-*
3 *tions necessary to carry out the plebiscites under this Act.*

4 (c) *ELIGIBILITY TO VOTE.*—*Each of the following shall*
5 *be eligible to vote in any plebiscite held under this Act:*

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

8 (2) *All United States citizens born in Puerto*
9 *Rico who comply, to the satisfaction of the Puerto*
10 *Rico State Elections Commission, with all Commis-*
11 *sion requirements (other than the residency require-*
12 *ment) applicable to eligibility to vote in a general*
13 *election in Puerto Rico. Persons eligible to vote under*
14 *this subsection shall, upon timely request submitted to*
15 *the Commission in compliance with any terms im-*
16 *posed by the Electoral Law of Puerto Rico, be entitled*
17 *to receive an absentee ballot for the plebiscite.*

18 (d) *CERTIFICATION OF PLEBISCITE RESULTS.*—*The*
19 *Puerto Rico State Elections Commission shall certify the*
20 *results of any plebiscite held under this Act to the President*
21 *of the United States and to the Members of the Senate and*
22 *House of Representatives of the United States.*

23 (e) *ENGLISH BALLOTS.*—*The Puerto Rico State Elec-*
24 *tions Commission shall ensure that all ballots used for any*

1 *plebiscite held under this Act include the full content of the*
2 *ballot printed in English.*

3 *(f) PLEBISCITE COSTS.—All costs associated with any*
4 *plebiscite held under this Act (including the printing, dis-*
5 *tribution, transportation, collection, and counting of all*
6 *ballots) shall be paid for by the Commonwealth of Puerto*
7 *Rico.*

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